



2011/12 SESSION
of the
BERMUDA
HOUSE OF ASSEMBLY

OFFICIAL HANSARD REPORT

February 2012
Sittings 7–10 of the 2011/12 Session
(pages 681–950)

Hon. Stanley W. Lowe, OBE, JP, MP
Speaker

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****3 FEBRUARY 2012****10:03 AM***Sitting Number 7 of the 2011/12 Session**[Hon. Stanley Lowe, Speaker, in the Chair]***PRAYERS***[Prayers read by Hon. Stanley Lowe, Speaker]***CONFIRMATION OF MINUTES****9 AND 12 DECEMBER 2011**

The Speaker: The Minutes have been circulated electronically to all Members. Members who are not in receipt of those Minutes, please indicate that to the Clerk or the Sergeant-at-Arms and we will make every effort to make certain that you get copies of them.

Is there any objection to the Minutes for the 9th and 12th of December?

Agreed to.

[Gavel]

The Speaker: The Minutes stand confirmed.

[Motion carried: Minutes of 9 and 12 December 2011 confirmed.]

MESSAGES FROM THE GOVERNOR**NEW YEAR'S WISHES TO MEMBERS AND OFFICERS OF HOUSE OF ASSEMBLY**

The Speaker: I just wish to note that I received a memo from His Excellency the Governor. He has asked me to convey to all Members of the House and the Officers of the House of Assembly every good fortune for 2012. This was received in early January.

ANNOUNCEMENTS BY THE SPEAKER OR MEMBER PRESIDING**RECENT REPORT OF THE AUDITOR GENERAL**

The Speaker: To the Honourable Speaker Stanley W. Lowe of the House of Assembly:

"Dear Sir:

"I am pleased to submit my Special Report on the Misuse of Public Funds dated December 2011 in accordance with Section 13.1 of the Audit Act 1990. Section 12 of the Audit Act 1990 makes provision for the Auditor General to make an immediate Special

Report in the public interest if, during the course of the performance of her function, a matter arises which warrants such a report.

"Faithfully,

"Respectfully submitted,

"Heather A. Jacobs, JP, FCA, CFE

"Auditor General"

DISTRIBUTION OF LEAFLET "RECOMMENDED BENCHMARKS FOR THE CPA, CARIBBEAN, AMERICAS, AND ATLANTIC REGION DEMOCRATIC LEGISLATURES"

The Speaker: Honourable Members will have found on their seats a brochure setting out the agreed-upon benchmarks for the CPA [Commonwealth Parliamentary Association], the Americas, North America and Caribbean Region. It is a very striking-looking brochure. Honourable Members are encouraged to read those benchmarks that have been approved by the CPA.

DISSEMINATION OF SPECIAL REPORTS

The Speaker: Further to the report of the Auditor General, I wish to briefly state that the recently released report from the Auditor General during the House adjournment is within the legal remit of the Auditor General.

Notwithstanding that section 12 of the Audit Act 1990 makes provision for the Auditor General to make an "immediate" release of the Special Report "in the public interest," however, I am of the very firm opinion that the tabling of these Special Reports should be better coordinated for presentation when the House is in session, as has been done in previous years.

The Speaker in his capacity is duty bound to present the Report to Parliament when it resumes. Every effort must be made to allow for a smoother process for the dissemination of these Special Reports.

PASSING OF MR. FRANCIS EVERETT

The Speaker: We have just got one further announcement.

We want to send condolences to our Assistant Clerk, Mrs. Carolyn J. Todd, whose father passed just recently, last week, Mr. Francis Everett. And Mrs.

Todd is, of course, overseas attending the funeral of her late father, Mr. Francis Everett. On behalf of the House, we wish to send our deepest sympathy to her on her loss.

I think we have got everything.

MESSAGES FROM THE SENATE

The Speaker: There are none.

PAPERS AND OTHER COMMUNICATIONS TO THE HOUSE

The Speaker: Minister Furbert?

[Inaudible interjection]

The Speaker: No? All right.

PETITIONS

The Speaker: I recognise the Honourable Member, Government Whip.

Ms. Foggo, from St. David's, has the floor.
Madam Whip?

PETITION OF WORLDWIDE CHURCH OF GOD (BERMUDA)

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

Mr. Speaker, I seek leave to present the following Petition:

Petition for the Worldwide Church of God (Bermuda) requesting to present a draft Bill to change the name of Worldwide Church of God (Bermuda) to Grace Communion International (Bermuda). I ask that the said Petition be referred to the Joint Select Committee on Private Bills for consideration and report.

Thank you, Mr. Speaker.

The Speaker: Thank you, Ms. Foggo. So ordered. Referred to the Private Bills Committee.

STATEMENTS BY MINISTERS

The Speaker: I am going to take the Honourable Member, Mrs. P. Minors, Minister Minors from Smith's North.

Minister Minors has the floor.

LABOUR, TRAINING AND JOB PLACEMENT

Hon. Patrice K. Minors: Thank you, Mr. Speaker.

Mr. Speaker, during these stressful economic times, the single most important thing that we can do is to make sure that we continue to upgrade the skills of job seekers to ensure job readiness. This is a prerequisite for our economic longevity. Therefore, I am

pleased to rise this morning to provide an update on the range of training programmes offered via the Department of Labour and Training as well as the job opportunities that the moratorium has created.

Mr. Speaker, there are numerous local training opportunities, some of which are available at little or no cost. Further, the Department of Labour and Training will underwrite the cost of certain types of training for job seekers who are receiving financial assistance.

Training, in terms of time, effort and expense, is an investment which will pay dividends in securing employment and future career advancements. The Ministry encourages Bermudians to recognise the value of education and training as an integral part of meeting the needs of the labour market now and in the future.

Mr. Speaker, our goal is to substantially improve our ability to effectively support job seekers during this difficult economic period.

In 2011, close to 600 persons attended various training programmes sponsored by the Department of Labour and Training. This compared to 219 persons who attended similar programmes in 2010. The huge increase in the number of persons attending training programmes from 2010 to 2011 can be attributed in part to the Department's offering a wider selection of programmes and making these programmes available to the general public as opposed to limiting the offering to registered clients of the Department of Labour and Training. Sustained unemployment levels are, of course, another contributing factor.

Mr. Speaker, the Department offers a series of soft skills training, computer courses, self-help and financial management training courses. Soft skills training consists of Work Place Ethics, Time Management, Interview Skills, Resume Development, Handling Conflict, Boosting Your Job Search Technique, Constructing a Cover Letter, The Power of Networking and Fast Track to a Better Job. To build computer literacy, courses are offered in Basic Keyboarding, Beginners Computer, Microsoft Word, Introduction to Excel, and QuickBooks. Other business courses include Math Skills for Business, and Business Writing.

Mr. Speaker, there are also self-help courses. These include Coping with Job Loss, Career Transitioning, and Employee Rights & Responsibilities. A series of personal finance courses are another important component of the offering, such as Student Loans & Scholarships, Investing and the Economy, Mortgages, Loans & Credit and Budgeting & Saving.

Mr. Speaker, the Department continues to assist clients with special areas of study and, in doing so, provided scholarship funding to 19 students to attend the Bermuda College during the last year, as well as assisted at least four others with tuition at C.A.R.E. Computer Learning Centre and the Adult Education Centre. Further, the Department via its National Train-

ing Board unit also entered into 18 formal contracts for apprenticeships in 2011, and a total of 10 companies were awarded tax relief via the Payroll Tax Waiver Programme, as a result of the existence of qualifying training and apprenticeship programmes.

Mr. Speaker, to complement the array of training programmes that are designed to prepare job-seekers with new job prospects, the Ministry continues to work to reduce the complement of non-Bermudian workers in areas where it is deemed that Bermudians have the requisite skills to perform the jobs.

Mr. Speaker, you will be aware of the moratorium on work permits in certain job categories—specifically, landscape gardeners, cleaners, kitchen porters and skilled labourers—that was implemented in February 2011 with a view to creating opportunities for Bermudian workers. Last year, close to 90 work permits in the moratorium categories were refused. The moratorium remains in place.

Mr. Speaker, Honourable Members will be aware that over the past several months the processing of many work permit applications has been delayed. When processing resumed recently, the work permits were categorised by area of specialisation. The kitchen porter work permits were the first to be processed, and in cases where applications for the renewal of work permits were refused, many employers were initially given an aggressive timeline associated with the stop work notification.

Mr. Speaker, while it is understandable that many deemed the timeline to be short, it is important to note that these work permits had in fact already expired and all of the employers had benefited from continuity of service from these workers during the period that the processing was delayed. Many will already know that "custom and practise" provides for work permit holders to continue to work once a work permit has been submitted to the Department for renewal. The employee continues to provide services until a decision is reached, regardless of the expiration of the work permit.

Having reconsidered the initial stop work dates provided to the employers of kitchen porters affected, I can now advise that several kitchen porter work permit applications and appeals have since been considered, and in the region of 25 kitchen porter work permits have been refused. These workers have been advised to settle their affairs and leave Bermuda.

To ensure an effective transition wherein job-ready Bermudians are prepared to assume these positions, the Department of Labour and Training in partnership with the Division of Professional and Career Education at the Bermuda College will soon offer a job preparation course, the Principles of Cleaning and Sanitation. The Principles of Cleaning and Sanitation covers the fundamental knowledge that is required to effectively clean and sanitise surfaces and

areas. The course is expected to commence prior to the end of February and will be offered free of charge to qualified applicants. The objective is to provide practical training that leads to employment opportunities for Bermudians.

Further, Mr. Speaker, I can advise that the adjudication of work permit applications has now commenced on another category of work permits also affected by extended processing delays—specifically, construction company work permits. There was a significant backlog associated with mason and carpenter work permits. During the past week, the team has been engaged in processing the backlog in this area.

At a recent meeting with the Construction Association of Bermuda, the executive officers were apprised of the situation, and efforts have been made to keep them abreast of the processing progress. To date, many permits have been refused, and in accordance with the discussions with the Construction Association of Bermuda, an opportunity for a construction job fair has evolved. Planning is currently in progress, and as at the latest report, 18 construction companies have signed up to participate in the job fair. It is expected that this number will increase as we work towards delivering this initiative. Following the completion of the construction company work permit applications, the remaining outstanding categories, including cleaners and landscapers, will be processed.

To be clear, Mr. Speaker, the process of creating job opportunities for Bermudian workers is supported by a robust series of training and employment programmes in partnership with industry partners. You will recall the Basic Horticulture Programme. This pilot programme began in September 2011 and will run until June 2012. Sixteen participants enrolled in the program. One of the requirements for remaining in this programme is to maintain employment with a related industry partner. It is expected that this programme will be reviewed in consultation with industry to ensure that it is achieving the job-ready objective, following which a new cohort is expected to commence their studies.

Additionally, Mr. Speaker, the Waiter/Server Programme is ongoing and meeting with great success. The first group of trainees who successfully completed the programme have all received job offers. Applications for this programme remain open as we work to achieving our goal of placing 100 people in jobs as a part of the phase-one component of this initiative. New job-ready programmes are in the process of being developed and these will be rolled out in the weeks and months ahead.

Mr. Speaker, in 2011 the Department of Labour and Training placed close to 400 people in jobs, mainly in the private sector, and employed 100 summer students via the Government Summer Employment Programme.

Mr. Speaker, the Ministry's short-term priority is putting in place the programmes, policies and legislation that are necessary to underpin economic growth and job creation. The long-term priority is to achieve economic growth and prepare the Bermudian labour pool to succeed in filling the needs of the job market. The Ministry aims to work with employers more closely because it is in everyone's best interest to employ more Bermudians.

Mr. Speaker, we endeavour to educate and help people adapt to the new realities of the Bermuda economy and the employment opportunities that are available. Our role is to assist job-seeking individuals to make the transition to the new economic circumstances, and we will use all of the avenues available to us in meeting the training and employment needs of the people of Bermuda.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Minors, the Honourable Member from Smith's North.

Any further Ministerial Statements?

I now recognise the Honourable Member, Minister W. Perinchief, from Pembroke Central.

Minister Perinchief has the floor.

INTER-AGENCY GANG TASK FORCE UPDATE

Hon. Wayne N. M. Perinchief: Good morning, Mr. Speaker.

Mr. Speaker, I am pleased to update this Honourable House on the work of the Inter-Agency Gang Task Force and to set the tone for the next phase of our work. In the time since the increase in violent crime in Bermuda, this Government has led the fight to win back our communities and to promote alternatives to the gang lifestyle. Using the various agencies under the public umbrella, hard-working professionals in the helping professions have devoted considerable time and effort to addressing the issues that present themselves as symptoms of the gang culture.

Mr. Speaker, the formation of the Inter-Agency Gang Task Force has brought together a cross-ministry working group at various levels—strategic, enforcement and community—with the sole aim of addressing the problems of antisocial behaviour and gang-related violence.

This effort continues to be successful. The sharing of information and the cohesive strategy, particularly around enforcement, has yielded positive results. Operation Nightlight, where the police and officers from the Department of Court Services aggressively monitor compliance with probation and parole conditions, is one such success story.

Mr. Speaker, I am extremely grateful to the US Consul General Shelton for all that the US Consulate Office has done to assist Bermuda since the formation of the Inter-Agency Gang Task Force. We are

particularly grateful for the opportunity provided by the US-sponsored Volunteer Visitor Exchange programme. This initiative allowed for a cross-ministry working group at various levels to witness firsthand the best practices and successes in other jurisdictions.

Building on these successes is the important next step for the Task Force. Where do we go from here? Sharpening the focus for what can be a broad and varied set of problems is never easy. However, in these six areas, Mr. Speaker, we provide a platform for continuing to break down the gang culture and building our communities:

1. **We must continue to support the police's aggressive, targeted prevention and enforcement actions.** If we are to depend upon the police to strongly enforce the laws of the land and to meet a challenge which threatens our way of life, our responsibility as citizens is to support the lawful exercise of their authority and to encourage people of all ages to respect their work and to play their part in bringing an end to this violence. Mr. Speaker, throughout my visit to Boston last December, each expert highlighted that the police cannot do it on their own. There must be a unified community effort. The successful prosecutions of those persons who have chosen this life of gang behaviour are a testament to the commitment of the police to match the public's desire for justice with their action as the front line of law enforcement. For this they must be applauded.

2. **We must advance the proposal for additional sentencing tariffs for offences committed as part of or in furtherance of unlawful gang activity.** Mr. Speaker, I have already indicated that I favour a sentencing regime that permits a judge to take account of the circumstances in which certain offences have been committed and to add an additional term of imprisonment where those circumstances involve unlawful gang activity. We cannot treat these offences as ordinary, and our criminal justice system should have the means by which to reflect public sentiment and the accepted detrimental effects on our country at the sentencing phase.

3. **Prioritise gang mediation.** Mr. Speaker, intelligence indicates that gangs have leaders and some structure. With that in mind, we have followed best practice from other jurisdictions and have set in motion the means by which to bring these individuals together. Bermuda is too small for there to be warring factions separated by parish or neighbourhood boundaries. In some cases, families are split by this defined affiliation to gangs. A dialogue must be cultivated, and if what we hear is to be believed, in some cases the issues that divide these young men can be resolved through the mediation of an honest broker leading a full discussion. Mr. Speaker, this effort is, by

definition, undertaken away from the glare of the cameras, but it is important for the community to know that this Government is actively facilitating this initiative.

4. **Identify gang signals early.** Recognising the crucial role to be played within our education system, my colleague, the Honourable Member, the Minister of Education joined with me in sponsoring the paper that was discussed recently by Cabinet. Mr. Speaker, we must equip our teachers and educators with the know-how to identify red flags in our children so that no opportunity to prevent a descent into the gang culture is missed. Simply put, the school intervention effort must be to identify, prescribe, intervene and follow-up.

5. **Dedicated case management leading to positive lifestyle change.** Mr. Speaker, a key element of transforming lives and ensuring that at-risk individuals stay on the right path is effective case management. Our social assistance framework is consumed with meeting the needs presented by many problems in our society. However, with my colleague, the Honourable Member, the Minister of Youth, Families and Sports, I intend to urge a priority tasking for case management in support of gang prevention and, where possible, a renewed focus on wider familial issues in this area. As part of this action, we must establish a family assessment service to carry out a comprehensive assessment of the needs and challenges of multi-problem families in high-risk neighbourhoods, leading to an intervention/service plan to address those identified needs. Concurrently, we will address overlaps and gaps in existing approaches by agencies, aligning their work to a critical continuum: gang prevention, gang intervention and gang suppression.

6. **Increased support and demands of sports clubs/community clubs.** Mr. Speaker, if communities are to be the building blocks of success in this effort against the gang lifestyle, we must empower central points of the community and position them to be positive factors in the lives of all our citizens. There is no need to re-invent the wheel in this area. An untapped resource exists in our local community sports clubs, but we must partner with them to meet the needs. Mr. Speaker, the Government cannot do it all, and with my colleague responsible for Sport, we intend to innovatively encourage the private sector—both local and international—to adopt clubs in support of much-needed infrastructure improvements. We cannot claim to be a cosmopolitan and sophisticated jurisdiction and not have sports facilities that meet minimum standards of comfort and quality. Simple things like lights, family-friendly design, varied activities and the like will encourage positive activities at sites that already have contributed so much to our communities. In the first instance, the public/private partnership

must be one that offers specific skills and administration to our clubs so that they are well positioned to encourage the donor community to rally to their cause. Mr. Speaker, in this same vein, local community leaders must encourage community-based projects that improve surroundings and provide positive social networking opportunities. This will build an atmosphere of inclusion, providing the familial-style base, the absence of which lures some into the gang lifestyle.

Mr. Speaker, much has been said in the community about Operation Ceasefire. I support the programme, and already steps have been taken to implement it in Bermuda. I think it is important to point out that the Ceasefire programme uses community policing and relationship building with several agencies as the means by which to bring gang members into closer, positive contact with these entities. Ceasefire confronts gang members and pointedly describes the consequences of their destructive behaviour and complements these warnings with strong enforcement.

Mr. Speaker, the series of programmes that under-gird Ceasefire by and large exist in our community already, and with the all-inclusive approach I have outlined today, we are well on our way to the coordinated effort required to meet the challenges of this kind of criminal activity.

Importantly, Mr. Speaker, regular public updates are a feature of building confidence in the ability of the agencies of Government to address these challenges. Today I have set out the broad approach to these issues being undertaken by the Government and where we seek to engage the assistance of other sectors of the community.

Mr. Speaker, I do not use the term "national security" lightly. It indicates that this is a national imperative and a national priority that transcends the cut and thrust of the political arena. Our efforts in this area are non-stop. Every day is committed to drawing upon each of the agencies involved to play their part in inspiring lifestyle change leading to safer communities for all. The Government is leading in this effort, and we will continue to support the work of the Inter-Agency Gang Task Force and commend the public officers who have demonstrated their commitment to this cause.

Thank you, Mr. Speaker.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITOR

The Speaker: Thank you, Minister Perinchief, the Honourable Member from Pembroke Central.

Just before I call on the next Minister, I just wish to acknowledge in the Speaker's Gallery, former

Member Mr. N. Darrell who is visiting us today and observing us as we carry on the duties in Parliament.

[Desk thumping]

The Speaker: I hope you enjoy your stay with us and you will find it exciting, maybe.

Ministerial Statements. I now recognise the Honourable Member, Dame Jennifer Smith, from St. George's North.

Dame Jennifer, Minister of Education, has the floor.

STATEMENTS BY MINISTERS

[Continuing]

CARIFTA GAMES 2012

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning to inform Honourable Members and the listening public that all public schools will be closed on the 9th of April 2012, which is Easter Monday. This decision was taken so that the entire school system can support the final day of the CARIFTA Games.

It is no secret that events of this magnitude require a large number of volunteers, and our teachers, senior students and Department of Education administrators will be able to provide vital support to this event and to our athletes.

Mr. Speaker, as Members will be aware; CARIFTA is a major international sporting event that will be hosted by Bermuda over the Easter weekend. The games will attract a large international audience, and will feature Bermuda's best student athletes, many of whom are public school students.

Mr. Speaker, Members are quite aware of our belief that all students deserve support and encouragement. Just as we support academic achievement and creative talent, so must we support those gifted athletes, who, following their successful CARIFTA experience, may one day represent our country at the Olympics. Our athletes are role models for their peers. And I think it most appropriate for us to recognise excellence in all spheres. To that end, I want to encourage Members of this House, as well as the general public, to attend the CARIFTA Games and support our athletes.

Mr. Speaker, I have made this announcement now to ensure that parents, principals and teachers have ample time and ample notice so that they can plan accordingly. To repeat: All public schools will be closed on Monday, the 9th of April. Classes will resume on Tuesday, the 10th of April 2012.

Thank you.

The Speaker: Thank you, Dame Jennifer, the Honourable Member, the Minister of Education, from St. George's North.

Any further Ministers? I now recognise the Honourable Member, Mr. W. Furbert.

The Honourable Member, Mr. Furbert, Minister Furbert from Hamilton West, you have the floor, Minister.

PGA GOLF MERCHANDISE SHOW AND LATEST GOLF INITIATIVES

Hon. Wayne L. Furbert: Thank you, Mr. Speaker.

Mr. Speaker, last week I had the pleasure of traveling to Orlando to tee up awareness for Bermuda's golf product at the PGA Merchandise Show with a mission to build further awareness for Bermuda's wonderful golf product and offerings, as well as to specifically drive business to the destination. The PGA Merchandise Show attracts 1,000-plus vendors representing every business sector of golf, from market lenders to start-up companies and golf industry lenders who address key issues, as well more than 41,000 attendees from over 70 countries.

Mr. Speaker, the show was attended by the golf professionals from all the major golf courses on the Island, as well as our hotelier partners who actively promote golf in their hotel packages. I was also accompanied by Mr. Roddy Carr, the Bermuda Tourism golf specialist, who is the main negotiator for the PGA Grand Slam of Golf.

I met with PGA CEO, Joe Steranka, the Grand Slam Tournament Director David Charles, and his deputy, Bob Jeffries. I was briefed on the size and assets of the PGA, the history of the Merchandise event and relationship with the PGA Grand Slam.

Mr. Speaker, I also received a top-line review of the 2011 PGA Grand Slam event as well as a report on the increased Return on Investment [ROI]. In a recent impact study, it has been estimated that Bermuda receives approximately \$2 million in on-Island benefits of goods and services as a direct result of the Grand Slam event. This exceeds the current sponsorship fee of \$1.5 million. This benefit is also calculated even before the media value of the extensive television coverage to more than four million homes on TNT.

The PGA explained their current position going forward and that they would be going to the market in February trying to sell the title sponsor. If successful, it would be unlikely the sponsor would like to stay in Bermuda for next year, 2013. In that case, Bermuda would lose the event. They agreed that if by the 2012 event they did not find such a sponsor, they would like to continue in Bermuda in 2013. The announcement would be made at the 2012 event. This commitment would stand even if they did find a sponsor after October.

Mr. Speaker, it is noted that the PGA Grand Slam has afforded Bermuda significantly increased visibility over the past five years. Our current objective and plan is to seek out other alternatives to this event that would, in all likelihood, bring increased benefits to the Island. A Women's Grand Slam of Golf or a World Championship of Women's Golf are possible event considerations, as Bermuda is uniquely suited as a female/couples destination. I was also introduced to Pam Swenson, CEO of the Executive Women's Golf Association [EWGA], which has 18,000 members in the USA. We discussed this proposal of partnership with the EWGA.

Mr. Speaker, I also entered into discussions to bring a possible Champion's Tour event to Bermuda. This event brings 85 pros who would play a two-day pro-am prior to a 54-hole three-day event for a prize purse of \$1.8 million. This event has the potential to bring 600 to 1,000 visitors for the week.

Mr. Speaker, for many years our partners have discussed easier access to book tee times on the Island's golf courses and to make this process of booking much more user-friendly. I also met with executives of GolfNow.com and their group NBC and the Golf Channel. GolfNow.com leverages and pushes tee times, using the Golf Channel ad inventory and other digital assets. This company booked six million rounds of golf in 2011. The proposition is to come to Bermuda to link the top courses to the GolfNow platform. There would be no cash outlay, as clubs would simply commit on a barter basis. I have agreed to work with the courses to get them to sign up and get the program operational in a very short period of time.

Mr. Speaker, I also had the pleasure of hosting a cocktail reception at the PGA Show, as well as being present on the show floor and working with our Department of Tourism team in promoting several exciting new promotional initiatives directed specifically at golf pros and golfing enthusiasts.

Consistent with our golf and spa season, the Bermuda Department of Tourism is inviting visitors to enjoy two free rounds of golf plus a \$100 spa credit when booking a minimum of four nights at participating properties with the new "Tee for Free" package. This promotion is available for booking now through February 17, 2012, with travel dates through April 30, 2012.

The "Tee for Free" promotion grants two complimentary rounds of golf and one \$100 spa credit per booking, per stay. Guests will receive the golf and spa vouchers upon check-in. Fifteen hotels are participating; eight spas and eight *[sic]* golf courses have combined to participate in this new and innovative promotion.

Our "Fly, Stay and Play for Free" promotion directed to all golf professional pros also generated much attention. Any golf professional who influences and brings seven players to Bermuda with him or her

between now and May 6 will have their round-trip air fair paid, plus accommodations.

These promotions are designed to drive some excitement for our product and generate stimulation in our key markets.

Mr. Speaker, in closing, I am optimistic about the work that the Ministry is doing and look forward to a great year in sports tourism.

Thank you.

The Speaker: Thank you, Minister W. L. Furbert, from Hamilton West.

Any further Ministerial Statements?

I now recognise the Honourable Minister, Mr. D. Burgess, from Hamilton East.

Minister Burgess has the floor.

PREPARATION FOR 2012 CRUISE SHIP SEASON

Hon. Derrick V. Burgess, Sr.: Thank you, Mr. Speaker.

Mr. Speaker, today I would like to share with this Honourable House an overview of preparations that are underway for the 2012 Cruise Ship Season. We are anticipating that we will attract the second-highest number of cruise visitor arrivals in our history, with 2011 being the highest. The cruise product in 2012 will generate over \$80 million to Bermuda's economy, including approximately \$22 million direct to Government. This amount is derived from Cruise Ship Passenger Tax and the Cabin Tax.

Mr. Speaker, meeting the transportation demands will require extensive coordination between the transport providers in Bermuda and the cruise lines. Over the past few months I have been meeting with various stakeholder groups including the Minibus Association, taxi dispatching companies, the Corporation of Hamilton, the Corporation of St. George's, the West End Development Corporation, shipping and tour agents, Transport Control, Department of Control, traffic officers and management and operations personnel at the Department of Public Transportation and Marine and Ports Services. I have also met with the major cruises lines including Royal Caribbean International, Celebrity Cruises, Norwegian Cruise Line, Princess Cruises and Holland America Line. These meetings were intended to get feedback on the 2011 cruise ship season and to prepare for the 2012 season.

Mr. Speaker, for 2012, the number of regular weekly cruise calls to Bermuda is projected to be 162 calls. The number of visits by the regular weekly callers, Royal Caribbean *International*, will increase from 25 in 2011 to 30 in 2012, and the number of calls from the *Enchantment of the Seas* will increase from 25 in 2011 to 30 in 2012. Celebrity Cruises' *Summit* will have 19 calls in 2012, while Norwegian Cruise Line's *Norwegian Star*, which will replace the *Norwegian Gem*, will have 25 cruises in 2012, the same as the *Gem* had in 2011. Finally, the *Norwegian Dawn* will

have 22 cruises in 2012, the same as 2011. Holland America's *Veendam* will visit Hamilton 19 times.

Mr. Speaker, in order to meet with projected demands, we have underway the development of transportation plans, and I would like to share with you a status of the preparations. Although we will have limited financial resources to expand services in 2012, our strategy is to work smarter, more efficiently and to have better coordination between the various transport modes, both public and private. With Marine and Ports ferry services, we are in the final stages of preparing a schedule which will include an increased number of ferry trips from Dockyard to St. George's, while maintaining sufficient lift to and from Hamilton. In 2011, we found that St. George's was underserved, so increasing the ferry lift to St. George's is one of our top priorities.

With the Department of Public Transportation bus system, we are putting in place a number of programmes to improve the maintenance of the buses. This includes hiring more mechanics, increasing training for the personnel in the mechanical section and ensuring that we have enough parts and materials to maintain the system. The overall objective is to reduce the number of out-of-service buses so we can meet the demands not only generated by cruise and air visitors, but also school bus services and regularly scheduled service. We will make every effort to avoid the difficulties experienced last season.

Mr. Speaker, as you are aware, the Ministry has created a Taxi Authority which has been meeting on a regular basis. I believe that a better organised taxi system, acting as one voice, will enable us to improve service to our customers. In 2011 the taxi industry made a significant contribution to the cruise industry. Taxis assisted in the effort to improve the transport options at Dockyard. We intend to make further improvements by ensuring that there is closer coordination between the dispatching companies and others in the taxi industry. We have also been meeting with key players in the Mini-Bus Association who, like the taxis, have assured us that they will continue to work on improving transportation for our cruise visitors. They, too, played a key role in 2011, and we see that continuing in 2012.

Mr. Speaker, at this time I would like to take this opportunity to thank my predecessor, the former Minister of Transport, the Honourable Member Terry Lister, and Permanent Secretary Ms. Ellen-Kate Horton, for attending the Dockyard each weekend during the 2011 cruise ship season to ensure that passengers were being moved in an efficient manner. They often actually assisted in the transportation of passengers.

Mr. Speaker, during my visits with the cruise lines, we had extensive discussions regarding the availability of smaller cruise ships for Hamilton and St. George's. Unfortunately, the information shared with us does not bode well in our ongoing objective to find

smaller ships. The few available smaller ships that are not operated by the luxury cruise lines are significantly older than the ships that visit Bermuda regularly and are no longer competitive in the North American market. The smaller ships that are owned by the luxury cruise lines do stop off in Bermuda on world cruises, but it was made clear to us that it would not be profitable to have them sailing here on a regular basis. Although we will continue to pursue smaller ships for Hamilton and St. George's, we have been informed that there is a phasing-out of the smaller ships. We cannot rely on availability in the future as we develop our long-term cruise strategy.

Mr. Speaker, in conclusion, Bermuda's cruise product remains vibrant and we continue to have an outstanding reputation in the cruise industry. However, in an environment where we have less financial resources to provide transportation services, we must be more creative when meeting the demands generated by the cruise product. Over the next few months, I will be sharing additional specifics of our transportation strategies that are now being developed. Our first cruise ship arrives at Heritage Wharf on 4th of March.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Burgess, the Honourable Member from Hamilton East.

Any further Ministerial Statements?

I now recognise the Honourable and Learned Member, Mr. M. Scott, from Sandys North.

Minister Scott, you have the floor.

ESTABLISHMENT OF A CISCO LOCAL ACADEMY IN BERMUDA—UPDATE

Hon. Michael J. Scott: Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning to provide for Members of this Honourable House additional information with respect to an extremely important initiative that was announced by the Government in the Speech from the Throne that was read by His Excellency the Governor in November of 2011. His Excellency read as follows: "The Government is pleased to share that it is engaged in advanced discussions with Cisco Systems, the worldwide leader in networking products and services, for the establishment of a Cisco Academy in Bermuda."

Mr. Speaker, Honourable Members will recall that I last addressed the House of Assembly with respect to the Cisco Academy initiative on 18th of November of 2011. I am delighted to inform Honourable Members that a great deal of progress has been made since that time towards the establishment of a Cisco Local Academy here in Bermuda. Very early in the deliberations, the Director of our Information Technology Office advised his steering committee that our mandate was to establish the Local Academy, oversee the implementation and oversee the first year of the programme and recommend to the Government

the best “home” for the Academy in the long term. Our discussions with Bermuda College have led us to the conclusion that this institution of higher learning is the most likely home for Cisco Academy Bermuda in the long term.

Mr. Speaker, the identification of a centrally located facility was one of the key deliverables in the Cisco Academy Project Charter. To this end, Bermuda College has offered the use of an independent, fully outfitted classroom which can be configured according to Cisco specifications. Our committee, in consultation with Cisco and Bermuda College, is working fastidiously to prepare this facility for instruction.

Mr. Speaker, tapping into the expertise of Dr. Duranda Greene, President of Bermuda College, and her team has proven invaluable to the steering committee. Together we have also determined that the best option for securing certified instructors for the Academy is the “train the trainer” model. A cadre of persons will be identified to undergo the very demanding 20-day certification for instructors, with a view to launching the Cisco Academy proper, as promised. One obvious benefit of this model is the provision of training here in Bermuda. We will endeavour to populate our instructor training classroom with public and privately sponsored candidates.

Mr. Speaker, we have benefited tremendously from the experiences of the Cisco Regional Academy in Jamaica, West Indies, the HEART College of Innovation and Technology. We are particularly indebted to Ms. Alison McIntyre, the Programme Coordinator of HEART, who has unselfishly and enthusiastically provided us with guidance and suggestions towards our desired ends. HEART College, Mr. Speaker, concurs that the “train the trainer” model is the most expedient method of providing our cadre of instructors with high-quality instruction. Consequently, HEART College is poised to provide us with an instructor who, with a proven track record of success, can train our trainers, as well as oversee the delivery of courses to the first cohort of students.

Now, Mr. Speaker, HEART College reports that the CCNA curriculum (that is, the Cisco Certified Network Associate curriculum) is delivered as a standalone programme and that it is one of the most popular offerings at the college. In fact, HEART College reports that it is unable to match the course offerings with the demand. It is with this fact in mind that the Bermuda Steering Committee has fastened on the CCNA curriculum for Bermuda as well.

Mr. Speaker, I now turn the attention of this Honourable House to the budget for this initiative. You will be most heartened to note that the steering committee has, from the very outset, recognised that its mandate was to deliver within a financially restricted environment. As the Minister ultimately responsible for delivering on this mandate, I have been charged with pitching our initiative to the information technology private sector. In this regard, Mr. Speaker, I have al-

ready begun to define to our private sector partners the particulars of this symbiotic relationship. I have made and will continue to make specific reference to the obvious benefits of having Cisco-certified Bermudians who will be able to position themselves effectively and strategically to become the employees of first choice in our local information technology sector. It is my hope, Mr. Speaker, and expectation, therefore, that the local IT sector will contribute generously towards the funding required to get the Cisco Local Academy up and running.

Mr. Speaker, I see this stated short-term goal of infusing our local economy with certified Bermudians as the foundation for a further reaching, more profound goal. And that goal is to unveil Bermuda as a premier technological centre, capitalising on our excellent infrastructure, Mr. Speaker, our convenient geographical location and our considerable intellectual capital. I do not wish to pre-empt myself or others, so will not elaborate any further at this time. Suffice it to say, we are on the threshold of a bold new undertaking.

Mr. Speaker, it is anticipated that instruction at the first formally established Cisco Local Academy will commence no later than 30th of June this year.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North.

Hon. Michael J. Scott: Mr. Speaker, I have a further Statement.

The Speaker: The Minister has a further Statement. Go right ahead, Minister.

AMENDMENTS TO THE CHARITIES ACT 1978

Hon. Michael J. Scott: I thank you, sir.

Mr. Speaker, again I am pleased to rise this morning to provide Members of this Honourable House with an update on proposed amendments to the Charities Act of 1978. Honourable Members will recall that this Government has made a commitment to amend the Charities Act 1978 to give the Charity Commissioners increased regulatory authority and to strengthen the reporting requirements of charities. Additionally, the 2007 Detailed Assessment Report on Anti-Money Laundering and Combating the Financing of Terrorism recommended that the authorities undertake a review of laws and regulations related to non-profit organisations, which include charities, to ensure that they cannot be misused for the purposes of financing terrorism.

Mr. Speaker, Honourable Members will recall that responsibility for charities was reassigned to my Ministry, the Ministry of Government Estates and Information Services, in November of 2011, after a brief period within the Ministry of Community Development.

Mr. Speaker, I make reference here to the assignment of the Charities Portfolio to the Ministry of Community Development, as I felt obliged to fulfil the commitment made to the stakeholders within the charitable sector by my honourable colleague, the Honourable Michael A. Weeks, former Minister of Community Development. That commitment involved extensive consultation with the stakeholders. To this end, the Honourable Minister Weeks hosted a Town Hall meeting at No. 6 Shed in our city [Hamilton] on 18th of October of 2011.

Mr. Speaker, in his opening remarks at that meeting, Minister Weeks applauded the work and the dedication of the individuals who tirelessly laboured within the charitable sector. He acknowledged that the Government, with its myriad of programmes and limited resources, cannot fulfil all of the needs of our community—hence, the immense value of charities within our community. He heralded the charitable organisations as vital partners in the unrelenting pursuit of addressing the complex needs of all of our citizens.

Mr. Speaker, when this banner was handed to me, I too heralded the contributions made to this sector by our charitable organisations. Continuing the mandate of my colleague, I hosted a stakeholder meeting with representatives of these charitable organisations at the Leopards Club on 17th of January, 2012. My primary objective at that meeting was to meet with and solicit the views of the small charities, commonly known as the “mom and pop” charities, as larger charitable groups had been well represented at the No. 6 Shed meeting.

Mr. Speaker, I cannot emphasise too strongly the significance, the enormous value, of these small charities in our Bermudian society. During our meeting at the Leopards Club, I described the representatives of these smaller charities as the “drum majors” for social justice. And they are! In my opening address, I stated that there must be in place adequate legislation and regulation of the charitable sector, where accountability is the focus. However, I also stressed that the Government was ever mindful not to place an onerous burden of administration on our charitable sector, particularly our small charities.

Mr. Speaker, I am very grateful for the participation of the charities at these stakeholder meetings and for submissions sent to our charities@gov.bm e-mail account. These submissions will be given their due consideration and, where applicable, folded into the proposed amendments.

Mr. Speaker, I shall soon place the proposed amendments before our Cabinet for our consideration. In the meantime, consultation will be ongoing as we seek to refine the process of regulating this constantly evolving charitable sector while simultaneously maintaining Bermuda's attractiveness as a domicile within which our charities can operate and thrive.

Mr. Speaker, I am pleased to advise the Members of this Honourable House that it is my hope

that we will be called upon to consider amendments to the Charities Act of 1978 during the current legislative year.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North.

Any further Ministerial Statements?

We will move on.

ANNOUNCEMENT BY THE SPEAKER

REGISTER OF MEMBERS' INTERESTS

The Speaker: Just with the indulgence of the House, I have got one further announcement I would like to make regarding Register of Members' Interests. Members are asked to update and sign their Register of Members' Interests forms. Members whom this may concern will find their form on their desk. When completed, you can please return your form to Mr. Derek Lamb, to be filed.

Thank you.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: I would like to take it in order. I think we are going to take it in order, starting with Minister Minors, and let us see.

[Inaudible interjection]

The Speaker: Just one second. Just one second. Yes. We have a question from the Honourable Member, Mr. C. Swan, to Minister Minors.

The Honourable Mr. Swan, from Southampton West Central, has the floor.

Mr. Swan?

Mr. Charles F. B. Swan: Thank you, everyone.

The Speaker: Well, you have to come and apprise me.

QUESTION NO. 1 ON LABOUR, TRAINING AND JOB PLACEMENT

Mr. Charles F. B. Swan: Thank you, Mr. Speaker.

My first question stems from page 4 of the Statement, the Horticultural Programme, where the Minister states that there are 16 participants enrolled in September and it is running until June. I just wonder . . . I would like to pose the question as to how many are enrolled at this point in time.

The Speaker: Minister Minors is going to respond.

Hon. Patrice K. Minors: Mr. Speaker, at this very time I do not have that exact figure. But in what I presented (you said page 4?) I said that there are 16 people that are enrolled in the programme. So one could only imagine that those 16 are still in it. But I can check to confirm that, Mr. Speaker.

Mr. Charles F. B. Swan: Just to clarify, Mr. Speaker, it does read, "Sixteen (16) participants enrolled in the program" in September.

The Speaker: Is that a supplementary?

Mr. Charles F. B. Swan: Well, I was just clarifying.

The Speaker: Oh, you are enlarging on your original question?

Mr. Charles F. B. Swan: Yes. The actual statement reads, "Sixteen (16) participants enrolled in the program." So my question is, How many are enrolled now?

Hon. Patrice K. Minors: Okay. I will repeat the answer I just gave, which was that 16 are enrolled. I would hope that they still remain enrolled. But I will check to get that exact figure.
Thank you, Mr. Speaker.

The Speaker: The Minister is giving an undertaking to get the exact figure.
Is there a further question?

Mr. Charles F. B. Swan: Thank you, Mr. Speaker. Just related to that, Mr. Speaker, a supplementary.

The Speaker: There is a supplementary.

SUPPLEMENTARY

Mr. Charles F. B. Swan: If when finding that information out, if she could also find out which firms are represented within the 16, or however many are still enrolled.

The Speaker: How many firms? Minister? Minister Minors is going to reply.

Hon. Patrice K. Minors: Mr. Speaker, as the Honourable Member had said that I will get back to him with confirmation as to whether the 16 are still enrolled, I will do the same as to which companies these young men are committed and are working for, as that is part of the concept of the programme.
Thank you, sir.

The Speaker: Thank you, Minister Minors. Minister Minors is giving an undertaking to get the exact information.

Is there a further question?

Mr. Charles F. B. Swan: Yes, there is, Mr. Speaker. Thank you for that.

The Speaker: Is this a supplementary?

Mr. Charles F. B. Swan: No. This is a further question on another page.

The Speaker: A further question, number two.

QUESTION NO. 2 ON LABOUR, TRAINING AND JOB PLACEMENT

Mr. Charles F. B. Swan: Yes. This stems from page 5, "The Department of Labour and Training placed close to four hundred (400) people in jobs mainly in the private sector", and that was in 2011. I would like to know if the Minister could provide answers as to where these 400 jobs have been placed.

The Speaker: Minister? Minister Minors is going to respond.

Hon. Patrice K. Minors: I do not have that information available to me right now. If he would like a breakdown as to categories . . . or is it the question of the names of the companies? Either way, I will endeavour to get that information, Mr. Speaker.

The Speaker: Thank you. Minister Minors is giving an undertaking to get the information which the Honourable Member is requesting.

Any further questions?

All right. Let us move on.

There were questions to be put to the Honourable Member. Is he in his seat, the Minister for National Security? All right. We will just have to move. Let us take another Minister at the moment.

Minister Furbert.

[Inaudible interjection]

The Speaker: No, no. We are moved on. The next Minister. We will come back.

The Honourable Member, Mr. H. Swan, wanted to put a question to Minister Furbert.

Mr. Swan, what is your question?

QUESTION NO. 1 ON PGA GOLF MERCHANDISE SHOW AND LATEST GOLF INITIATIVES

Hon. Hubert (Kim) E. Swan: Yes. Thank you, Mr. Speaker.

Minister Furbert, with regards to the PGA Grand Slam of Golf, is it the Ministry's intention to put out to tender the potential proposal to host an event in 2013?

The Speaker: Minister Furbert is going to respond. Minister Furbert?

Hon. Wayne L. Furbert: I just want to be clear that the Member is asking me to put out a . . . Say that again? I want to be clear.

The Speaker: Do you want him to repeat the question?

Hon. Wayne L. Furbert: Yes.

The Speaker: Go ahead, Mr. Swan.

Hon. Hubert (Kim) E. Swan: Is it the Ministry's intention to go out to tender for any events to be held in 2013 in place of the Grand Slam of Golf?

The Speaker: Minister Furbert?

Hon. Wayne L. Furbert: Mr. Speaker, if the Grand Slam is not held, we will review that, take a look at that. We will take a look at that.

The Speaker: Thank you, Minister.
Is there a further question, Mr. Swan, the Honourable Member from St. George's?

Hon. Hubert (Kim) E. Swan: Yes, Mr. Speaker.

The Speaker: Supplementary?

Hon. Hubert (Kim) E. Swan: No. This is a new question.

The Speaker: Yes?

QUESTION NO. 2 ON PGA GOLF MERCHANDISE SHOW AND LATEST GOLF INITIATIVES

Hon. Hubert (Kim) E. Swan: On the "Fly, Stay and Play for Free" and the initial bids going out, trying to entice PGA professionals, is the PGA of America assisting the Bermuda Department of Tourism to promote this event to their members throughout the United States?

The Speaker: The Minister Furbert is going to respond.

Hon. Wayne L. Furbert: Yes, thank you, Mr. Speaker. We took the opportunity to consult with the PGA President and their affiliates over there. They will

do their best to help us out. They have, I think, 27 million members.

The Speaker: Thank you, Minister Furbert.

Hon. Hubert (Kim) E. Swan: Supplementary.

The Speaker: Supplementary.

SUPPLEMENTARIES

Hon. Hubert (Kim) E. Swan: Can the Minister undertake to get a definitive commitment from the PGA of America to promote the Government of Bermuda's initiatives in light of their commitment, their relationship over the last four years, so that the PGA of America can assist the Government to promote to their substantive membership?

The Speaker: Thank you, Mr. Swan. Minister Furbert is going to respond.

Hon. Wayne L. Furbert: Mr. Speaker, they are doing that right now, working with us on that.

The Speaker: The answer to that question is yes.

Hon. Hubert (Kim) E. Swan: Supplementary.

The Speaker: Supplementary number two. Yes?

Hon. Hubert (Kim) E. Swan: Yes. Can the Minister advise us whether or not the Government benefited to that extent in the past? Has it reached out to all the members of the PGA of America during the last four or five years that we have been hosting the PGA Grand Slam and had a relationship with the PGA of America?

The Speaker: Minister Furbert is going to respond.

Hon. Wayne L. Furbert: Yes, we have, Mr. Speaker. Thank you.

The Speaker: Thank you.

Hon. Hubert (Kim) E. Swan: Supplementary?

The Speaker: Just two. We will move on.

[Inaudible interjections]

[Gavel]

The Speaker: Yes, but he has taken his seat.

The Honourable Member, Mr. C. Swan, from Southampton West Central had a question he wanted to put to the Minister.

QUESTION NO. 3 ON PGA GOLF MERCHANDISE SHOW AND LATEST GOLF INITIATIVES

Mr. Charles F. B. Swan: Yes, this is to the Honourable Member, Mr. Furbert, Minister of Business Development and Tourism. This stems from the first page of his Statement where he informs us that the PGA would be going to the market in February to sell the title sponsor.

My first question is, Could he inform us as to who is the current title sponsor?

The Speaker: Minister Furbert is going to respond.

Hon. Wayne L. Furbert: Mr. Speaker, most events like golf look for title sponsors. We have over the years been a sponsor of the events. So we have not actually been a title sponsor. In other words, we give money to the PGA to hold the event. But what they are looking at is something like Audi or Pepsi or Coca-Cola—

[Inaudible interjection]

Hon. Wayne L. Furbert: Or whatever. Yes, it allows them . . . Of course, they are looking for dollars themselves.

So what happens is, if the title sponsor, whether it is Pepsi or whoever it may be, wants to have the event in Orlando or hold it in Texas, then it is up to them to allow that to happen. If not, they go ahead and have it in Bermuda. But their key part is to make sure they are marketing their product in the largest jurisdiction.

The Speaker: Thank you, Minister Furbert.

Mr. C. Swan, from Southampton West Central.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker. This is a supplementary.

The Speaker: Supplementary number one.

SUPPLEMENTARIES

Mr. Charles F. B. Swan: I was just wondering if our Department of Tourism, if this Minister is making any effort to perhaps partner or work with a title sponsor to obtain or garner that tournament here in Bermuda.

The Speaker: Minister Furbert is going to respond.

Hon. Wayne L. Furbert: Mr. Speaker, we do not know who they are going after. Our contract is with the PGA. At the time they pick, as you heard me read, they have not even found a title sponsor yet. But if the title sponsor is willing to work with us and come to Bermuda, we will be glad to work with them also.

The Speaker: Thank you, Minister.
Is there a further question?

Mr. Charles F. B. Swan: A last supplemental.

The Speaker: Supplementary number two.

Mr. Charles F. B. Swan: Can I ask, Is it the Minister's intention to work with whoever the title sponsor is to secure the—

The Speaker: Minister Furbert, are you going to respond?

Mr. Charles F. B. Swan: I did not know if he had that ability.

Hon. Wayne L. Furbert: I just said that, Mr. Speaker.

The Speaker: Is he going to work with them? Yes. The answer to that is yes.

Hon. Wayne L. Furbert: Yes. I said yes.

The Speaker: Thank you, Minister.

I know the Honourable Member who keeps bobbing up. So I guess I had better . . . The Honourable Member, Mrs. Gordon-Pamplin, wanted to put a question to the Minister D. Burgess, from Hamilton East.

Mrs. Gordon-Pamplin from Paget West.

QUESTION NO. 1 ON PREPARATION FOR 2012 CRUISE SHIP SEASON

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Will the Honourable Minister advise this Honourable House, how many out-of-service buses are there at the moment out of the total fleet? Thank you.

The Speaker: Minister Burgess is going to reply.

Hon. Derrick V. Burgess, Sr.: I have been informed there are 44 out.

The Speaker: Thank you, Minister.
Yes?

Mrs. Patricia J. Gordon-Pamplin: Supplementary.

The Speaker: Supplementary.

SUPPLEMENTARIES

Mrs. Patricia J. Gordon-Pamplin: Can the Minister advise us, what is the critical number at which the service is not able to be effective?

The Speaker: Minister Burgess is going to respond.

Hon. Derrick V. Burgess, Sr.: Yes. Yes, I am told we have to have 75.

The Speaker: Is there a further question?

Mrs. Patricia J. Gordon-Pamplin: A second supplementary.

The Speaker: Supplementary number two. Mrs. Gordon-Pamplin, what is your question?

Mrs. Patricia J. Gordon-Pamplin: Can the Minister advise us what the total bus fleet is at the moment?

The Speaker: Minister Burgess is going to respond.

Hon. Derrick V. Burgess, Sr.: One hundred and twenty-one.

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

The Speaker: Mrs. Gordon-Pamplin has a further question, is it?

Mrs. Patricia J. Gordon-Pamplin: Yes. I have a second question.

The Speaker: Yes?

QUESTION NO. 2 PREPARATION FOR 2012 CRUISE SHIP SEASON

Mrs. Patricia J. Gordon-Pamplin: The Minister indicated about the hiring of mechanics. Will the Minister indicate to this Honourable House, how many more mechanics is he planning on hiring?

The Speaker: Minister Burgess?

Hon. Derrick V. Burgess, Sr.: Three.

Mrs. Patricia J. Gordon-Pamplin: Supplementary.

The Speaker: Supplementary, yes?

SUPPLEMENTARY

Mrs. Patricia J. Gordon-Pamplin: The question is, With what money will they be paid?

Hon. Derrick V. Burgess, Sr.: Money that is approved in this Parliament. Let me just add to that. We are four down [due] to attrition. So we are hiring three more.

Mrs. Patricia J. Gordon-Pamplin: Thank you. I have a question, number three.

The Speaker: Question number three. Yes?

QUESTION NO. 3 ON PREPARATION FOR 2012 CRUISE SHIP SEASON

Mrs. Patricia J. Gordon-Pamplin: This goes to the Taxi Authority and the cruise ship season. The question is, Have the discussions with the Taxi Authority created a resolution to the problem that exists with cruise ship pre-sales of onshore tours that are in direct competition with the taxi drivers?

The Speaker: Minister Burgess is going to respond.

Hon. Derrick V. Burgess, Sr.: Yes. That is something that is not in my control; that is in the taxi dispatch companies' control. But certainly, I think that some of them have made presentations to some of the cruise ships. But I do not know the status of that at this point.

The Speaker: Thank you, Mrs. Gordon-Pamplin. Thank you, Minister Burgess.

The Honourable and Learned Member, Mr. S. Crockwell, from Pembroke West, had a question to Minister Burgess.

QUESTION NO. 4 ON PREPARATION FOR 2012 CRUISE SHIP SEASON

Mr. Shawn G. Crockwell: Yes. Thank you, Mr. Speaker.

Mr. Speaker, on the issue of the Taxi Authority, on page 2, to the Minister of Transport, is the Minister aware of the composition of the Authority? For example, what percentage of operators are part of the Taxi Authority?

The Speaker: Minister Burgess is going to respond.

Hon. Derrick V. Burgess, Sr.: When we appointed the Authority, we . . . In fact, there are 11 members of the Authority. One, the chairman, who is not a part of the taxi industry; we have a representative from the hotel industry, one from the shipping industry and eight from the taxi. Whether they are owners or operators, I do not know. I could not say whether it is three or four or whatever. But they are from the dispatch companies and all combined.

The Speaker: Thank you, Minister Burgess. Is there a further question?

Mr. Shawn G. Crockwell: A supplementary, Mr. Speaker.

The Speaker: Supplementary from the Honourable and Learned Member, Mr. Crockwell.

SUPPLEMENTARY

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker.

To the Minister, does the Taxi Authority have the actual authority to make decisions for the industry? Or is it more just an advisory body?

The Speaker: Minister Burgess is going to respond.

Hon. Derrick V. Burgess, Sr.: It is an advisory body, but which will certainly make recommendations to the Minister.

The Speaker: Thank you, Minister Burgess.

Thank you, the Honourable and Learned Member, Mr. Crockwell.

The Honourable Member, Minister of . . . Oh, yes, I have got the wrong one.

The Honourable Member, Mr. H. Swan, wanted to put questions to the Honourable Minister, Mr. W. Perinchief.

Mr. Swan, the Honourable Member from St. George's West, what is your question?

QUESTION NO. 1 ON INTER-AGENCY GANG TASK FORCE UPDATE

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

Is it still the Minister's intention to introduce anti-gang legislation?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: Yes, it is my intention to have specific anti-gang legislation brought back to Cabinet.

The Speaker: Thank you, Minister.

The Honourable and Learned Member, Mr. S. Crockwell wanted to put a question to the Minister of National Security.

What is your question, Mr. Crockwell?

QUESTION NO. 2 ON INTER-AGENCY GANG TASK FORCE UPDATE

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker.

Referring to page 7 of the Minister's Statement, he referred to the steps that had been taken to implement Ceasefire. Can the Minister expand on exactly what has been implemented and where we are with this programme?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: In discussing the overall initiative, Operation Ceasefire, it is an umbrella name, or blanket name, for a strategy which basically, driven by the police, usually, targets specific gang members and gang behaviour. What happens is, with interaction with the gang, they are told specifically that their behaviour is going to bring either harsh action or more palliative action, depending on their response. In other words, it is a (what shall I say?) carrot-and-stick approach.

One facet of it that we identified was the Operation Nightlight portion of it, whereby the parole and probation services link up with the police to enforce things like curfews, check to make sure that probation orders and parole orders are being complied with. That part of it is alive and well and has been implemented. The police have liaised and are liaising regularly with the parole and probation, and that is a very effective strategy at present.

The last part of Operation Ceasefire, the portion where the gang mediation will take place—and that is the tough part. That is where people who are generally not police and not members of Government, if you like, Government agencies, interact and interface with gang members, targeted gang members, specifically to mediate issues. If there perhaps is an outstanding bill or a debt of (what shall I say?), somebody has insulted somebody and there is a flashpoint at which the mediator can intercede, this will happen.

As it stands right now, we are looking at a group that are already operating at that level in Bermuda in an ad hoc way to regularise their activities and to support their activities. But we wish to use, if you like, private enterprise to fund some of that activity. Basically, I actually saw it in operation in Boston. And it is going to be a replication of that strategy, but, as you know, Bermudianised, adapted to Bermuda's condition. That is, at present, in its formative state.

The Speaker: Thank you, Minister Perinchief.

The Honourable and Learned Member, Mr. Crockwell, has the floor. Is there a second question?

Mr. Shawn G. Crockwell: A supplementary, Mr. Speaker.

The Speaker: Supplementary?

Mr. Shawn G. Crockwell: Yes.

The Speaker: Yes?

SUPPLEMENTARY

Mr. Shawn G. Crockwell: Thank you, Mr. Speaker, and I am grateful for the answer from the Minister.

Does the Minister have an approximate time frame when the overall programme would be implemented and up and running?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: I have had preliminary talks with the prospective funding agencies who are, as you know, independent owners. I have already had talks with the Minister of Youth and Sports, where Mirrors resides. Mirrors, in our opinion, actually . . . Where Mirrors does not interface with hard-line gang members, where there is a gap, that is where we would implement the intervention group, if you like, the street-safe aspect of it. That is where we wish to plug that gap between the street and the gang activity, and the institution, Mirrors. But it would fit somewhere in that gap and we have already identified, or prospectively identified an individual who could bring about that programme. This department is already doing ad hoc mediation.

I would say in terms of time, we would hope to do that certainly within a month.

The Speaker: Thank you, Minister Perinchief.

Any further questions to the Minister?

We will move on.

Honourable Member, Dr. Gibbons, indicated he wishes to put a question to Minister Scott regarding Cisco Local Academy.

Dr. Gibbons, what is your question?

QUESTION NO. 1 ON ESTABLISHMENT OF A CISCO LOCAL ACADEMY IN BERMUDA

Dr. the Hon. E. Grant Gibbons: Yes, thank you, Mr. Speaker.

Mr. Speaker, just to put it in context, the Honourable Member refers to a Cisco-certified network associate curriculum as the curriculum that the Government will focus on in bringing a Cisco Academy to Bermuda.

The question I have is, How many jobs in the Bermuda IT sector depend on this particular qualification?

The Speaker: The Honourable and Learned Member, Minister M. Scott, from Sandys North, is going to respond.

Hon. Michael J. Scott: Literally, dozens. Literally, dozens.

The Speaker: Dr. Gibbons, a further question?

Dr. the Hon. E. Grant Gibbons: So is it fair to say that the Honourable Member—

The Speaker: Supplementary?

Dr. the Hon. E. Grant Gibbons: Supplementary, yes.

The Speaker: Yes?

SUPPLEMENTARIES

Dr. the Hon. E. Grant Gibbons: So the Honourable Member has not actually quantified the number of jobs in this particular area?

The Speaker: Minister Scott is going to respond.

Hon. Michael J. Scott: I most certainly have quantified it and was in the business of quantifying it when I was Minister of Telecommunications, meeting with them constantly. If the Honourable Member is asking for the precise number of jobs involving CCNA networking—

An Hon. Member: How many?

Hon. Michael Scott: —then I will undertake to provide it. And if the Honourable Member E. T. Richards does not keep his dignity, I shall lose mine.

[Inaudible interjections and laughter]

The Speaker: Dr. Gibbons, is there a further question?

Dr. the Hon. E. Grant Gibbons: Supplementary, Mr. Speaker, supplementary.

The Speaker: Yes, supplementary number two.

Dr. the Hon. E. Grant Gibbons: Yes. The question is, How many non-Bermudians currently have these qualifications or have been hired with these qualifications that work in Bermuda?

The Speaker: Minister Scott is going to respond.

Hon. Michael J. Scott: Too many—which is the reason why we are introducing this academy so that we can reverse the dynamic of foreign CCNA-qualified network engineers, particularly with the Cisco certification—too many. Again, if you are asking for specific numbers, I can find out from my colleague, the Minister who is responsible for work permits, and provide it to this Honourable House and to the Honourable Member.

The Speaker: Thank you, Minister.
Dr. Gibbons, yes?

Dr. the Hon. E. Grant Gibbons: A second question, Mr. Speaker.

The Speaker: A second question. Dr. Gibbons?

QUESTION NO. 2 ON ESTABLISHMENT OF A CISCO LOCAL ACADEMY IN BERMUDA

Dr. the Hon. E. Grant Gibbons: Yes, thank you, Mr. Speaker.

Has the Minister determined how many jobs, IT jobs, have been lost in the last few years by IT back-office departments moving offshore?

The Speaker: Minister Scott? Minister Scott is going to respond. How many IT jobs?

Hon. Michael J. Scott: Yes. I am unaware of that number. It is not in my remit. We are seeking to furnish the community and the economy with qualified Bermudians to service the reinsurance sector, the financial services sector, with this vital type of employee. But that information, I am sure, can be provided by my colleague who is responsible for work permits, or if she provides it to me then I can provide it to the Honourable Member. But I do not have the answer to that.

The Speaker: Thank you, Minister Scott.

Is that it? Thank you, Dr. Gibbons.

The Honourable Member, Mr. C. Simons, from Smith's South, has the floor.

Mr. C. Simons, what is your question?

QUESTION NO. 3 ON ESTABLISHMENT OF A CISCO LOCAL ACADEMY IN BERMUDA

Mr. Nelson H. Cole Simons: This is to Minister Scott again. Minister Scott, can you name the IT business or businesses that have partnered with the Ministry to deliver the Cisco Academy programme?

The Speaker: Minister Scott is going to respond.

Hon. Michael J. Scott: I can. I am meeting . . . I do not think I will at this stage. I have not met with all of them. I have met yesterday with one, Mr. Speaker and Members of the House. That company was excited about partnering with my Ministry. What they bring to the position, to the table, are excellent candidates for training within their organisation. They are all Bermudian. And I will be meeting with some of the larger ones. You can just imagine that I would obviously be meeting with the organisations like KeyTech. You can imagine I would be meeting with CCS, Ignition.

We have carefully selected the IT companies and IT CEOs who will complement—who have a need, who have a need and will benefit from having their staff trained to CCNA qualifications and the extended qualifications under the Cisco system. I hope that helps the Honourable Member.

The Speaker: Thank you, Minister Scott.

Mr. Nelson H. Cole Simons: Supplementary?

The Speaker: The Honourable Member has a supplementary. The Honourable Member, Mr. C. Simons.

SUPPLEMENTARIES

Mr. Nelson H. Cole Simons: When charging for this programme, will there be a flat fee for the corporate participant? Or are you going to take it by each employee that the company submits to the programme?

[Inaudible interjection]

Mr. Nelson H. Cole Simons: When charging for Cisco Academy programmes, will you charge for your corporate supporters? Will you charge the company a flat fee? Or will you charge them by each employee that attends the programme?

The Speaker: Minister Scott is going to respond.

Hon. Michael J. Scott: That is a good question, and I have not worked up those details yet. As I indicated at the top of my answers, Mr. Speaker, I have not completed my tour of duty with all of the intended partners. We are working through factors about how we reflect the value for these courses that we deliver, either to the partners that we are partnering with or through the Government, whatever amount of skin in the game we are putting in.

The Speaker: Thank you, Minister Scott.
Is there a further question?

Mr. Nelson H. Cole Simons: Second question, Mr. Speaker.

The Speaker: Second question. Yes?

QUESTION NO. 4 ON ESTABLISHMENT OF A CISCO LOCAL ACADEMY IN BERMUDA

Mr. Nelson H. Cole Simons: I applaud Government for the "train the trainer" programme. But as far as the trainer is concerned, is there some entry qualifications required to be a trainer? Do you have to be a teacher? Do you have to be a college lecturer? Can you be a professional in industry?

The Speaker: What are the qualifications?

Mr. Nelson H. Cole Simons: Yes.

The Speaker: Yes.

Mr. Nelson H. Cole Simons: Just to enter the “train the trainer” programme.

The Speaker: Minister Scott is going to respond.

Hon. Michael J. Scott: Sure. Another good question. And the answer is, very simply, they will be either engineers or professionals who have deep experience, senior persons. They can be persons who are less senior as well. So it is with the professional qualifications that are either very senior—this was the example we saw in Jamaica. They were very senior persons and seasoned, because it is a fairly tough course that has to be delivered. But we are open to finding acceptable professional IT persons who are less than senior, just at the entry level.

The Speaker: Thank you, Minister Scott.

Mr. Nelson H. Cole Simons: Supplemental?

The Speaker: Supplementary one. Yes?

Mr. Nelson H. Cole Simons: And there will only be one, I think.

What screening programme will you have for these trainers? Because I have heard what you just said. They can be engineers. They can be teachers. They can be, you know, well-respected people in industry.

The Speaker: I would like to hear the question, again.

Mr. Nelson H. Cole Simons: What screening? Because you can have a professional engineer who is very poor at teaching, but is very competent in his field. So I think we should have a proper panel that will assess the trainers for their teaching abilities, because at the end, this is a school and we want our students and employees to have good tuition. Thank you.

The Speaker: Good. He has covered the waterfront. Minister Scott is going to respond.

Hon. Michael J. Scott: Yes. An intelligent and good question. The first year will provide a screening process; I am sure, as we work out the teething problems. I think critically, the dedicated instructor who comes online will help us to assess the appropriate selection of the trainees who come online. So, whether we introduce a formal screening process, to the Honourable Member, Mr. Simons’s question, is mooted at this stage. But I take the strength of the question, and I assure the Honourable Member that we will ensure that those who are passing on CCNA qualifications to our young people, or whoever are the students, they will be able and they will have the ability to deliver.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North.

Any further questions?

That concludes Question Period. We will move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: Congrats and obits speeches. I am going to take the Honourable Member Mr. D. Butler.

The Honourable Member, Mr. D. Butler, from Warwick North East, has the floor.

Hon. Dale D. Butler: Thank you, and good morning, Mr. Speaker. I would like for the House to send congratulations to our Youth Parliamentarians, who held a fantastic evening last night. Many of us were there to hear the outstanding speeches that were made and also to enjoy the refreshments. I believe they should be highly commended.

In addition to that, Mr. Speaker, I ask the House to send condolences to a veteran educator, Ms. Enith King, who will be buried today, to her family. Outstanding Girl Guide leader, she helped shape and mould almost an entire generation of young people. If you attended the Central School, she had no problem in commanding the attention and giving the guidance and learning to a class of 60, without even having to blink her eye. She was committed to Central School, and because of her fortitude, her discipline and love of children, she was able to shape their lives and to give them a first-class education, someone who should be remembered and recalled for her loyalty and her dedication. The Minister, Mr. Perinchief, the Minister of Education, as well, Mr. Bob Richards, the Honourable Member, would like to also be associated, as indeed all of us Central graduates who had the good fortune to be in her class or even in that school.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Butler.

I am going to take the Honourable Member, Mr. G. Blakeney. Minister Blakeney, from Devonshire North Central, has the floor.

Minister?

Hon. Glenn A. Blakeney: Thank you very much, Mr. Speaker.

I would like to also be associated with MP Butler’s remarks.

Mr. Speaker, I rise to request that this Honourable House send a letter of congratulations to 38-year-old Teresa Perozzi for winning the WBA middleweight title and the WBC silver final elimination against 29-year-old Lorissa Rivas in Trinidad on the 30th of December last year. Teresa is Bermuda’s only professional female boxer, and her impressive professional record now stands at eight wins, four losses,

and one draw. Teresa has fought in Bermuda, Germany, Sweden, Trinidad and Tobago, and the United States. And I wish her every continued success in all her future boxing matches, not the least of which will be a title defence to be held here in Bermuda during early March. I would like also to give acknowledgement to MP Butler and the Premier for hosting two wonderful receptions in honour of Teresa and also the MEF Group.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney.

I am now going to recognise the Honourable Member, Mrs. N. Butterfield, from Pembroke West Central.

Mrs. Butterfield, you have the floor.

Hon. D. Neletha I. Butterfield: Thank you, Mr. Speaker.

I also would like to be associated with the condolences for Ms. Enith Olga King that the Honourable Dale Butler had mentioned. I received a call on Saturday of her passing from her niece Jennifer Ebbin. The reason for that is because they do reside in Pembroke West Central, and they called to thank me for the number of times that I came by to visit and to sit with those outstanding educators and also those who helped in the Girl Guides as well, being a Girl Guide myself, Mr. Speaker.

The Speaker: Yes.

Hon. D. Neletha I. Butterfield: I also would like for condolences to be sent to the family of Karen Lewis, whose tragic death in Jamaica . . . She was one of my students, and she will be missed.

Also, condolences to Olivia Simons, from Hilltop. In her obituary it was said that Olivia had a matchless spirit that radiated warmth and generosity. And she loved her children unconditionally. Mr. Speaker, you were present there at the funeral, and all the stories that were told, especially when they had the chicken farm and how that chicken farm was turned into 40 wonderful apartments on the Hilltop, and she worked very hard, along with her husband, to do that complex that they had there.

I also would like for congratulations to be sent to the West Pembroke Pentecostal Church to Pastor Eldridge D. Burrows, who had his first neighbourhood service in Pembroke West Central, which was attended by many. So, congratulations for the vision that he has in that community, one was the "bread of life," as he went around to invite us. He and his workers at the church all gave out of a loaf of bread. Anyone not having a loaf of bread was surely happy to receive that. So I thank him for the work that he is doing in that constituency and area of Pembroke.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Butterfield, the Honourable Member from Pembroke West Central.

I am now going to take the Honourable Member, Mr. W. Lister.

W. M. Lister, from Sandys South Central, has the floor.

Mr. Lister?

Hon. Walter M. Lister: Good morning and thank you, Mr. Speaker.

I rise this morning on two sad notes, because we have lost two people, a number of people in the Sandys Parish, but I would like to cite two people. First of all, Mr. Vaughn Dickenson, who was a young man who gave much to the community. He was quite a sportsman. Mr. Swan, from St. George's, would like to be associated with this. Mr. Dickenson was a person who, I think, set many examples for many, many young people in our community. We were very sad to see his passing, Mr. Speaker, and I ask the House to join with me in sending our condolences to the family of Mr. Dickenson.

The other person, who has passed very recently, is Mrs. Martha Carter, who was a very strong member in the AME Church in Somerset.

[Inaudible interjections]

[Gavel]

The Speaker: Speak right into the microphone so we can hear at this end of the Chamber.

Hon. Walter M. Lister: Sure. I would not want you to miss a thing, Mr. Speaker.

The passing of Mrs. Martha Carter, who was a very strong Christian person in the West End community. She was [the wife of the late Hutson Carter], the mother of Llewellyn Carter and Eugene Carter, and she is also, Mr. Speaker, the mother of our church. She was a very senior person who set very positive examples.

But even before that, Mr. Speaker, she was a very prominent businessperson in the West End community for many, many years. And we will miss her and the contributions she has made. So I ask this House to join me in sending condolences to the family of the late Mrs. Martha Carter. Thank you. Thank you.

[Inaudible interjection]

Hon. Walter M. Lister: Yes, I have had a number of persons who have asked to be associated with them. I am not going to leave them out. None other than the Honourable Randy Horton, who was also for many years on the West End, who knows her very well. Also, I see another hand across the way, Dame Jennifer Smith. She knows her well. The entire House will

join in with that, so I do not miss anybody in sending our condolences to the family.

Thank you very much.

The Speaker: Thank you, Mr. Lister, the Honourable Member from Sandys South Central.

I am going to take Minister W. L. Furbert, from Hamilton West.

Minister Furbert, you have the floor.

Hon. Wayne L. Furbert: Thank you, Mr. Speaker.

Mr. Speaker, I would like for this House to send condolences to a gentleman whom I have known for most of my life, and that is Bishop Norris Dickenson. He was the Bishop of United Holy Church, was the oldest bishop in the United Holy Church group as far as the world. He was involved in missionary work. He has received many congratulations and awards in his lifetime. He lived to see 100 years. He is a gentleman who has left, as far as his legacy here, his daughter and his children. Most of them are in ministry. I can think of many people who are involved due to him, Pastor Stubble, Leo Landy, there are a whole bunch of us, Bishop Armstrong up there at House of Prayer who sat under his tutelage. So I would like for the House to send condolences to my friend the Bishop—not to him, but to his family, for the death of Bishop Norris Dickenson.

Mr. Speaker, I would also like for the House to send congratulations to Bacardi. They have celebrated 150 years this year, February 4th. They have been in Bermuda since 1965, so 45 years here in Bermuda. They moved from Bahamas to Bermuda, and they have played a significant contribution as far as their philanthropy and giving to the community for sports and scholarships. So they have been a good and faithful company to Bermuda. So we would like to wish congratulations to them and all the best in the future.

Mr. Speaker, I would also like to send congratulations to . . . The world's largest travel website, TripAdvisor, has acknowledged Pompano Beach Club as the seventh as far as Travelers' Choice Awards. So, Pompano Beach was the seventh, out of 487 reviewers. The Royal Palms Hotel, Pompano Beach Club also were involved in the top 25 hotels. Also, [associate] the Honourable Member Kim Swan, from St. George's.

Mr. Speaker, I would also like to send congratulations to Coco Reef. They became the Top Partner of the Year for Expedia while I was there in Nassau, and Coco Reef is now playing a very important role in our community. So there have been some very good hotels that have been doing a lot of things behind the scenes, but moving Bermuda forward and its product.

Mr. Speaker, I would also like to send congratulations to the organisation, the Atlantic Publishing House and My Thyme Productions. Mr. Speaker, this

group has come together to recognise Bermuda talent, such as Max Maybury, Gita Blakeney-Saltus, the Tony Bari Trio. I believe the Honourable Member Dale Butler is involved in this. But it is promoting the talent that we have. So I will encourage Bermudians to come out on February 12th to hear more about this talented group. They had their first organisation or singing at PCC [Pembroke Community Club] not too long ago. So, again, congratulations to that organisation for improving and encouraging Bermuda talent.

Thank you.

The Speaker: Thank you, Minister Furbert.

I am going to now recognise the Honourable Member, Ms. L. Foggo, from St. David's, Government Whip.

Ms. Foggo has the floor.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

I would just like to send my condolences to the Williams and Abdul-Hadee family on the tragic loss of their brothers, Mustafa Abdul-Hadee, known to most St. Georgians as Kiki Williams, and Michael Williams, his brother. They tragically lost their lives at sea, I guess while on a fishing expedition, and it was a shock to the community. I would like to associate the Honourable Kim Swan with these condolences. Hopefully, their family will be able to pull themselves together and continue on in their memory.

Indeed, I am also going to associate the Honourable Dame Jennifer Smith, who, of course, as a St. Georgian like myself, is very familiar with the family, all members of the family. And I just want to say to the wife of Kiki, which is Ameenah Abdul-Hadee . . . I did work with her at the Berkeley Institute. They are well known in the Islamic community here in Bermuda. She is an excellent teacher up there at the Berkeley Institute in the social studies. Hopefully, she herself will be able to use the strength of her, I guess, religion to be able to endure her loss.

Thank you, Mr. Speaker.

The Speaker: Thank you, Ms. Foggo, the Honourable Member from St. David's.

I am going to take the Honourable Member, Mr. H. Swan, from St. George's West.

Mr. Swan has the floor.

Hon. Hubert (Kim) E. Swan: Yes, Mr. Speaker.

Mr. Speaker, I would like to be associated with the condolences to the family of the late Mustafa Abdul-Hadee and his brother Mikel Williams and their families on their tragic loss. Indeed, friends and family are still grieving over this loss. I just felt it my responsibility to say I know the guys and girls that frequent the sea, love the water, as many in the East End do, and other parishes, and particularly their friends that spend time around the water. My friends on the dock,

they were very saddened by this loss and deeply mourn the loss of their friends.

This came on the heels of another tragic accident, my cousin Michael Wilkinson. The family of Michael Wilkinson grieved shortly before that the loss, Mr. Speaker, tragic loss of Michael, who lived onboard a boat in the Stoke's Point area and met his death tragically. I know his children, his mother, his siblings, father, are deeply saddened. And the Honourable Member Ms. Foggo . . . And certainly the funeral for cousin Michael was well-attended by many from the White Hill and Sandys area where he grew up.

Certainly, Mr. Speaker, I would like to be associated with the condolences to the late Vaughn "Pop Jaws" Dickenson, my dear cousin whom I was very fond of. I spent a lot of time with him in recent years in St. George's, where he spent a lot of time. He will be sadly missed. He was an avid sportsman and well-liked individual. Getting to know him made me feel like I had an older brother, because many times during the cut and thrust of debate, barroom debate about politics, I could say Pop Jaws once or twice stood beside me and let people know, you know, *That's my cousin*. And I sadly miss Cousin Pop Jaws. May he rest in peace.

Finally, Mr. Speaker, on a happier note, I would like to have congratulations sent to a well-deserving, Mr. Richard Quinn, named last year in December as Hotelier of the Year. Indeed, we grew up together in the greater Cedar Hill, Southampton region of Granaway Heights. The Minister of Tourism would like to be associated with that. Well-deserving in his role at the Cambridge Beaches Resort. But he has been in tourism all his life, trained in Bermuda after leaving Sandys Secondary School at the 6th Form, I believe, and the hotel training facility, and has made a great career in tourism. The model can also be followed.

Thank you, Mr. Speaker.

The Speaker: I am going to take the Honourable Member, Dame Jennifer Smith, from St. George's North, Minister of Education.

Dame Jennifer has the floor.

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

Mr. Speaker, let me begin by congratulating the Bermuda Union of Teachers, who are celebrating 93 years of existence. They were Bermuda's first trade union, having been registered under the Trade Union and Trade Disputes Act 1946 on the 13th day of February 1947. They pay homage to their founding members and wish every teacher/member strength and wisdom to carry on in this most noble profession. Mr. Speaker, I am sure the Members of the House want to add their congratulations to that.

Mr. Speaker, having spoken about CARIFTA, I just want Members to know about this young man Jeremiah Steede, a young hurdler and high-jumper

who was featured recently in the *Bermuda Sun* and who said about what it means to have CARIFTA in Bermuda . . . With your permission, I will just read from his interview. He is proud to have it in Bermuda because it draws attention to our Island and to our local athletes. And when asked, how he got his start in sport, he says, "through my school (Dellwood), my mentor (Tiffany Swainson) and my nana (Paula Caisey)."

Mr. Speaker, if we needed any other reason to make sure that we ourselves go out and support CARIFTA, I think this young man is it. And his goal, of course, is to represent Bermuda in the Olympics after he gets a scholarship to go to college. A wonderful young man, I want to send congratulations to him.

Mr. Speaker, I want to send congratulations as well to those absolutely fantastic young people who performed at the Cable Vision Community Awards. Members will be quite aware of them by now, and too many, I am sure, for me to say all of them. But let me just say that from Shine's School of Music, these young jazz musicians who almost stole the show, to the young percussionist from Eddie Ming Drum School, to the dancers from Sabor [Dance] School, from our school bands, to everyone who performed—we were just overwhelmed with the amount of talent that is in this small Island, and particularly excited that that talent has been supported by Bermuda Cable Vision with cash awards that will allow these young people to continue in their artistic endeavours.

Mr. Speaker, congratulations not just to the winners of the KPMG Front Street Mile, but quite frankly, to everybody who participated. Our young people showed their stamina and their persistence by running in that pouring rain; I mean a drenching rain. They went out there and ran their hearts out. I think that every one of them is a winner. This is the kind of attitude that participation in sports has built, Mr. Speaker. And while I will, for the record, give the Clerk the names so that letters can be sent, I will save on the time. So, congratulations to all of them.

Thank you.

The Speaker: Thank you, Dame Jennifer.

I am going to take the Honourable Member, Mr. C. Simons.

The Honourable Member, Mr. C. Simons, from Smith's South, has the floor.

Mr. Nelson H. Cole Simons: Thank you, Mr. Speaker.

Mr. Speaker, I would like to send condolences to the family of Mr. Rodney Tucker. Rodney Tucker was renowned for his prowess as an organist throughout this community. He played at Marsden First United Methodist Church for 68 years. He played at Wesley Methodist Church for 30 years. And on most Sundays, he went between Marsden and Wesley Methodist. He also played at Peace Lutheran

Church for three years. In 2007, he was awarded the Queen's Certificate and Badge of Honour. Mr. Tucker was a devoted family man, and he was also the last member of the Talbot Brothers to pass away. So I would like to send condolences to his sons Gil and Craig Tucker and their families.

Mr. Speaker, I would like to also associate myself with the comments made in regards to the Youth Parliamentarians. I had a nice chat with a number of them last night, and they are rather relaxed and lively. So I commend them on their spirit, and I would like to associate Kim Swan, the Honourable Member Kim Swan with that. I would like to also associate myself with the comments made in regards to Olivia Simons; Bacardi International; Richard Quinn, a fellow Sandys Secondary scholar; and the Bermuda Union of Teachers.

Mr. Speaker, I would like to also send condolences to the family of the late Laidlaw Fraser-Smith. He died an untimely death, and my thoughts and prayers go to his wife, Lisa.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Simons, the Honourable Member from Smith's South.

I am going to take the Honourable Member, Mr. W. Roban, from Pembroke East.

Mr. Roban has the floor.

Mr. Walter H. Roban: Thank you, Mr. Speaker.

I would like to be associated with the condolences to the family of Mr. Rodney Tucker, as mentioned by the Honourable Cole Simons; the congratulations to Mr. Quinn; and of course, to the Coco Reef. It is very good to hear persons associated . . . and with institutions of tourism in Bermuda meeting global standard, as we expect, and it is a good sign of where tourism is going in Bermuda that these congratulatory awards are being awarded to persons and institutions in Bermuda associated with the industry. I would like to associate the Honourable Glenn Blakeney with those as well.

I would like to actually, Mr. Speaker, have condolences sent in relation to a gentleman of some global renown, who had a very strong connection with Bermuda. That is the Honourable former Jamaican Senator Dudley Thompson, QC, a man of international regard. There was a very interesting article which Members of the House and the community, I think, would have seen in the *Royal Gazette* last Saturday, by Mr. Ira Phillips, his relationship with Bermuda and his global activities, which to me remind me of, certainly, a former Member of this House, Dr. Pauulu Kamarakafego, and also another outstanding jurist like Mr. Thompson, Earle Seaton, Dr. Earle Seaton, a Bermudian jurist of some international renown, who also, as Mr. Thompson was a pioneer jurist in Africa during the time of liberation. Mr. Thompson, of course, represented Jomo Kenyatta, and our own

Earle Seaton. I just associate the parallels, here with our own country, who also represented persons in Tanganyika, which eventually became Tanzania. And Earle Seaton became an international jurist and an expert in law on the sea, and others.

But I say that just to correlate our own Bermuda experience. But Dudley Thompson had a close relationship with Bermuda with notables like the L. Frederick Wade and Dame Lois, and had a long-standing relationship with our Island. He is being funeralised in Jamaica, I believe, next week or very soon, as a hero of that country and an international renowned jurist, certainly of the Caribbean, if not the wider diaspora. So I wish that we send congratulations to a former Parliamentarian of the Jamaica Parliament, a former Senator, outstanding jurist, and certainly friend of Bermuda, Dudley Thompson, QC.

Thank you very much, Mr. Speaker. Associate Dame Jennifer Smith with that as well. Thank you.

The Speaker: Thank you, Mr. Roban, the Honourable Member from Pembroke East.

I am now going to take the Honourable Member, Dr. Gibbons, from Paget East.

Dr. Gibbons has the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker.

Mr. Speaker, I would also like to be associated with a number of the congratulations given today, particularly to the Youth Parliamentarians, who gave some very provocative speeches last night. There were a number, I thought, of very good suggestions on both education and the environment, just to name a few.

I would also like to be associated with the congratulations to the Bermuda Union of Teachers, and to Pompano Beach on their Expedia award.

On a sadder note, Mr. Speaker, I would also like to be associated with the family of the late Rodney Tucker, whom I had a number of interesting conversations with over the years, particularly to his sons Gil and Craig, and to his broader family. I think he certainly should be recognised by the House as the last remaining member of the Talbot Brothers. They were certainly an icon in Bermuda musical circles.

Mr. Speaker, I would also ask that condolences be sent to the family of the late Anna Lynette Titterton, wife of the late Maurice Titterton. Some will know her son Glenn, who worked at BF&M for many years, and of course Roger worked at Deloitte & Touche. I would ask that condolences be sent to that family as well.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons.

I am going to take the Honourable and Learned Member from Sandys North, Minister Scott.

Minister M. Scott has the floor.

Hon. Michael J. Scott: Mr. Speaker, I am happy to rise and ask to be associated with the condolences to the family of the late Catherine Olivia Louise Simons, a matriarch of our country, a tremendous mother and wife to her family, a lady who had an impact on her community in a most incredible way. She was a delighting spirit and a sweet spirit, and I offer my condolences to her relative, who is the Leader of the Opposition, Mr. Cannonier. Mrs. Olivia Simons was a Cannonier, I was happy to discover.

But, sir, as I listened to the tributes paid in her honour, honouring her legacy and life by Dr. Reverend Foster, it was clear that this lady's impact on lives and the generosity of her spirit to deliver into her community and into her family's lives was an achievement that deserves the mark of *par excellence*. Her young grandson was one of the persons whose lives [she touched], Raj Butterfield, Minister Butterfield's grandson, clearly, and he made a touching tribute to his grandmother. Clearly, she impacted and touched his life.

May I also ask to be associated with the condolences to Somersetian Vaughn Dickenson and Mrs. Martha Carter.

Mr. Speaker, on a note of congratulations, very quickly, I would like to ask that congratulations be sent to the Chief Executive Officer of QuoVadis, Mr. Roman Brunner, who heads up the Swiss security grouping, SuisselD Trägerverein. Mr. Brunner has cut a path and moved a Bermudian-developed organisation dealing with security of the Internet from Bermuda to Switzerland. He is doing extremely well.

I would very much like the congratulations offered by Madam Dame to the CableVision participants . . . I had the pleasure and honour of attending the City Hall at the Chewstick Foundation event, which was under the patronage of Madam Premier, and another opportunity to watch young Bermudians deliver a very fresh, specialist message in the way and by way of the creative artistic expression. They have an important message to share with us, and I would wish the founders and organisers, Mr. Chentouf and Mr. Smith, to receive congratulations from the House.

Thank you.

The Speaker: Thank you, Minister Scott.

I am going to take the Honourable Member, Mr. Richards, E. Richards, from Devonshire East.

Mr. Richards has the floor.

Mr. Everard T. (Bob) Richards: Thank you, Mr. Speaker.

Mr. Speaker, I would like to be associated with the condolences already given to the family of Mrs. Enith King, who was a teacher at the Central School for many, many years, also during the time that I was there. I just would like to reflect, my personal reflection, on how she . . . Teachers have a huge impact on our lives. We always remember our

teachers. But she was a lady who remembered us. Even when we grew up and bore no reasonable similarity to what we were when we were eight years old, she still remembered her former students and kept track of us over the years.

Also, Ms. King was what I would think of as a master of psychology. She used to have a short strap, Mr. Speaker, that she kept in the classroom. She very often used to walk up and down the aisle of the classroom with her hands behind her back. Sometimes she had the strap, and sometimes she did not. We never knew. So she had us under very heavy manners, as it was called, when she would walk up and down the classroom with her hands held behind her back. Because if you were talking or misbehaving or did something wrong, seemingly like lightning that strap would come out and whack you across the hands. So you never knew if the strap was there or if it was not. So it was an amazing thing that the psychology worked very well with us.

As I said, Ms. King lived to a very old age of 96, I think, and remembered her students right to the end. So it is very sad to see her passing, but as they say in crickets, she had very, very good innings.

The Speaker: Thank you, Mr. Richards, the Honourable Member from Devonshire East.

I am going to take the Honourable Member, Mrs. Gordon-Pamplin, from Paget West, who has been trying to catch my eye.

Mrs. Gordon-Pamplin has the floor.

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, I too would like to be associated with the remarks of condolences for the family of the late Enith King. Ms. King actually was one of my teachers as well, because in the Central School environment she actually taught needlework along with Essel Trott. She actually had the privilege of working with some educational greats during our time that actually had a profound impact on our lives and our development. She worked along with the likes of Martha Bramble, now Francis, Edna Mae Scott, Essel Trott, Doris Corbin, and Ms. Hodgson. So we were able to have the best of the best of teachers, who looked out for our interests and our development. For that we have been developed and are eternally grateful for their input into our lives.

I would also like to be associated with the congratulations to the Youth Parliamentarians, who presented themselves both confidently and competently in the arguments that they advanced last night and the positions that they put. It is quite an honour to know not just that they have those thought processes, that we know that our future is going to be in excellent hands; but also, they took the opportunity to thank those people who helped to develop them to the state where they are today. In particular, they made men-

tion of the staff of this House of Assembly, to whom they look for guidance and direction.

Mr. Speaker, I would also like to ask that this Honourable House send congratulations to the International Women's Forum [IWF], the Bermuda chapter, who succeeded in forming our Bermuda chapter in relatively short order, having had a few preparatory meetings. We were able to form our board, which comprises the Honourable Member Paula Cox as its President. The Executive Board are rounded out with Pam Ferreira and Caroline Foulger as Vice Presidents; Judith Hall-Bean as Secretary; and Vicki Coelho as Treasurer. There are four other members at large.

Mr. Speaker, within very short order, within probably seven days of us being able to —when I say “us,” I do boast membership in that esteemed institution—but we were able to host the IWF Executive and Foundation meetings that were held here in Bermuda. Judging from the reaction of the participants, Bermuda acquitted itself exceptionally well. Most of these ladies have had the privilege of being in various jurisdictions around the world. To listen to many of them with whom we had the opportunity of conversing, they said that Bermuda was among the best. So I am happy to know, Mr. Speaker, that not only were we able to host this on relatively short order, that we were able to do so with the standard of excellence that has become the hallmark of the International Women's Forum, but also to know that in so doing, we have repeat visitors that we can hope for, as we know that the numbers are important.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Gordon-Pamplin, the Honourable Member from Paget West.

I now recognise the Honourable Member, Mr. D. Tucker.

The Honourable Member, Mr. D. Tucker has the floor, from Hamilton South.

Mr. Tucker?

Mr. Darius D. M. Tucker: Yes, thank you, Mr. Speaker.

Mr. Speaker, I rise to be associated with the remarks of condolences sent out to Mr. Rodney Tucker, someone I got to know personally once canvassing the area and living within the area, and also the numerous amounts of times that I attended Marsden Church. Just generally being in the area, he was a very loving person, very kind-spirited, and it was truly a blessing to have known him. I also would just like to say thank you, Mr. Speaker.

The Speaker: Thank you, Mr. D. Tucker, the Honourable Member from Hamilton South.

I now recognise the Honourable and Learned Member, Mr. S. Crockwell, from Pembroke West.

Mr. Crockwell has the floor.

Mr. Crockwell?

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker.

Mr. Speaker, I would like to ask the House to send a letter of condolence to the family of Mr. Vivian Wilson. Mr. Wilson, who passed away in December of this year in his 95th year, was a legend in the Southampton area, Mr. Speaker. He had the Pillar-Ville Guest House up there by The Reefs. He was always seen outside in his yard working. He was very close to my father, and I can remember as a little boy, it was strange. Whenever my father would drive past his house in his truck, my father would shout out, *Money! Money!* If he was not in the yard actually doing some gardening, you would always hear him shout out, *Hey!* or put his hand up. Strangely enough, Mr. Speaker, as I got older, whenever I pass the house of Vivian Wilson, I always shout out *Money! Money!* and invariably, he would cry out and speak. He was a pillar of that community.

I would like to certainly associate Mr. Elvin James, who was at the service with myself, as well as Mr. Dennis Lister. I believe there was another former MP who was there. Mr. Reginald Burrows was there at the service, as well as Mr. David Dodwell, who was very fond of Mr. Wilson. So, to his family we would like to send our condolences.

Also, Mr. Speaker, I would like to join in the congratulatory remarks to Ms. Teresa Perozzi for her most recent success in boxing. She holds the WIBC and the NABC Middleweight boxing titles. That is an extraordinary accomplishment for one of our own, Mr. Speaker. I have known Teresa for many years. She started in 2002. Mr. Speaker, it has not been an easy road. I mean, she has to work, she has to raise her family, and she has to find time to train. Not just to train to be competitive, but to train to become a champion—that is such an extraordinary commitment from her. Of course, the Government has recognised her. We had a reception for her at Camden House recently. So I would like to applaud the Government for recognising her accomplishments. And, Mr. Speaker, we wish her all the success as she moves forward.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Crockwell, the Honourable and Learned Member from Pembroke West.

Any further speakers?

No further speakers. We will move forward.

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

NOTICE OF MOTIONS FOR THE ADJOURNMENT OF THE HOUSE ON MATTERS OF URGENT PUBLIC IMPORTANCE

The Speaker: There are none.

INTRODUCTION OF BILLS

The Speaker: There are none.

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: That brings us to the Orders of the Day. The first Order is the Second Reading, the Police and Criminal Evidence Amendment (No. 2) Act 2011, in the name of the Minister of Government Estates and Information Services.

I now recognise the Honourable and Learned Member, Minister M. Scott, from Sandys North.

Minister Scott? When the Minister gets into Committee, he will do the necessary amendment to reflect the new date for the year. Thank you.

Minister?

SECOND READING

¹POLICE AND CRIMINAL EVIDENCE AMENDMENT (NO. 2) ACT 2011

Hon. Michael J. Scott: I will do it in the Committee.

Mr. Speaker, Members of the House, this morning I am pleased to . . . having tabled the Police and Criminal Evidence Amendment (No. 2) Act 2011, it will be noted that this amendment is the latest round in a series of amendments subsequent to the passage of the parent legislation to substantively reform the way that the police exercise powers and gather evidence to prosecute those accused of committing crime in our country.

Keeping apace and even ahead of an ever-changing crime element within our community in a changing world is a perpetual challenge for law enforcement, as well as for the administration of justice. Sometimes, this challenge has to be met in increments. At other times, it necessitates bold, major steps. This initiative represents an incremental devel-

opment in the aftermath of the major undertaking of the parent legislation.

Mr. Speaker, the Police and Criminal Evidence Act 2006 was given assent in January of 2006. As Members have previously been informed, PACE was derived from its counterpart in the United Kingdom. Now, the complexity of the legislation corresponds to the monumental challenges faced by law enforcement in a world of evolving technologies involved in contemporary crime, as well as ever-changing means and methods being utilised by those who break our laws.

Now, approximately three years after the passage of the parent Act, its initial amendment in the form of the Police and Criminal Evidence Amendment Act of 2010 was passed. It made several amendments to enhance and to clarify certain provisions of PACE, as was understood that it would be necessary to do from the outset.

Mr. Speaker, due to the need for reform to ensure the right synergy between PACE and Bermuda's domestic law enforcement needs, a committee established by the Attorney General was authorised for the purposes of reviewing proposals and making recommendations for incremental amendments to PACE. Amendments, in turn, are also intended to be synchronised with the four-phased implementation of provisions of PACE, which was initiated in September of 2008, leading, Mr. Speaker, to phase two in November of 2008, taking us to the current phase three as of June of 2009. The fourth and final phases are due to be operative in this year, 2012.

Now, sir, most of these recent amendments brought by the Bill are in anticipation of phase four coming into play and will not take effect until then. As part of this ongoing exercise, however, PACE's sister legislation in the United Kingdom has been monitored and consultations have been taking place with domestic law enforcement, resulting in further changes which are reflected in this Bill today.

Mr. Speaker, the Bill contains amendments to PACE corresponding to those made to the UK PACE legislation, further to passage of the UK Police (Detention and Bail) Act 2011. The overall intent is to ensure that law enforcement authorities are afforded reasonably sufficient time to process persons arrested, as well as over the gathering of evidence incidental to that arrest. For example, the Bill clarifies that the PACE detention clock stops when a detainee is released on bail and is restarted when the detainee answers bail.

Mr. Speaker, the Bill accordingly deals with the issue of a person returning to a police station to answer bail for an offence for which he was previously granted bail or for an offence of failure to answer a police bail. Conditions relating to the duration of the detention are made subject to an existing provision of PACE to align it with the United Kingdom legislation.

¹ Name re-titled to: Police and Criminal Evidence Act 2012 at Committee stage.

Now, further amendment is made to clarify that the time during which a detainee is on police bail shall not be included in calculating the cumulative period of the detention under the PACE detention clock.

Now, Mr. Speaker, as mentioned, there has been a close working relationship with the Bermuda Police Services in developing the policy leading to the codification of this Bill. The Department of Public Prosecutions has also been consulted and their views considered when formulating the policy towards these changes.

Mr. Speaker, this latest amendment to PACE will go some way to further the administration of justice by providing clarity to the law, as well as the technical particulars to equip our law enforcement authority with the authority it needs to better serve and protect our society.

With those remarks, Mr. Speaker, I commend these brief amendments to the House.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North.

I now recognise the Honourable and Learned Member, Mr. T. Moniz, from Smith's West.

Mr. Moniz has the floor.

Hon. Trevor G. Moniz: Thank you. Thank you, Mr. Speaker.

The Junior Minister for Justice, the Honourable Member, Mr. Scott, has seen fit to share his brief with us on this side. In terms of the amendment that is being put forward today, it is a housekeeping measure in terms of there being a lacuna, or a bit of a glitch in the Bill, which was discovered not here, but in the UK. Of course, here this portion of it is not in effect yet, as it seems to be indicated by the Junior Minister.

So, this is a tidying-up to make sure that that clock, which begins—I think there is a 30-day detention period and that when a person is released on bail that clock stops in terms of adding up the number of days which a person can be detained before being charged.

Just to reiterate, from this side of the House, the usual concerns that we have expressed concerning PACE . . . One of them is that it is a very complex piece of legislation, perhaps one of the most complex pieces of legislation which we have put into place in Bermuda, particularly with regard to criminal law, and therefore affecting the freedom of the individual. Therefore, we on this side of the House are very mindful of the individual rights and freedoms that are guaranteed under the Constitution, and we have always said we understand the reason and the necessity for putting into place these powers for the police at this time, as the Junior Minister said, of increased crime in the community in the sense of gang-related and drug-related and gun-related crimes. It is important for the police to have these powers to be able to do their job. But, obviously, there must be very careful

control and oversight of these powers. Hopefully, when this is all brought into place, it can be explained in a manner which is logical and can be reasonably understood not only by the average lawyer, but also by the average citizen, of course.

So, subject to the usual caveats, we on this side of the House support what the Government is putting forward today in this measure.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Moniz, the Honourable and Learned Member from Smith's West.

Are there any further speakers?

No further speakers.

Minister in charge, do you wish to reply?

Minister Scott is going to reply.

Hon. Michael J. Scott: Mr. Speaker, I am very grateful to the Honourable and Learned Member, Mr. Moniz, who speaks for justice matters on this occasion and very often in the House, for his remarks and for his acknowledging that these PACE clock amendments are to fill a lacuna in the law, driven from the United Kingdom's both monitoring of the operational elements of PACE. I thank him for his remarks.

I do note his concerns, and we all, obviously, are concerned with how encroachments take place on the fundamental freedoms of people. But we also are poignantly aware of the need to be responding in the current climate in Bermuda to violent crime, gun violence, so that we incur upon the Constitutional rights of people and use the sunset clauses in our legislation so that when things have been restored to order, these kinds of conditionalities in our legislation can be removed or repealed.

But, thanking the Honourable Member for his observations and for his remarks, I move that the Bill be committed.

The Speaker: Yes? Did I hear it go into Committee?

[Inaudible interjections]

The Speaker: I thought maybe it was my hearing. The Minister is going to move that we go into Committee.

Any objection?

Agreed to.

[Gavel]

The Speaker: Will the Honourable Member from Southampton West, Mr. K. Horton, please take the Chair of Committee.

House in Committee at 12:25 pm

[Hon. K. H. Randolph Horton, Chairman]

COMMITTEE ON BILL

POLICE AND CRIMINAL EVIDENCE AMENDMENT ACT 2012

The Chairman: Members, we are here to discuss the [Police and Criminal Evidence Amendment \(No. 2\) Act of 2011](#) in the name of the Honourable Minister, Michael Scott.

Mr. Scott, you have the floor.

Hon. Michael J. Scott: Thank you, Mr. Chairman.

I have some housekeeping that the Honourable Speaker alluded to at the beginning. Sir, with your leave, and with any suspension of any of the rules, I would like to move the following Motion: To delete the title and substitute the following title: Police and Criminal Evidence Amendment Act 2012. And in clause 1 of the Bill to delete the Police and Criminal Evidence (No. 2) Act of 2011, and substitute the following: Police and Criminal Evidence Amendment Act 2012.

I am sure you will see what we are doing, Mr. Chairman.

The Chairman: Yes. Absolutely.

Are there any Honourable Members in the House who are against that? I would not think so.

All those in favour, say Aye. Those against, say Nay.

AYES.

[Motion carried: Title changed to "Police and Criminal Evidence Amendment Act 2012"]

The Chairman: Minister, carry on, please.

Hon. Michael J. Scott: Thank you, Mr. Chairman.

So, dealing with the substantive amendment, this Bill seeks to amend the Police and Criminal Evidence Act 2006. The purpose of the amendment is to put beyond doubt that the Police and Criminal Evidence detention clock stops when a detainee is released on bail and restarts when the detainee answers bail. This amendment has been prompted by the passing of the United Kingdom's Police (Detention and Bail) Act 2011. That Bill and Act, Mr. Chairman, amends the United Kingdom Police and Criminal Evidence Act of 1984 to the same effect. We have therefore amended analogous sections of our Police and Criminal Evidence Act—

The Chairman: I am sorry, Minister. We are looking at a clause. We are going to do all the clauses of this Bill?

Hon. Michael J. Scott: Yes, I would like to move—

The Chairman: Members, we are moving clauses 1 to 3.

Carry on, Minister.

Hon. Michael J. Scott: I was indicating that we are doing this to the sections of our Police and Criminal Evidence Act 2006 to the same effect.

Now, clause 1 is the citation of the Bill. Clause 2 amends section 32 of the Police and Criminal Evidence Act 2006, hereinafter referred to as the principal Act, by inserting a new subsection (7). Section 32(6)[(a)] deals with a person who returns to a police station to answer to bail for an offence for which he was granted bail or for an offence of failure to answer a police bail.

The new section 32(7), Mr. Chairman, makes the conditions relating to the duration of his detention under the PACE detention clock in section 32(6), subject to section 51(12) of the principal Act.

Clause 3 amends section 51 of the principal Act in subsection (12) to put it beyond doubt that any time during which the detainee was on bail shall not be included in calculating the cumulative period of detention under the PACE detention clock.

Those are the clauses.

The Chairman: Thank you, thank you. Thank you, Minister.

Does any Honourable Member care to speak to that?

I recognise the Honourable and Learned Member, the Honourable Member Trevor Moniz.

Hon. Trevor G. Moniz: I am obliged, Mr. Chairman. Just to say that we are fully in support of the Junior Minister's move here. Thank you.

The Chairman: Thank you. Thank you, Honourable Member.

Would any other Members care to speak? No?

All those in favour, please, say Aye to all clauses. Those against, say Nay.

AYES.

The Chairman: The Ayes have it.

[Motion carried: Clauses 1 through 3 passed.]

The Chairman: Minister?

Hon. Michael J. Scott: Mr. Chairman, I move the Preamble. I move that the Bill be reported to the House as amended.

The Chairman: Thank you. All those in favour, say Aye.

AYES.

The Chairman: All right. We will move back to the House.

Hon. Michael J. Scott: Mr. Chairman, can I just thank the Honourable Madam Attorney and the Permanent Secretary of Justice and Mr. Pea for their presence and assistance?

The Chairman: Yes, of course. It is always good to see them. Yes.

[Motion carried: The Police and Criminal Evidence Act 2012 was considered by a Committee of the whole House, passed with one amendment to clause 1, and will be reported to the House.]

House resumed at 12:31 pm

[Hon. Stanley Lower, Speaker, in the Chair]

REPORT ON BILL

POLICE AND CRIMINAL EVIDENCE AMENDMENT ACT 2012

The Speaker: Is there any objection to the Report of the Committee as amended? It is now reflecting the new year.

Agreed to.

[Gavel]

The Speaker: I could call the next Order, but I am just going to catch the eye of Madam Premier.

Madam Premier? Since the clock is on 12:30 [pm].

Hon. Paula A. Cox: Mr. Speaker, I would like to move that the House do now adjourn for lunch.

The Speaker: Any objection to that motion?
Agreed to.

[Gavel]

The Speaker: The House stands adjourned for lunch and will resume again at 2:00 pm.

Proceedings suspended at 12:31 pm

Proceedings resumed at 2:01 pm

The Speaker: The next Order on the Order Paper for the day is Order No. 2, Second Reading, Human Rights Amendment (No. 2) Act 2011, [in the name of] the Minister of Youth, Families and Sports, the Honourable Member, Mr. G. Blakeney.

Minister Blakeney from Devonshire North Central has the floor, and he has already been apprised about the changing of the date and he will see that that is done.

Minister Blakeney has the floor.

BILLS

SECOND READING

²HUMAN RIGHTS AMENDMENT (NO. 2) ACT 2011

Hon. Glenn A. Blakeney: Thank you, Mr. Speaker, and good afternoon. I move that the Bill entitled the Human Rights Amendment (No. 2) Act 2011 which will be amended to 2012 be now read the second time and committed.

The Speaker: Any objection?
Agreed to.

[Gavel]

The Speaker: Carry on, Minister Blakeney.

Hon. Glenn A. Blakeney: Mr. Speaker, I am pleased to lead the debate today on the Bill entitled the Human Rights Amendment (No. 2) Act 2011, to be re-titled the Human Rights Amendment Act 2012.

Mr. Speaker, as members of this Honourable House will know, the Human Rights Commission was formally established in 1981.

Mr. Speaker, the legislative mandate of the Human Rights Commission is to promote awareness relating to matters of discrimination, work towards enlightenment of discrimination, and to provide protection for all people residing in Bermuda in keeping with the provisions of the Human Rights Act 1981.

Mr. Speaker, for nearly 30 years the Act has served to provide a code of non-discrimination between people in Bermuda and to extend the fundamental rights and freedoms which are enshrined in our Constitution.

However, there comes a time when a review of existing legislation is prudent to examine what is working and what could be improved upon. There have been attempts to ensure that the Act remained relevant by way of several amendments over the years. However, at no point during its 30-year history has such an extensive assessment of its functions and effectiveness been undertaken.

Mr. Speaker, the rationale for this wide-ranging review is threefold. Firstly, in 2010 the Government transferred the staff and functions of the Commission for Unity and Racial Equality (known by its acronym CURE) to the Human Rights Commission,

² Name re-titled to: Human Rights Amendment Act 2012 at Committee Stage.

thus providing the basis of an extensive internal review of the HRC with the purpose of identifying areas of opportunity with the expanded capacity.

Secondly, the Commission's 30-year-old administrative processes and practices are out of date causing delays in the investigation and disposition of complaints.

The lengthy and circuitous intake in investigations processes frustrated and confused the public and reinforced the belief that cases dragged on indefinitely and that the Commission is ineffective. This led to an overall lack of public trust in the Human Rights Commission.

And, thirdly, the Ombudsman, boards of inquiry, and court decisions have long commented on the need for change to the Human Rights Act in order for it to measure up to other human rights instruments around the world.

Mr. Speaker, there are currently two provisions in the Human Rights Act where the Minister plays a pivotal role in the determination of a human rights matter.

The first is his role in the selection and appointment of the Commissioners. The second is his power to determine which human rights cases are actually heard by a board of inquiry.

Criticism has been levied at the Minister's dual functions under the provisions of the Act, particularly from the courts who assert that tribunals and commissions—especially those dealing with such sensitive areas as human rights—be free of political involvement.

Further concerns of Ministerial involvement have been exacerbated by the Minister's power under the Act to decide whether to appoint a board of inquiry to adjudicate a complaint once it is forwarded to him by the Commission.

Mr. Speaker, the Department of Human Affairs reviewed the organisational structures, functions and administrative processes of Human Rights Commissions in New Zealand, Australia, the UK, South Africa, and the Canadian provinces of Ontario, British Columbia, and Prince Edward Island. Inquiries in the wider Caribbean revealed that there are very few Human Rights Commissions. The review generated wide ranging and extensive recommendations to amend the Act. And results indicated that Commissions generally operate using either a Traditional, Hybrid, or Direct Access model.

Mr. Speaker, Bermuda's Human Rights Commission operates according to the Traditional model and functions as follows: screens complaints; conducts investigations; seeks to conciliate and settle complaints of unlawful discrimination; refers complaints to the responsible Minister for discretionary referral to a board of inquiry for settlement.

In the Hybrid model staff members perform screening functions, investigate the case if it is meritorious, dismiss the complaint after investigation if there

is no evidence, and refer the complaint to a tribunal composed of Commissioners. The tribunal hears the case and makes a decision. Prince Edward Island, Canada, is one example of this type of operation.

The third is the Direct Access model where persons file complaints directly with the Human Rights tribunal. The Commission maintains an education and advocacy role only. Ontario, Canada is such an example of a Direct Access model.

All three models were considered by the Department of Human Affairs and a "Bermudianised" Hybrid model was recommended as the best option. Yes, indeed, in the Bermuda context.

Mr. Speaker, this Bill seeks to modernise the organisational structure and streamline the administrative processes and practices to ensure an efficient and effective Human Rights Commission capable of serving the public while being held to the highest standards. The Bill will ensure that the complaints process is clear to the public and that all cases progress in a timely manner. The objective is to ensure that knowledgeable and competent decisions are made which will withstand scrutiny throughout the progression of a human rights complaint.

Mr. Speaker, this Bill represents the second phase of the overhaul of the Human Rights Act. The first phase occurred in 2011 with the Human Rights (Unreasonable Hardship) Amendment Act which was passed in July of last year and became operational in early December.

Mr. Speaker, the Human Rights Commission currently operates as follows: The Commissioners screen complaints and determine whether a complaint appears genuine. If the complaint appears genuine, the Commissioners approve a complaint for investigation. The staff of the commission conducts investigations and presents their findings to the Commissioners at a monthly meeting. The Commissioners seek to conciliate and settle complaints of unlawful discrimination through the offer of mediation and other methods. However, if they are unable to do so they must refer complaints to the Minister for a referral to a board of inquiry.

Mr. Speaker, Bermuda's Human Rights Commissioners generally do not have any background in human rights. Decisions often get delayed as the Commissioners are only scheduled to meet monthly, and that monthly meeting may not even take place if there is no quorum. This makes the progression of cases through the Commission, then on to the Minister, and then to a board of inquiry an extremely lengthy and confusing process for parties.

Mr. Speaker, the Bill shifts the complaint screening function, currently being performed by the Commissioners, to the staff of the Commission who are professionals and have the technical skills coupled with already well-established screening processes to perform this function. The Executive Officer of

the Commission will determine if a complaint appears genuine and if it should proceed to investigation.

Mr. Speaker, the Bill will also transfer the functions of the boards of inquiry to a Human Rights Tribunal and convert the Commissioner's role from a screening role to an adjudication of complaints role with the same quasi-judicial authority and responsibilities of the former board of inquiry process.

Complaints of discrimination will now be received, investigated, and adjudicated within the Human Rights Commission and not be moved out of its jurisdiction to the Minister, and then to the Department of Human Affairs to administer the board of inquiry process as is the current case. The tribunal would hear cases referred to it by the Executive Officer and render decisions on the merit of the complaint.

Mr. Speaker, boards of inquiry, as they currently exist, will be replaced by the Human Rights Tribunal. Each tribunal will be made up of three members from the total number of Human Rights Commissioners. The Minister will no longer refer matters to boards of inquiry, thus removing any potential for political involvement. These changes will also ensure a timely resolution of a complaint and continuity in its progression.

Mr. Speaker, with all of the changes being made by this Bill the new procedure for complaint will be as follows:

- The complaint of discrimination will be made to the staff of the Commission who will as a team determine if it falls within the ambit of the provisions of the Act;
- Instead of the Commissioners deciding whether to investigate the complaint as is now the case, the Executive Officer will make that final determination in consultation with his trained staff;
- Once an investigation is conducted, the Executive Officer will determine if there is a *prima facie* case and will forward it to the Chairman of the Human Rights Commission for a tribunal to be empanelled;
- The Chairman, who is legally qualified reviews the file and empanels a tribunal.

Mr. Speaker, the Executive Officer plays a key role throughout the intake and investigation process and in the determination of whether there appears to be a case. It is important to note that there will be an appeal process available to complainants if they are not happy with the determination of the Executive Officer. Should the Executive Officer determine that there is no case; the complainant may appeal to the Chairman of the HRC who will have the final word.

Mr. Speaker, the replacement of boards of inquiry with Human Rights Tribunals and the conversion of the role of Human Rights Commissioners to adjudicators will require a new selection and appointment process for Commissioners. Rather than the Minister appointing members of the public to the Human

Rights Commission as at present, the new process will entail the formation of a Selection and Appointment Committee to undertake a recruitment process for Commissioners. Criteria and qualifications for the Commissioner appointments would be established by the Minister responsible for Human Rights, the Department of Human Affairs and the Executive Officer of the Commission.

Persons wishing to become Human Rights Commissioners would need to apply for the positions. The Selection and Appointment Committee will be comprised of the head of the Committee who is appointed by the Minister, one representative recommended by the Premier, one representative recommended by the Leader of the Opposition and two representatives from the general public appointed by the head of the Committee. The Committee will invite applications from the general public for persons to serve on the Commission, review all applications and interview applicants, and appoint the 12 Commissioners.

Mr. Speaker, in order to ensure that any Orders handed down by a tribunal are complied with, a new provision has been added to allow for Orders of a tribunal to be made Orders of the Supreme Court. The objective is to ensure enforcement of an Order made by a tribunal.

Mr. Speaker, the ability for complainants to apply to the Commission for financial assistance, in relation to an appearance of legal counsel in the tribunal process only, remains in the Act, however, in order to avoid conflict or any appearance of bias the Department responsible for Human Rights, currently the Department of Human Affairs, will now be responsible for considering the application for assistance based on a "standardised means" test.

Mr. Speaker, the Bill takes into account that boards of inquiry may have already been referred for a hearing by the Minister or underway on the commencement date of the amendment Act. The Bill allows for those boards which have been appointed to continue until they have determined the complaint.

Mr. Speaker, the Government recognises that major changes to the Act and the Commission are required to restore and regain the public's trust and confidence. As it stands, the Commission remains a cumbersome institution in its present form amid the Government's ongoing efforts to ensure streamlined efficient public service. In order to ensure that Bermuda is able to gain international recognition, and most importantly, local trust, the Commission must evolve to become a credible, legitimate, relevant and, indeed, effective body.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney, the Honourable Member from Devonshire North Central.

Any further speakers?

I now recognise the Honourable Member, Mr. D. Hunt, from St. George's South.

Mr. Hunt has the floor.

Mr. Donte O. Hunt: Thank you, Mr. Speaker.

I do stand, pleased to make my contribution to this particular legislation that has come to the House, the Human Rights Amendment Act 2012, as it has been amended in its name.

Mr. Speaker, I will tell you this first and foremost, I would like to thank the Members—those who contributed to this document—those being Lisa Lister of the Human Rights Commission, you have also got Venous Memari, as well as, of course, the Permanent Secretary, Mr. Wayne Carey. Thank you very much—this is a well needed piece of legislation that comes to the House. In fact, in any jurisdiction, in any part of this world, human rights are fundamental for any nation—it is the bedrock for any nation. So any development, any move forward is certainly, certainly, certainly important and something that is well received.

Mr. Speaker, as the Minister just articulated, this particular legislation, the intent of it is to improve the administration and the function of our Human Rights regime. It is intended to bring the Human Rights Commission in line with international standards. And I would like to underscore that . . . those two words “international standards”, because you will find that it is key as I move forward in my presentation to this Honourable House and to our dear members in the community listening.

In synopsis I can say that this particular Act is heavy on a procedural perspective and administrative perspective. But is it substantial? Is it substantive? Well, we will see and at this stage I will say no. And I will move forward and make that point clearer.

When I went online and I did my research I spoke to a few people and the first thing that I saw in terms of human rights (and I have done this year’s back and, again, it was reiterated when I did my research for this particular legislation some weeks ago) there were the Paris Principles that came to mind, that came about as a result of my research. And I think in this House some of us may have heard of the Paris Principles, some of us may not . . . some of us in the public may or may not have heard about these principles, but these principles basically are made up of five stipulations, headings or requirements that have been established from an international perspective for how Human Rights Commissions or human rights institutions should operate. In fact, they . . . it is almost a criteria in order to be a part of the international community as it relates to human rights in an institution, a national institution in that regard.

What are these five stipulations? I am not going to go into those, Mr. Speaker, but I am just going to hit on one. One particular stipulation which I think is key to the essence of this legislation. Number two: “the institution shall be able to advise the Government, the Parliament and any other competent body [you, me] on specific violations, on issues related to

legislation and general compliance and implementation with international human rights instruments.” In other words, number two is saying there is a heavy, heavy reliance or focus on autonomy from Government and independence in terms of its operation and its affairs. “The key elements of the composition of a national institution [I am quoting this] are its independence and pluralism.” The key word again, its “independence.”

Mr. Speaker, if you will indulge me a bit more as I develop my point.

The Speaker: Yes.

Mr. Donte O. Hunt: Let me go to the Asia Pacific Forum website where they quote the Paris Principles, but they have a criteria here that also gives us an understanding of where we should be. I heard the Minister talk about moving the Human Rights Commission or at least the Act towards the international standard, and this being the second phase, the phase that would bring the big punch to the Human Rights Commission. But I think that this is not the big punch. I think that this particular legislation has not gone the distance when it could have, it really could have.

I will tell you what the criteria . . . there are six criteria that national human rights institutions should include and I am going to say two of them. One—autonomy from Government. The other one— independence guaranteed by legislation or the Constitution. What I am trying to say right now, Mr. Speaker, is that while we understand that this particular legislation is moving things forward for the Human Rights Commission or for human rights in general in Bermuda, it does not . . . it did not go the line and length that it could have.

Mr. Speaker, let me say this, this particular Bill is not without its good points. Page 2, clause 3 which amends section 13 enhances the qualifications of the members of the Human Rights Commission—the Commissioners—the new term now, the Commissioners. It talks about them having experience in human rights, being qualified, having some sort of education. This is key. I commend that. This particular Act does not go without good points.

The other one . . . there is a movement towards independence within this particular— independence from Government—within this particular legislation. If you look at page 6, clause 11 which amends section 18 it basically removes the Minister from the process and allows the Executive Officer to be able to propose changes and complaints that are not resolved to the tribunal. So the Minister is removed, so we see elements of the Ministry moving towards the ideal position which is autonomy from Government, and independence.

Now, let me get back to . . . one other thing that I wanted to say here within the Paris Principles and the criteria—not the criteria, sorry, the accredita-

tion. There are two levels of accreditation. One is an “A” status. The other is a “B” status. I think we want to be “A” status—internationally—because if we are “A” status then we are toe to toe, upfront, in line with, up with the big boys, you name it, we are there with them, we are upfront with the international community as it relates to human rights and how we disseminate, implement, develop—we are upfront with them, the international community, that is.

So let me say the accreditation. There is the “A” status, as I said, and there is a “B” status. And if you indulge me once again, Mr. Speaker, I am going to talk about the “A” status ever so briefly.

The National Human Rights Institutions which are considered to fully comply with the Paris Principles are accredited as “A” status. Those who do not fully comply with the Paris Principles are “B” status. The advantages of being “A” status is that you are part and parcel of the international community; you are recognised as a group who are at the forefront of human rights. You can be a part of the International Coordinating Committee of National Human Rights Institution, the ICC. Ultimately, as an institution who is “A” status, who operates with autonomy from Government, we are able to—the Human Rights Commission—is able to operate as professionals and provide human rights proposals to us, the people, unfiltered.

The problem is when Human Rights Commissions are attached to Government you have that political agenda that filters things, the political wheel that stops the motion of the Human Rights Commission. We need to remove that. The Human Rights Commission needs to be autonomous. It needs to be independent. It needs to be free to do its research and provide reports to us in this House as well as to the public with regards to what is going on internationally so that we are consistent, so that we are upfront and ahead of the curve with international human rights legislation and policy.

Mr. Speaker, I will go into a little bit more detail of where I think this particular legislation was light, in terms of being on the forefront of human rights legislation.

One, the Bill retains provisions which maintain political control of the Human Rights Commission.

Two, the Bill . . . the guidelines prepared by the Commission under section 14B cannot be published without the Minister’s approval. Again, and I think of putting a little bit of meat on the bones, this is why independence is not there. This is why autonomy is required. If the Minister has to approve a submission by the Commission, then there is a filter that stops the Commission from doing what it has to do, what it should do.

Annual reports must still be submitted to the Minister rather than directly tabled in the Parliament. That still has to happen under this particular legislation and that is something that I have noticed when I looked at the substantive legislation and also when . .

. and I have to give that particular assertion to another Member, another person who had given me that. But the point being, Mr. Speaker, that we still find ourselves in the same position where the Human Rights Commission does not have all the power that it needs to.

The head of Selection (and I think this is a big one), the head of the Selection and Appointment Committee is selected by the Minister and, subsequently, the head appointments—two members. So the Commission is made up (and we heard it from the Minister) of five individuals. The head is selected by the Minister. And the head then selects two other people. So, in essence, you have directly and indirectly three individuals on the Commission which are selected directly and indirectly by a political person, that being the Minister. And that, again, goes back to the lack of independence, the lack of autonomy of this group.

What is the consequence of all of this as I wind down, Mr. Speaker? There are issues that we know of, Mr. Speaker, in this country that have gone unaddressed. And I would submit personally that they have gone unaddressed mainly because of a political agenda, lack of political will, or political expediency, that particularly being sexual orientation—the discrimination based on sexual orientation, Mr. Speaker.

With a Human Rights Commission that has total autonomy from Government, they have the ability to do the research that is necessary, which they do now, but more importantly they have the ability to provide reports to us, the people of this country, directly without any filter by any political agenda or any political will or whatnot.

The Speaker: Even though the Minister is in charge of it?

Mr. Donte O. Hunt: Precisely. The Minister is in charge of it and that is not what the Paris Principles is about. The Paris Principles is about providing independence and autonomy from Government to the Human Rights Commission and this is what is required to make us international standard status “A.” And I take this information as gold and I invite Members to do their own research. But to get us to status “A,” because right now we are status “B” . . . we are status “B” as it relates to our Human Rights legislation because of the simple fact that our Human Rights Commission is not independent, is not autonomous from Government. So in order to get us to status “A” we need to move accordingly. And, as a result, this country will benefit—I tell you.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Hunt, the Honourable Member from St. George’s South.

Are there any further speakers?

I now recognise the Honourable and Learned Member, Mr. T. Moniz.

Mr. Moniz from Smith's West has the floor.

Hon. Trevor G. Moniz: Thank you, thank you, Mr. Speaker.

Well, I just thought as the Shadow Attorney General I should speak to support what we believe on this side of the House. I fully support what my colleague, the Honourable Donte Hunt, said there with respect to this piece of legislation that we are getting part of the way there. And my belief is that we have to put all of this in context. And, of course, the context of this is that we have had some unfortunate situations in the past of accusations of Ministerial interference in the process with the Human Rights Commission, and not just with respect to the appointment of members of the Commission and whether they were appropriate or not, but also with respect to the reference of complaints to tribunals. So we put all of that into context and say that is certainly why we need progress in this area.

Some of those cases, unfortunately, do go on for very long periods of time. There was one that continued before the courts recently with some very eminent Queen's Counsel and that very issue came up about the effluxion of time, the passing of time, and whether after a long period of time the matter can be remitted back to the Commission or to a tribunal after perhaps more than 10 years have passed. You know, there is another case—these are ongoing cases—but there is another case before a tribunal which has been going on for well beyond 10 years. So it is a question of justice must not only be done, it must be seen to be done. And the added rule of natural justice says it must be seen to be done within a *reasonable* period of time. And in the past that has not been the case.

With respect to the procedures here, I support what my colleague, the Honourable Donte Hunt, said that we may be improving the Act, but we may not be going to the top of the class. We may be still in that "B" category he speaks of where we have not removed the process completely from political influence—where the Minister still has important powers under the legislation, which perhaps in this day and age and certainly international standards would tell us is not the best practice.

I do . . . I want to recognise and applaud to the extent that this is progress over what we have had. So I do not want to be seen to denigrate what is before us today. I believe it is a step forward. But I also accept what is being put forward, as I said, by Donte Hunt and also—

The Speaker: The Honourable Member.

Hon. Trevor G. Moniz: —the Honourable Member, and also by the Head of the Centre for Justice, Mrs. Venous Memari, who is in the public Gallery and has

laid out in the article which is reported in the paper exactly where international standards would have us be at the end of the day. And, certainly, she is far more of an expert in this particular area than I am having worked in this area for some period of time. In fact, I noticed the writer of the article is Ayo Johnson. He also was employed in the Human Rights Commission. So you can see there has been a lot of attention to this in the community by people who really care about this area of the law. It is a very important area of the law. It is important that we get it right. There is really no excuse for not getting it right and we need to move forward.

At the same time all of this is about process—about who appoints the Commissioners, et cetera—and while process is very important, people are the real object of it and justice is the real object at the end of the day. And unfortunately what members of the public may read into the change in the process is that we were not able to trust the people involved to make the right decision, to do the right thing, and not to interfere for political reasons—and that is what people may read into it.

There are also many members of the community out there [who] have an interest in other pressing concerns in substantive areas. You know, those are the areas of gender discrimination, age discrimination, sexual orientation discrimination—all of those areas are substantive areas which this Government has promised repeatedly to address. And you can see the reason why people are so unhappy when they see them coming forward with a procedural piece of legislation today and trumpeting how wonderful it is when it only takes us to the "B" international standard, not to the "A" standard, and it does not address any of the substantive issues that are out there facing this community.

We all know as politicians that some of these issues are very difficult to grasp—they run a risk as a politician, you are in this area, you are going to take up an issue for which some people are going to applaud you and other people are going to want to throw brickbats at you. But that is the purpose of Government moving forward, you have got to grasp these thorny issues, you have to resolve them. You know, we have another one out there with conscription in the regiment. And we keep skirting around these sorts of issues and do not deal with them properly, do not resolve them, and they unfortunately will continue to fester, they are not going to go away.

What we have on the table today is a baby step—both in a procedural sense, and not even I guess a baby step in a substantive sense.

And we on this side of the House would like to see the Government and this House and Parliament generally come to grips with these issues and achieve real progress.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Moniz, the Honourable and Learned Member from Smith's West.

Any further speakers?

I now recognise the Honourable Member, Mr. C. Swan, from Southampton West Central.

Mr. Swan, you have the floor.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker.

I wanted to just weigh in and very briefly on this bit of legislation here before us. And it is one of the tenets of human rights . . . it is one of the things that every individual in every country in this world, something that we all look for [is] to be protected in some way, shape, or form. And we have human rights legislation in every country of the world. You have heard it said by speakers earlier before me how our legislation did need to be brought a lot closer to what is considered international standards. And it has been called for for a long time. And the Honourable Member who spoke immediately before me highlighted the fact that in this country there are quite a large number of individuals who have not been able to really have their human rights issues properly addressed for want of the proper legislation in place.

Now, the fact that a lot of work has gone into this legislation with all due consideration and consultation and what have you is to be applauded, and we do that. I think what people have to understand is that this is really a step in the right direction. The Honourable Member who spoke before me highlighted the article that is in the *Royal Gazette* (and I am not going to re-hash that) but the Centre for Justice and Mrs. Memari have concerns that the legislation does not go far enough. And I have to admit that that is a question, you know, if people are going to spend their time—and we have individuals in our Gallery from the Human Rights Commission, knowledgeable people around our Island—reviewing Acts and making amendments to them so that they are more in tune with international standards, more beneficial to the people that they are designed to protect, then to my country way of thinking we should have the best and we should have it properly done and completely done.

So my question would be why does it only go halfway? And we have highlighted reasons why or instances where it can be seen where this change in legislation, these amendments, do not go as far as they possibly could. So I just wanted to make those brief comments, Mr. Speaker, and imagine it will go to the . . . and I do have a couple of questions to raise in Committee.

Thank you.

The Speaker: Thank you, Mr. Swan, the Honourable Member from Southampton West Central.

Any further speakers?

I now recognise the Honourable and Learned Member from Devonshire North West, Madam Premier.

Madam Premier has the floor.

Hon. Paula A. Cox: Thank you, Mr. Speaker.

Mr. Speaker, human rights is critically important and the Progressive Labour Party Government has as its mantra from the days even as Opposition of fighting for the rights of the downtrodden and the vulnerable.

Mr. Speaker, what we are dealing with today while it is seen as something which is seen as positive, I do not want it to be mischaracterised and underestimated. Because in a time and an era where people are looking constantly for Government and policy makers to raise the bar in terms of governance, what this is doing is furthering that agenda. And it really is about principled consistency.

There was and has been concern in the past not limited to a Progressive Labour Party Government, but that is immaterial. Under a Progressive Labour Party Government there have been issues raised. In fact, as recent as within the last week or so someone who has a case before the court was seeking to invite me to intervene—improperly, I would add—but certainly to intervene because of concerns about how a case was handled.

I think, Mr. Speaker, it is very important that those who live in glass houses do not cast stones and that as we seek to raise the bar and move the dial in terms of accountability and governance, that it is acknowledged. And I think the Minister who speaks for this has indicated this is a phased approach—not everything is done in one big gulp. But I note, Mr. Speaker, that in terms of signalling and signposting, the directional focus of this Government in terms of furthering the agenda of human rights we have been clear and unequivocal both in terms of age discrimination and in terms of dealing with issues pertaining to sexual orientation.

So I commend the Honourable Minister who has the responsibility and the remit for this Act. And I commend him for furthering the agenda and pushing the dial because equity, access, [and] equality are key. So I join the echoes of support for this Government piece of legislation.

Thank you.

The Speaker: Thank you, Madam Premier, the Honourable and Learned Member from Devonshire North West.

Any further speakers?

I now recognise the Honourable Member, Mrs. L. A. Jackson, Pembroke South West.

Mrs. Jackson, you have the floor.

Mrs. Louise A. Jackson: Thank you, Mr. Speaker.

I feel very nostalgic about this legislation. My husband, Albert Jackson, was the first Chairman of the Human Rights Commission and he helped to form the Human Rights Commission many years ago. And I

am hearing about what has happened in the past. I am very interested now in what we are going to do in the present going forward. I feel that legislation like this really hinges on education and it hinges on how we think and care about each other. And, specifically, I have to say, how for many years so many people have been waiting to have laws passed that do not discriminate against them.

I have to say age discrimination is number one for me. This is something that the United States has had since the 1920s. Here we are in the 21st century, 2012, and we still are not passing legislation that prevents people from having jobs, from recruiting, from employing senior citizens—people over 65. And you see it; I mean there is no legislation to stop an employer putting in the *Royal Gazette* that they want young employees, which is blatant discrimination. You have in every developed country, Mr. Speaker, laws against age discrimination. And I have to say . . . I wrote some notes here, but I do not even want to go through the statistics. It is embarrassing for Bermuda. We do not need to be the last country in the developed world to have these laws passed. Everybody—you have Denmark and Australia—everybody has these laws passed.

I think we need to cut to the chase now and stop dancing around . . . and I have to say I am not going to name the other bits of discrimination, but for a country that had discrimination for so long (and goodness knows I suffered under it) you would think that we would be able to get this thing together.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Mrs. Jackson, the Honourable Member from Pembroke South West.

Any further speakers?

I now recognise the Honourable Member, Mr. W. Lister, Sandys South Central.

Mr. Lister, you have the floor.

Hon. Walter M. Lister: Thank you, Mr. Speaker.

I would like to express my support for the Minister who brings these improvements of legislation today.

Mr. Speaker, I think both you and I lived in a country many years ago where there was no human rights legislation for any of us. And we know the pain under which we suffered. And I think that legislation came, that they were going to have a Human Rights Bill, and we have constantly improved the Bill as we go along. This is what the Minister is doing today—is improving the Bill as we go along.

Someone says it does not go far enough. Well, life is a full journey and every once in a while we have to take a look back and see how we can improve how we are going forward. And this is one such day. We have stopped, we have looked at the legislation, and we want to see how we can make improvements

to that legislation as we go forward in the interest of every Bermudian.

Mr. Speaker, as I said earlier, I think you and I know what it is to live in a country that has no human rights. Many of us look on the television night after night and we see the news where people are being taken advantage of and have no recourse, and our hearts grieve for these people because we know the pain under which they suffer.

Any improvement, Mr. Speaker, in this legislation I support. And might I add this is not the last of it—I would like to inform the Opposition—this is not the last of it. More amendments will come to improve the quality of the Bill so it improves the quality of life for Bermudians. That is what the Bill is designed for in the first place—to say it is a baby step is sheer nonsense because it is a step along the way.

A journey of a thousand miles takes one step. So this today is one step along the road in human rights where we are helping to improve the quality of life and fairness for people. It is not rocket science; it is very plain, very simple. But what it does—it is a big step, Mr. Speaker.

For those of us who have lived without this legislation and are now living with it, we appreciate it more than those people who have come recently and are enjoying the fruits of the labours of many. But that is human nature. We are not going back there. We are not looking back; we are looking forward. This legislation is looking forward.

Minister, we thank you and we thank the Government for bringing it because from this point on many people will profit by this legislation. I do agree with some Members in the Opposition and even some of our Members that many people have found it frustrating to get matters through. And what does this Government do when we find a matter that is frustrating to the community, we try to address it. And that is what we have done today, Mr. Speaker, we are addressing the situation. And I think there is nothing wrong with that, I think that we should be commended for it.

But anyhow, Mr. Speaker, let us stay with the facts of the matter and that is what we are really trying to deal with. And I want to thank you, Mr. Speaker, for giving me this opportunity.

Thank you.

The Speaker: Thank you, Mr. W. M. Lister from Sandys South Central.

Any further speakers?

I now recognise the Honourable Member, Mr. H. Swan, from St. George's West.

Mr. Swan, you have the floor.

Hon. Hubert (Kim) E. Swan: I am obliged, Mr. Speaker, thank you very much.

I am pleased to have been able to return in time to be able to make a contribution to this important legislation before us today.

Mr. Speaker, speakers, particularly on Opposition benches, from both parties represented here in the Opposition, have expressed some being pleased with the fact that we are moving in the right direction, and some having displeasure about the legislation not going far enough.

I would just like to start off, Mr. Speaker, by saying thank you. We have acknowledged the presence of the good people that work in the office of the Human Rights Commission. The Honourable Member who spoke before me knows all too well the good people that work in that office. I think one of those persons in charge is, indeed, his lovely daughter. And I would also like to recognise the origins of the Human Rights Act. I think it came into being into 1981 by my good friend former Cabinet Minister, Member of this House, the Honourable Quinton Edness who was very passionate about human rights and one of the Acts that he piloted through Parliament that he was very proud about.

Mr. Speaker, yes, the Honourable Member, Mrs. Jackson, spoke and has spoken very eloquently over many years in this Honourable House about age discrimination. We have heard concerns raised by many Members on all sides of the political divide and outside of this House about sexual discrimination based on sexual orientation and certainly I know what it feels like to feel that one has been discriminated against based on political affiliation. And these certainly are not feelings that go over well with persons, especially when you have experienced them.

You know, Mr. Speaker, the Honourable Member that spoke before me—who I hold in great regard . . . I think it is an anniversary date today. On February 3, 1983—when I was 25 years and 4 months—he thrashed me at the poles in Sandys and told me, *Go east and leave these lands of the west*. And I did and I took his advice, and I am able to speak today before you.

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: And he is still giving good advice.

Mr. Speaker, but the Honourable Member spoke of the time when there were no human rights in Bermuda or very few. And, certainly, there were certain categories of people that did not enjoy human rights. And, certainly, having been one that has been discriminated against based on one's race—both overseas and here locally—it is not a good feeling, not a good feeling at all. And it is from that understanding and appreciation and the hurt of that experience that I know it is important to appreciate those who still are experiencing discrimination in our midst. And, you know, I have invited persons, Mr. Speaker, respect-

ly, to walk a day in my shoes to experience how I might feel on some of the problems we still feel exist in Bermuda.

Mr. Speaker, if there are persons in our community that still today—and the Government recognises and hears from them privately and publicly—feel aggrieved, you know, it is not good enough to come here and say I am almost there. I am going to get there. I believe, Mr. Speaker, there is a saying that *an injustice anywhere is a threat to justice everywhere*. I believe the former Member . . . sorry, not the Member of this House, the late and great Dr. Martin Luther King it was attributed to. And I believe the former Attorney General of the United States, Mr. John F. Kennedy, who was assassinated, was attributed to those types of . . . those particular . . . Robert F. Kennedy was attributed to those comments.

Indeed, they are very powerful because you cannot make a half step towards what is right to do. And there are people, there are people in our midst who are agonising, making good contributions, that feel aggrieved and we are not addressing the issues that confront them on a daily basis adequately—that is the problem.

Mr. Speaker, when it comes to the Human Rights Commission, I believe the new Opposition formed recently has expressed concerns that I and my colleagues in the United Bermuda Party have long felt that the Human Rights Commission needs to be an independent body of Government.

And so there are those that say, *Why didn't you do it while we were Government?* Well, we did not. And it was a mistake.

But you know what, Mr. Speaker? Since the time when we became Government, I have had some personal experience of what it is like to put one's faith in a Human Rights Commission that is hampered by the fact that the Minister has overriding jurisdiction.

You know, Mr. Speaker, the reason why an independent Human Rights Commission is so necessary is that there are times, there have been times, and I am sure there will become more times, when you will have to appeal to the Human Rights Commission and the people that you are complaining about is the same Government that the Minister responsible serves under. So when . . . and I will just use a Biblical reference. When you go to Caesar to complain and say, *Caesar, I've got a problem*, but Herod is the person you have got a problem with, who is Caesar likely to take sides with—Herod or the person complaining about Herod? That is the problem in modern-day Bermuda that we have, Mr. Speaker, with the Human Rights Commission not having the full autonomy to act in the interests of human rights. That is the frustration.

We that sit here as politicians, let us declare our interests. We all get accused of being more concerned with getting elected and so we . . . sometimes . . . the public will look and say, *You are not prepared to*

do what is right. But I will say this in fairness to the public that hold us here—any one of us can, certainly, I believe, Mr. Speaker (I will take advice) . . . we can certainly collectively come and deal with this type of matter privately.

Yes, Minister?

And, certainly, I believe attempts were made in the past. I do not want to trivialise the significance of the work that gets done behind closed doors. It is important. But I think the political will sometimes gets lax because of the consequences of political will and human rights should not be at the whim of political will. Human rights need to be because it is the right thing to do at the right time for the right reasons and not the wrong reasons. And it is for that, Mr. Speaker, that I respectfully thank the Human Rights Commission for feeling it necessary to improve and update and upgrade.

But I respectfully say that it does not go far enough. And I look to the Minister to make sure that that can take place sooner rather than later, because there are people who do wake up every day and who go to sleep every night who are not treated fairly. They do not have the protection and they are not persons who . . . they cannot have the same, they cannot enjoy the same freedoms that we enjoy. And those of us of colour who have experienced that should have a greater empathy. We should have a greater empathy. And that is the problem, Mr. Speaker. That is the problem. It gets so entangled in something as fundamental as the rights of people, gets so entangled and so embroiled in the political muck and mire.

Mr. Speaker, in closing, I just want to say thank you for giving me the opportunity to speak on such an important topic as this, and I want to encourage the Government to look at . . . ask yourself does this go far enough? And if the answer is no, then how long will it take to get the resolve to do what is right? And if you are saying not long, ask yourselves why not now?

That is what you need to be . . . that is the type of searching you need to do because in the spirit of an injustice anywhere is a threat to justice everywhere, there are people . . . and we make the mistake and say, *Well, there are people in this world far worse off than us.* But if they look to us to accept the fact that we can make the decision to do what is right and do not, it gives someone down the road an opportunity to deny someone else somewhere else their basic human rights. That is the knock-on effect of not doing what is right.

When you are, and consider yourself to be, one of the most sophisticated jurisdictions in the world, and you can find excuses for not delving head on with matters that deal with human rights—whether or not they be political—discrimination, not allowing people to practice in their profession because they do not wear the right lapel on their top upper-left, under their left shoulder—it is wrong. It is hurting. That is the

type of reason why it is necessary to look at human rights independent of the politics of the day.

And those persons who can look in the mirror in the quietness of their own home and know that they have done wrong by people, look and say, *I am going to make a resolve to change my way of doing business,* and encourage their colleagues—if they sit on that side and their colleagues if they sit on this side—to do right. That is the type of thing.

That is why I am so passionate, Mr. Speaker, about the Human Rights Commission being independent. And I have shared those views with the Governor who I am sure has shared those views with the Foreign and Commonwealth Office, and I believe others on this side and maybe others on that side have done likewise. But we do not need to be beating ourselves on the back when we know we have still got plenty of work to do for people who wake up every day and know that they are not equal and they are not guaranteed protection under the law.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Swan, the Honourable Member from St. George's West.

Any further speakers?

No further speakers.

The Minister in charge, the Honourable Member, Mr. G. Blakeney, has the right to reply.

Minister Blakeney from Devonshire North Central has the floor.

Hon. Glenn A. Blakeney: Thank you, Mr. Speaker.

I would first like to thank my Human Affairs Department under the Directorship of Ms. Deborah Blakeney, and we have our policy analyst, Ms. Jane Bret. We have our Executive Officer, Lisa Lister. We have Anthony Richardson, who has given us some very sage counsel with regard to the legal context of this amendment Bill, and last, but certainly not least, my Permanent Secretary who drives a very hard ship, keeps the fire below my feet as well, Mr. Wayne Carrey.

I would secondly like to thank those on the Opposition for the passion, for the content and the context of their advocacy, notwithstanding we seem to be getting so ever conscious of the political season that we are in. And they would go from one extreme to the other in blessing and commending the legislation while at the same time not just pointing out the weaknesses, but inferring all kinds of . . . I suppose, lack of political will and the like.

I would also like to thank my esteemed Honourable Premier for really putting it into context. And I do not need to really reiterate or elaborate on the remarks that she made. But I have, just before I go into some of the responses to particular concerns raised this afternoon, to make some general comments.

You know, with regard to the commitment to human rights in this country, I think governments over

the years since 1981 have been genuinely committed—we have been as a country. And so we far exceed those islands to the south of us where you heard in my general remarks there are very few, if any, Human Rights Commissions that even exist.

You would have, of course, Mr. Speaker, been reminded that just recently we passed in this Honourable Chamber the [Human Rights] (Unreasonable Hardships) Amendments Bill that provides more oomph and accessibility for those people who would be challenged to access buildings and to do jobs as worthy employees without suffering discrimination provided [it] did not bring to bear unreasonable hardship on a prospective employer. So within reason employers now have to make accommodations for challenged people. And I just make mention of that to remind people with regard to our commitment.

There have been public utterances that have been covered by the press in this country regarding remarks or commitments or promises supposedly that I made. Well, you know, even as a politician I do not make promises save and except the one promise to do my level best serving people, because tomorrow was not even promised to me. And what I did promise was to do my level best in consultation with my Department of Human Affairs to bring legislation that would satisfy the people that were most, I would say, cogently advocating for the kinds of amendments that we are still looking at and will continue to look at.

But as it is a fluid situation with the commitment that I have as the substantive Minister, and upon consulting with my Honourable Premier, we looked at even a broader context with regard to considering the relevance of an Equalities Act. And as a result, we are back at the drawing board. Notwithstanding the work that has been done, but with a commitment to ensure that as we move forward we take all in sundry into consideration with regard to what is available for us to consider in meeting those best practices and international standards.

As a result of that commitment, Mr. Speaker, my Permanent Secretary, Mr. Wayne Carey, and Ms. Jane Brett have been to London to the Foreign Office to look at the Equalities Act there. We have also had occasion to speak with a Lord—a legal master in the area of Human Rights—who has committed to assist us as we evolve as a first world country in addressing still some outstanding human rights considerations.

So let no one be fooled, let no one be apprehensive, let no one be confused in their minds concerning the commitment of this Government to Human Rights in this country. And yes, it will be in a Bermuda context. And I am pleased to say upon consulting with the Lord, he said, “You are absolutely right, Minister, because you have to take into consideration traditions, cultures, and a moving sphere of issues and challenges that affect the human condition—it is not a one size fits all.”

Now, to be more specific with some of the comments, Mr. Speaker—the Honourable Member, Mr. Charles Swan, made a couple of inaccurate, or at least one inaccurate comment, I believe (I just noted it here), in stating that every country has legislation. Well, that is just not so. It is not so. Every country does not have legislation. Have you heard of China? So that is false.

And you talk about halfway measure because we are doing it in phases, so we are doing it in a half-way measure—

[Inaudible interjection]

Hon. Glenn A. Blakeney: Well, I just use that as . . . you are a Learned Member.

Honourable Speaker, you know, now we are getting to an exercise of semantics. Now when you get in an exercise of semantics, there can be no other reason for that [other] than to politicise a situation that is very serious. I gave that country as an example to say unequivocally and categorically that not every country on this planet has legislation regarding civil rights. Okay? I could use many. I could use some countries in the West Indies, but I will be kind because I have cousins there, as I am sure many of us do. Okay?

[Inaudible interjection]

Hon. Glenn A. Blakeney: So, I am sure it is. And thank you Honourable Member, at least you do have some integrity as far as that is concerned.

Now, you know, we still have to deal with the 2007 HUCKER Report recommendations, Mr. Speaker, which did not come this time which includes sexual orientation, age, and many other issues regarding human rights. And I must point out with regard to age because, you know, one of the fiercest advocates of the rights of seniors in this country among other people is the Honourable Member opposite, Mrs. Jackson. And I think she equals the concern that we have on this side of the House. It is just that we have the power to do as we do in the interests of our senior citizens—as we have been doing since we have been elected year over year. And that legislation, the amendment when it comes, is not just going to deal with senior citizens. Age covers a wide area of human beings. It is not just about seniors. So we are looking at all of that.

Now, let us get to those Paris Principles and let us deal with maybe . . . and just before I sit, I am going to reiterate, Mr. Speaker, a few things. But let us deal with some of the concerns that were raised in a publication today, and it was very timely. There were very serious concerns.

Issue number one, according to the Paris Principles and best practice guidelines, includes independence as a cornerstone to the effective functioning

of National Human Rights Institutions. Well, to that—yes, the Paris Principles are a guideline, a *guideline*, a basis or standard set which should always be viewed in the context of what a jurisdiction could possibly practically achieve in order to reach those best practice guidelines. Although it is a cornerstone of an effective Commission, it is not the only indicator of independence.

Another issue, the concern raised, the proposals fall woefully short of international baseline standards with respect to the independence of a legitimate and genuine Human Rights Commission. Until the Commission can be truly independent of Government, according to Paris Principles it cannot claim to be a legitimate National Human Rights Institution.

Well, Mr. Speaker, the Department of Human Affairs did extensive research as regards the Paris Principles during our due diligence process and the independence question in particular. And when looking at the different models used around the world, we found that Bermuda is not falling woefully short as many of our brothers and sisters may fall victim to with regard to having legislative protections against discrimination. We are not falling woefully short. Bermuda is not the only jurisdiction where the Minister has involvement either with the Human Rights Commission—to varying degrees, of course.

For example, we have removed the role of the Minister here in Bermuda. And when we get into Committee we will get into specifics. But the process far removes the Minister from interfering in the process. My role, substantively, is to name the head of a Selection Committee. Once the Selection Committee has been named with the involvement of two from the general public—one named by the loyal Opposition, and one by the Premier—they, the Selection Committee, will meet a criteria that the Minister, together with the Executive Officer and the Human Affairs Director, will set out.

The criteria will determine what qualifications are needed. And I can tell you right off the top that tribunals will have to have one third of qualified attorneys, lawyers. So that means there will have to be four lawyers. Now, the selection process, far removed from the Minister, is the responsibility of those that are the Selection Committee. They will name the 12 members of the Commission. The Minister has nothing to do with that. The Minister has absolutely nothing to do with that. So it is far removed.

Another issue was the Commission continues to be an extended arm of Government. Well, I have just explained, you know, and I think . . . well, let us make it clear. The objective of the Bill in removing the Minister from selecting Commissioners (as I had the responsibility to do before) and appointing boards of inquiry (as I had as a responsibility as well) goes a long way towards placing the Government at arm's length.

Another issue: Why is the head of the Appointment and Selection Committee selected by the Minister? Well, since the Minister remains responsible for the administration of the Act, he is the correct person to be selecting the head of the independent Selection Committee—the *independent* Selection Committee—the Selection Committee, *not* the Commissioners. And no more than one on the Selection Committee, who will be the head.

Why are the criteria being prescribed by the Minister in consultation with the Executive Officer and the Department? Well, the most important aspects of the criteria for being selected as a Commissioner are being legislated. For example, that Commissioners should have knowledge of human rights and a third of the members must be legally trained. The additional specifications relating to those criteria will be laid down and established once, and the proper description (that is, a job description) and a person's specification form will be created for the Selection Committee to work with. It is going to be devised by those who have the expertise. This is another reason for removing the Minister from the process, as Commissioners with knowledge of human rights were previously appointed by the Minister.

There is a concern about the Bill retaining provisions which maintain control of the Human Rights Commission. The Commission will continue to be responsible to the Minister for the administration of the Act. That is the concern. The administration of the Act also means the administration of the public funds which will be used by complainants seeking financial assistance with legal costs and other more administrative matters. So it only makes sense.

Another issue—guidelines prepared by the Commission and codes of practice together with the tabling of the Annual Report must be all done with the approval of the Minister. The advocate had concern with regard to that. Well, this Bill is simply the second phase of amendments and the Department of Human Affairs continues to consider those issues together with many other potential amendments. It is a live work in progress.

There was concern and alarm raised over the new provision allowing the Executive Officer to discontinue an investigation under certain circumstances, but does not allow a right of appeal. Well, simply put, an administrative power is what it is so as to allow the removal of certain cases from the Commission's list or the files when there is no activity or no response has been received from the complainant. A person aggrieved by a discontinuance or other action by the Executive Office has, and will continue to have, the right to contact the Chairman directly—that is an appeal process. The right to make a complaint to the Ombudsman is another remedy, and the right to petition the courts for a judicial review of that decision. There are three different processes.

Another concern is that the amendments do not go far enough. Well, this statement can only be interpreted to mean that the advocate agrees that this Bill does indeed provide some movement towards a truly independent Human Rights Commission because it does go, but as far as they are concerned, not far enough. Well, it is fluid and we will continue to work to improve our Human Rights laws in this country.

One of the final issues, based on that report in the publication today, is that we should send it back for further amendments. Well, further amendments will be forthcoming in the very near future as this is only phase two of the Department's review of the Act. So hopefully that satisfies some of those concerns.

Now, as far as independence is concerned because I did cover it and, as I said, I was going to just reiterate just a bit, Mr. Speaker, because this is very important legislation, very important steps in this phase two of the process.

Bermuda's Human Rights Commission and independence—well, the amendments to the Act represent a significant advancement, as I have mentioned, towards independence as has been called for from the Ombudsman, courts, and boards of inquiry, who have repeatedly challenged Ministers previous to me in their role in the process.

Bermuda's Human Rights Commission, like all other National Human Rights Institutions [NHRI], obtains its independence from the national law and practices. The Institution's independence must be prescribed in the law setting up the Institution. Thus the Act is amended to move closer towards independence.

Mr. Speaker, the Bill aims to improve in line with the mandates of the Paris Principles, as I specified earlier. One of the principles is that National Human Rights Institutions should be independent and should be based on Bermuda's representation of non-governmental organisations. Bermuda's Human Rights Commission already meets most of the minimum standards for accreditation of NHRI. These new amendments bring Bermuda more in line with those Paris Principles. Accordingly, the Bill provides for an independent Selection and Appointment Committee to appoint Commissioners. This should result in a larger pool of applicants for Commissioners and the appointment of Commissioners without Government's intervention at all.

The Bill has made significant progress and advancements towards independence by removing the Minister from deciding which cases are actually adjudicated. Following through with an assessment and analysis of the state of independence of similar institutions in a number of jurisdictions a tribunal has now been considered as the best way forward. And we have created that to determine complaints, and we have made the process very clear. And there will be a public relations exercise so that those that would have

warrant for the Human Rights Commissioners through a tribunal process to hear their complaint will have an independent review of their complaint to decide on the validity, and if it is valid, what damages should be meted out. This is one of the ways a board-based national institution can function independently and effectively, and will.

The process of making complaints in violation of the Human Rights Act has been simplified and made very user-friendly to the residents of Bermuda. This is a huge promotion of human rights and ensures the necessary protection of human rights. In the main, politics is kept away from human rights.

I am very proud to say that due to the human work by the Human Affairs Department, under which the Human Rights remit falls, Mr. Speaker, we continue to evolve. We continue to evolve. And, as I have mentioned, we will be coming back with more amendments to our Human Rights laws so that we can continually improve, we can continually improve—that is our unequivocal commitment.

And with that, Mr. Speaker, I thank you very much for your indulgence.

The Speaker: Are we going to go into Committee?

Thank you, Minister Blakeney from North Central.

Hon. Glenn A. Blakeney: Mr. Speaker, I now move that the Bill be committed.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: Will the Honourable Member from Southampton West, Mr. K. Horton, please take the Chair of Committee.

[Pause]

House in Committee at 3:31 pm

COMMITTEE ON BILL

[Hon. K. H. Randolph Horton, Chairman]

HUMAN RIGHTS AMENDMENT ACT 2012

The Chairman: Members, we are in Committee to discuss the [Human Rights Amendment Act](#)—it should be 2012, I guess.

Minister, was there a Motion made that that be changed which was done already?

Hon. Glenn A. Blakeney: No, it has not been done yet. That is clause—

The Chairman: It would be good if we could do that straight at the beginning.

Hon. Glenn A. Blakeney: Yes, that is clause 1, actually.

The Chairman: It is clause 1, is it?

Hon. Glenn A. Blakeney: Uh-huh.

The Chairman: All right, Minister.

Hon. Glenn A. Blakeney: It is an amendment to clause 1 where I am moving to amend the title—that clause 1 of the Bill be amended by deleting the words “(No. 2) Act 2011” and substituting the words “Act 2012.” So “2012” replaces “(No. 2) Act 2011.”

The Chairman: All right, great.

Can we all agree to that? All those in favour, please, say Aye.

AYES.

[Motion carried: Amendment to clause 1 passed.]

The Chairman: Minister, which clauses would you like to move first?

Hon. Glenn A. Blakeney: I would like to move . . . let us start with clauses 2 through 4.

The Chairman: All right. The Minister will move clauses 2 to 4 if there are no objections.

Minister, carry on.

[Inaudible interjection]

The Chairman: Is there an objection? Is there an objection, Mr. Swan?

[Inaudible interjection]

The Chairman: Carry on, Minister.

Hon. Glenn A. Blakeney: Thank you, Mr. Chairman.

Clause 2 inserts new definitions into the principal Act. The “board of inquiry” has been replaced by “tribunal,” the same functions are being performed. The “Commission” was formerly interpreted to mean simply Commissioners as opposed to the staff members. The definition of “Commission” will now include both the Commissioners and associated public officers. Also the “Executive Officer” is formally defined under the Act. The new “Selection and Appointment Committee” is defined and will have the function described under clause 4 of the Bill.

Clause 3 amends section 13 of the principal Act in order to set the composition required for “the

Commission” and the requirements required to be a “Commissioner.” The “Commissioners” will be a body of Human Rights Commissioners recruited by a Selection and Appointment Committee where one third of the Commissioners so appointed must have a legal qualification and be knowledgeable in human rights law.

Clause 4, Mr. Chairman, inserts section 13A into the principal Act. Section 13A sets out the required composition of the Selection and Appointment Committee. The Committee, whose head is to be appointed by the Minister, is to be comprised of five members including a person recommended by the Premier, a person recommended by the Leader of the Opposition, and two members of the public appointed by the head of the Selection and Appointment Committee. The only role of the Minister in this process is naming the head of the Selection [and Appointment] Committee and following through with the aforementioned.

Clause 4 also inserts section 13B which sets out the function of the Selection and Appointment Committee. The Committee will invite applications from the general public to serve as Commissioners and will appoint two members after reviewing all applications and conducting interviews. The criteria for selecting Commissioners are to be prescribed by the Minister in consultation (as you heard previously in my general remarks) with the Executive Officer of the Human Rights Commission and the department responsible for Human Rights, which is the Department of Human Affairs. The only role of the Minister in the human rights process when the Act is amended, will be to appoint the head (as I just mentioned) of the Selection and Appointment Committee and prescribe the criteria for actually selecting the Commissioners—that is it.

The Chairman: Minister, thank you for those explanations.

Are there any other Honourable Members who would care to speak to this matter?

Mr. Swan, you now have the opportunity. I recognise the Honourable Member, Charles Swan, from Southampton West Central.

Mr. Charles F. B. Swan: Okay, thank you, Mr. Chairman.

Yes, I . . . you know, I am accused of being pedantic sometimes perhaps, but I am a country boy from Somerset and I need things explained to me more or less minutely, I guess. The Minister and various other speakers have been at pains to stress these steps as being steps in the great right direction—

The Chairman: Mr. Swan, would you speak to—

Mr. Charles F. B. Swan: Yes, I am, I am going to address that, sir.

I just wanted to preface a little bit the—

The Chairman: No need for any preface.

Mr. Charles F. B. Swan:—how the Minister has lessened the importance. He just mentioned this in his few words just now, how the Minister has *only* one function.

The Chairman: Right.

Mr. Charles F. B. Swan: Now, in clause 3[(e)] the amendment to section 13—it says, “by deleting subsection (2A).” And I believe that is the section where the Governor appointed members to the Human Rights Commission and what have you. So that section has gone out and that has been replaced by what we see on page 3 of the Bill, “the Composition of Selection and Appointment Committee.”

Now, the Minister has repeatedly said his *only* function now is naming the head of the Selection and Appointment Committee. Those words and the words I see here in [clause 4] [new] section 13A(2) slightly confused me. Here it says, “The Minister shall, from time to time, select the head of the Selection and Appointment Committee.”

The Chairman: Where are you reading from?

Mr. Charles F. B. Swan: I am on clause 4, which [inserts] section 13A into the Act, and I am looking at subsection (2) [of new section 13A].

The Chairman: Okay, 13A(2). All right. Yes.

Mr. Charles F. B. Swan: What does it mean when it says that “The Minister shall, from time to time, select the head of the Selection and Appointment Committee?”

The Chairman: I am sure the Minister will be able to answer that.

Mr. Charles F. B. Swan: Right. That is one question.

And my other question stems from now the Selection and Appointment Committee appointed under this Act. First, I need clarified to me that this Committee will still comprise between a minimum of 5 and a maximum of, I think, 12 Commissioners (is the new name given to them). But the minimum five, these are how they are appointed. And I am still trying to get clear in my head where there is no Minister. These five positions are one, appointed by the head of the Selection and Appointment Committee—

[Inaudible interjection]

Mr. Charles F. B. Swan: I am getting to my question.

One representative, recommended by the Premier (under whom I imagine that Minister would serve); one representative, recommended by the Leader of the Opposition (which is some instance towards independence, I would imagine); and two representatives from the general public appointed by the head of the Selection and Appointment Committee.

Now, to my country way of thinking, the Minister appoints the head of the Selection and Appointment Committee and that person appoints two members of the minimum size of this Commission.

The Chairman: That is what it says, yes.

Mr. Charles F. B. Swan: Yes. So that to my country way of thinking, three out of the initial five positions that perhaps could have or be seen to have some sort of Ministerial interference and I would like to see . . . like the denial of that explained to me—

[Inaudible interjection]

Mr. Charles F. B. Swan: Well, it is a stretch—

[Gavel]

The Chairman: Minister, you have got to speak to the Chair.

Mr. Charles F. B. Swan: Yes, I will.

[Inaudible interjection]

Mr. Charles F. B. Swan: And that Honourable Member should speak to you as well, sir.

So I would like to have someone who is a lot more knowledgeable than me explain—

The Chairman: I think the Minister will be able to.

Mr. Charles F. B. Swan: Well, the Minister is more knowledgeable than I am.

And then further down, and this is under the Function of the Selection and Appointment Committee—

The Chairman: [Clause 4] [new] section 13B now you are looking at.

Mr. Charles F. B. Swan: I am looking under 13B [(2)]. “The criteria for the selection of Commissioners shall be prescribed by the Minister, in consultation with the Executive Officer and the department responsible for Human Rights.” I have not been able to discern who appoints the Executive Officer at this point. And, again, these criteria are decided by the department over which the Minister has control. And, again, I would like to find out who appoints the Executive Officer.

So I have three questions there, sir.

The Chairman: All right.

Mr. Charles F. B. Swan: And we are going back to clause 3, which amends section 13—sorry, I am going back to “from time to time.”

The Chairman: Right, that is 13A(2).

Mr. Charles F. B. Swan: That is 13A(2). What does “from time to time” mean?

The Chairman: Okay, you have asked the questions now.

Mr. Charles F. B. Swan: Yes, okay. So those are my only comments at this point, sir.

The Chairman: Yes.
Honourable Minister you may respond.

Hon. Glenn A. Blakeney: Yes, okay. What was that? I missed some of those questions.

The Chairman: [New] section 13A(2), Minister, under clause 4 where it says, “That the Minister shall, from time to time . . .” He was not clear what time to time meant. Can you help us?

Hon. Glenn A. Blakeney: Someone could resign, someone could be incapacitated for some reason, and then I will have to appoint another head.

The Chairman: When things happen.

Hon. Glenn A. Blakeney: Yes. What was—

The Chairman: The other one was down . . . he was asking a question also about 13B(2) and about the criteria being prescribed by the Minister—

Hon. Glenn A. Blakeney: Oh, yeah.

The Chairman: —in consultation with the Executive Officer—

Hon. Glenn A. Blakeney: Yes.

The Chairman: He was wondering who selects the Executive Officer. I think that was the question.

Mr. Charles F. B. Swan: Can I help you there?

Hon. Glenn A. Blakeney: Yes.

The Chairman: Mr. Swan?

Mr. Charles F. B. Swan: Yes, thank you, Mr. Chairman. What are the . . . what sort of criteria might we be talking about and how is the Executive Officer—

The Chairman: Yes, I think that is what I said.

Hon. Glenn A. Blakeney: Yes, yes, exactly.

Well, I think the Executive Officer has to go through the Public Service Commission to be hired. That is just an axiom—a self-evident truth. The criteria—it just makes sense because the expertise is with the Human Rights Commission and the Executive Officer, the Director of the Human Affairs Department. And I, as Minister, having the responsibility of oversight of the Human Rights Commission and ultimately the Human Rights Commission from an operational perspective relative to the Government Department, will be involved in a consultative process to set out guidelines that can be used by the Selection and Appointment Committee as a criterion that must be met.

Such criteria that we believe is in the best public interest and a good, a best practice situation is where we have a minimum of a third of the 12 Commissioners being attorneys. So now we are going to look for people that are familiar with human rights law and the like. So we are going to set out the criteria as the guideline for the Selection and Appointment Committee to use to ensure that from those that apply to be Commissioners they choose the best that are available or make themselves available.

The Chairman: Thank you, thank you, Minister.

Hon. Glenn A. Blakeney: Was there something else you needed, Minister?

The Chairman: Thank you, Minister.

Is there any other Honourable Member who would care to speak to this matter, clauses 2, 3, 4?

Since there are no other Members who would care to speak, I would like to ask all those in favour of clauses 2 through 4, please, indicate by saying Aye. All those against, say Nay.

AYES.

The Chairman: The Ayes have it. Clauses 2 to 4 have been approved.

[Motion carried: Clauses 2 through 4 passed.]

The Chairman: Minister?

Hon. Glenn A. Blakeney: Thank you, Mr. Chairman. I would like to go with clauses 5 through 9.

The Chairman: Clauses 5 through 9 will now be discussed unless there are any objections.

No objections.

Minister?

Hon. Glenn A. Blakeney: Thank you very much, Mr. Chairman.

Clause 5 inserts a new section 14H into the principal Act. Clause 5 sets out the requirements for making a complaint to the Commission and provides for complaints to be made orally, electronically and in writing. Clause 5 also indicates that a complaint to the Commission must be lodged within six months after an alleged contravention takes place. The Executive Officer has the latitude to extend the period within which complaints can be made for up to two years in cases where there are good reasons for the delay and no one will be prejudiced by the delay.

Clause 5 further mandates the Commission to record particulars of the complaint including the complainant's name and contact information, the subject matter of the complaint, and the date when the complaint was made to the Commission. Now, in some instances as it is currently applicable, people can call the Commission and just hypothetically ask questions or say something happened to them and they want to lodge a complaint, but they do not reveal their identity. And that is just a waste of time and energy and resources for that matter. So we are making it very clear there on that process and believe in giving ample time, if there is a reason—a good enough reason—beyond the six-month period for up to two years for someone to continue their complaint.

Clause 6 inserts a new section 14I to allow preliminary inquiries to be used as a first step before the Commission undertakes an investigation. Simply put, that allows the Commission to ascertain the validity of a potential claim; and so there is no spinning wheels either for the Commission, or, more importantly, for the claimant.

Clause 7 amends section 15 of the principal Act by, one, removing references to the word "Commission" and replacing them with the words "Executive Officer"; and two, clarifying wording and inserting a provision for the withdrawal of complaints by the complainants.

Clause 8 inserts a new section 15A which sets out the factors to be considered by the Executive Officer when deciding not to investigate a complaint. The Executive Officer must be satisfied that an adequate remedy is available to the complainant in the circumstances based on the law or existing administrative procedure, and that there is no reasonable justification for the complainant's failure to avail himself of such a remedy.

Alternatively, the Executive Officer may conclude that a complaint is frivolous, vexatious, or not made in good faith. Further, section 15A provides that the Executive Officer may decide not to proceed with an investigation of a complaint in circumstances where the complainant fails to advise the Commission of his current address and telephone contact infor-

mation, or fails to respond after the Commission makes several attempts to contact him.

The Executive Officer may also decide not to investigate a complaint if the complainant withdraws the complaint, or the complaint is settled or successfully mediated. The Executive Officer has an obligation to notify both the complainant and the respondent of his decision not to investigate a complaint in writing.

Thank you, Mr. Chairman.

The Chairman: Thank you, Minister, for the explanations.

Is there any Honourable Member who would care to speak to this matter?

It does not look like any one would care to speak. So we are looking at clauses 5 through 9. Minister, you must have been absolutely clear.

All those in favour of clauses 5 through 9, please, indicate by saying Aye. Those against say, Nay.

AYES.

The Chairman: There are no Nays. The Ayes have it.

[Motion carried: Clauses 5 through 9 passed.]

The Chairman: Minister, you may carry on.

Hon. Glenn A. Blakeney: Yes, thank you, Mr. Chairman.

I would just like to say, as a footnote, that the country most similar to Bermuda in terms of the governing relationship relative to the Minister or the Government involvement, et cetera, is Australia.

The Chairman: Mm-hmm.

Hon. Glenn A. Blakeney: I would like to move at this time, Mr. Chairman, clauses 9—

The Chairman: Sorry, we did 5 through 9.

Hon. Glenn A. Blakeney: Oh, I am sorry, yes. Clauses 10 to—

The Chairman: 19?

Hon. Glenn A. Blakeney: Clause 19, yes.

The Chairman: Clauses 10 through 19 will be now discussed. Any objections to that?

Minister, carry on.

Hon. Glenn A. Blakeney: Thank you very much, Mr. Chairman.

Another footnote, just before I begin, is that the United Kingdom, the so-called Motherland, for lack of a better term—

The Chairman: Yes.

Hon. Glenn A. Blakeney: —also progressed its human rights legislation in phases, which culminated in a consolidating of their Equality Act 2010. They had a separate Race Act, sexual orientation legislation, AIDS provisions, et cetera, they are now all in one place and under one Act.

The Chairman: Thank you for that Minister. Carry on with these.

Hon. Glenn A. Blakeney: Clause 10 repeals section 17 of the principal Act as it is redundant due to the determination procedures having been relocated to the Executive Officer.

Clause 11, Mr. Chairman, amends section 18 of the principal Act by, one, deleting references to the “board” or “board of inquiry” and replacing them with the word “tribunal” or “tribunals.” Two, deleting references to the word “Commission” and replacing with the words “Executive Officer” and setting out the manner in which references are to be made to a tribunal under the Act.

Clause 12 repeals and replaces section 19 setting out the required procedure to be used by a tribunal. The relevant sections of the Commissions of Inquiry Act 1935 shall apply for a tribunal as they currently do now for a board of inquiry.

Clause 13, Mr. Chairman, repeals and replaces section 20 of the principal Act and sets out the powers of tribunals.

Clause 14 inserts section 20B into the principal Act which makes provisions for an order of a tribunal to be enforceable in the same manner as an order of the Supreme Court.

Clause 15 amends section 21 of the principal Act by deleting the words “boards of inquiry” and substituting the words “tribunal” and by deleting the word “Commission” and substituting the words “Executive Officer.”

Clause 16 repeals and replaces section 26 of the principal Act in order to prohibit a Commissioner, public officer, or any representative of the Commission from giving evidence in civil proceedings relative to information obtained for the purpose of the Act before any court.

Clause 17 is a consequential amendment which amends Part B of the First Schedule of the Government Authorities (Fees) Act 1971 to allow payments to be made hereunder to Commissioners and the Selection and Appointment Committee as appointed under sections 13 and 13A, respectively, of the Human Rights Act 1981.

Clause 18 is a transitional provision which will apply in a case where, before the commencement date, (the date on which this Act comes into operation being the commencement date) a board of inquiry

was appointed by the Minister under section 18(2) of the Human Rights Act 1981 to deal with a complaint.

If the board of inquiry has not finally determined the complaint before the commencement date, the board of inquiry shall continue in being to consider the complaint and exercise its powers after that date as if this Act had not been passed. So in other words, it is almost like a grandfathering of what is already in existence because, obviously, we have some fluid situations with complaints before boards of inquiries. So unless and until they are settled, the current process with regard to the hearing of the complaint and that whole process will continue for those complaints that come before the commencement date. So that is where there would be a potential overlap.

Clause . . . and that was clause 18?

The Chairman: Yes, that was 18.

Hon. Glenn A. Blakeney: Clause 19, that is the final clause, Mr. Chairman, is a commencement provision which sets out that the Act shall come into operation on a date to be appointed by the Minister by notice published in the official *Gazette*.

The Chairman: Thank you very much, Minister.

Are there any other Honourable Members who would care to speak to those clauses 10 through 19?

It does not look as if anyone is speaking Minister, so you have been quite clear.

All those in favour of clauses 10 through 19, please, indicate by saying Aye. Those against say, Nay.

AYES.

The Chairman: The Ayes have it. So Members we have approved clauses 1 through 19 plus the amendment to change the title the Human Rights Amendment Act 2012.

[Motion carried: Clauses 10 through 19 passed.]

The Chairman: Carry on, Minister.

Hon. Glenn A. Blakeney: Thank you, Mr. Chairman.

I move the Preamble and I move that the Bill—

The Chairman: Are there any objections?

No, there are none.

[Motion carried: Preamble passed.]

Hon. Glenn A. Blakeney: Thank you, Mr. Chairman.

I move now that the Bill be reported to the House.

The Chairman: Thank you, Minister, it will be reported—

Hon. Glenn A. Blakeney: Thank you, Mr. Chairman.

The Chairman: —as amended.

[Motion carried: The Human Rights Amendment Act 2012 was considered by a Committee of the whole House, was passed as amended in clause 1, and will be reported to the House.]

[Pause]

House resumed at 3:57 pm

[Hon. Stanley W. Lowe, Speaker, in the Chair]

REPORT ON BILL

HUMAN RIGHTS AMENDMENT ACT 2012

The Speaker: Is there any objection to the Report of the Committee as amended?

Agreed to.

[Gavel]

The Speaker: We move to Order No. 3. Order No. 3 is consideration of draft Order entitled Development and Planning (General Development) Amendment Order 201, which has been already changed on the new copy.

I now recognise the Minister, Minister M. Bean, from Warwick South Central.

Minister Bean has the floor.

SECOND READING

DEVELOPMENT AND PLANNING (GENERAL DEVELOPMENT) AMENDMENT ORDER 2012

Hon. Marc A. R. Bean: Thank you, Mr. Speaker, good afternoon to you and honourable colleagues.

Mr. Speaker, I move that consideration be given to the draft Order entitled Development and Planning (General Development) Amendment Order 2012, proposed to be made by the Minister responsible for the Environment, Planning and Infrastructure Strategy under the provisions of section 15 of the Development and Planning Act 1974.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: Carry on, Minister Bean.

Hon. Marc A. R. Bean: Mr. Speaker, I rise today to introduce the second reading for the proposed amendment to the Development and Planning (General Development) Order 1999 relating to the extension of permitted development rights for solar energy collection systems.

The proposed amendment seeks to extend the permitted development rights from the current 80 square feet to 400 square feet.

Mr. Speaker, the proposed amendment to the regulations is a timely one in that it is coming on the heels of the publication of our Government's White Paper on Energy. Its introduction is no coincidence, but seeks to compliment Government's energy strategy to encourage a decreased reliance on fossil fuels while enabling an increased use of renewable technologies.

Our recently debated Energy White Paper sets aggressive goals for us to decrease our reliance on fossil fuels, the majority of which are used to generate electricity and for transport. The proposed amendment can have far-reaching positive implications in that each Bermudian home and business place can potentially benefit.

Further, Mr. Speaker, the use of alternative and renewal sources of energy goes to the heart of sustainability, a development principle to which the Government is fully committed.

Mr. Speaker, by way of introduction I would advise the House that there are two types of solar energy systems. Firstly, solar hot water systems whereby water running through panels is warmed by the sun. A typical two to three bedroom home will require a solar collector of 20 to 30 square feet for such purposes.

The second type is the solar photovoltaic systems consisting of panels that contain a special material that converts sunlight directly into electricity. A typical two to three bedroom home will require panels totalling approximately 350 square feet for such purposes in order to facilitate a five kilowatt system that can generate the annual electricity needed.

Mr. Speaker, the Energy White Paper contains a target for 5,000 homes to be powered by solar energy by the year 2020 and there is, therefore, a Government desire to encourage homeowners to take up solar energy options in their homes actively. Currently, the Department of Planning has records for only 54 solar panel installations, the majority of which have been in the last two years.

Mr. Speaker, under the current provisions of the General Development Order solar energy systems of up to 80 square feet do not require an express application for Planning permission, only an application for a building permit. The procedure is therefore more streamlined than a full planning application process that is required for systems of over 80 square feet.

Mr. Speaker, extending the General Development Order to 400 square feet would allow an av-

erage family home to install a solar energy system without the need to apply for Planning permission and, therefore, follow the same expedited process in terms of having to apply for a building permit only. In this respect, it should be noted that there will still be several thousand larger homes that will require up to 600 square feet in area to provide full electricity needs and would, therefore, still be subject to applications for Planning permission.

Mr. Speaker, the main planning implication arising from the installation of solar collection systems will be the visual impact, particularly the cumulative impact of many systems on Bermuda's roofs across the Island. The average size of a solar panel is 5 feet by 3 feet meaning some 26 panels would need to be installed on a roof for an average family home to provide for full electricity needs.

Mr. Speaker, the successive Development Plans including the currently adopted Bermuda Plan 2008 have sought to protect and enhance what is known as the "Bermuda image." Typically, the traditional character of Bermuda architecture, a key part, is white pitched roofs. Since solar panels are currently only available in dark colours, Mr. Speaker, this character will gradually change over time, if the take-up on solar panel systems is significant.

Mr. Speaker, on the other hand, there are several factors that mitigate and favour increasing the number of solar panel systems while at the same time ensuring that there is a limited visual impact. Looking to the longer term, the Island has to find alternative forms of energy to fossil fuels, and solar voltaic technology is one of only a few technologies that are well suited to Bermuda. The principle of solar panels must, therefore, surely be a good one. In terms of visual impact, solar panels are only effective on the predominantly south facing roofs and, therefore, only part of the Island's roofscape will be affected. It should also be borne in mind that not all homeowners may wish to supply all their electricity needs through solar panels and, therefore, the size of installations will vary. Panels can also be installed on ground-mounted frameworks as well as integrated into the design of new buildings. A combination of these measures will further reduce visual impact.

Mr. Speaker, a survey carried out by the Department of Energy in 2010 involving 400 residents showed that 71 per cent of the public were supportive of solar energy systems, suggesting that there is public recognition that a balance needs to be struck between visual impact and longer term energy sustainability.

Mr. Speaker, it should also be noted that the extension of permitted development rights would also apply to commercial, institutional, and other buildings—a prospect that offers significant scope for the use of solar energy systems throughout the Island.

Mr. Speaker, I would advise this Honourable House that the extended permitted development rights

will still be subject to other caveats that will continue to apply in the principal Development Order. For example, consideration through a full Planning application will still be required for installations of solar panels on listed buildings or within setback areas. Such applications are, however, given priority consideration by the Department of Planning to expedite the process and this will continue.

Mr. Speaker, whilst it is recognised that there will be some adverse visual impact arising from the cumulative effect of solar systems across the Island over time, extending the scope of permitted development powers for solar panels will assist in promoting this important alternative to fossil fuels.

Mr. Speaker, having regard to all of the above factors the Government has no doubt that the longer term importance of an alternative sustainable energy supply should prevail in this instance.

Mr. Speaker, with those introductory remarks, I can now open debate on the proposed amendment to the Development and Planning (General Development) Order 1999 relating to the extension of permitted development rights for solar energy collecting systems.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Bean, from Warwick South Central.

I now recognise the Honourable Member, Mr. N. Simons, Smith's South, Shadow Minister.

Mr. Simons, you have the floor, sir.

Mr. Nelson H. Cole Simons: Thank you, Mr. Speaker.

Mr. Speaker, I will start by saying that we support this Order. We in Bermuda have moved towards renewable energy and anything that the Government brings forward in that endeavour we think is important and is vital for Bermuda's sustainable energy security and energy supply. So in that light you will have our support in any energy production legislation that comes before the House to make Bermuda's energy supply more of a renewable source.

Mr. Speaker, having said that, I heard what the Minister said and I just have a few questions. I will not be very, very long because I think he has said enough and he has given an overview that was rather extensive.

The first question that I have is the issue of the application. The Minister indicated that if the equipment being installed was less than 400 square feet on a roof, then you will just need a building permit. I would like for him to share with the House and the people of Bermuda what else will have to go with the building permit. I know currently you might have to have a Planning application form, a site plan, or architectural drawings. So can he expand upon what will go with the building permit application? Because I

think there are some issues that we need to have clarity about from a planning perspective.

He also spoke about the amenities. You know, we are able to build solar energy production plants from the ground—they say you cannot be higher than four feet. So the question that I have is, Can you build solar energy production facilities anywhere? I am hoping that we cannot build in neighbourhoods or build in areas where neighbourhood amenities are compromised. In addition, I am hoping that those facilities will not be allowed to be built in our conservation areas, Mr. Speaker. I am also hoping that they are not allowed to be built anywhere in our World Heritage Site. So, again, I would like to have clarity about parameters as far as restrictions as to where some of these ground production facilities are not able to be built.

The other question that I have is as far as the engineers or contractors who install this equipment—are we ensuring that they are US or UK certified or a member of an international body? Because at the end of the day Bermudians will be investing quite a bit into this equipment to ensure that we have proper solar energy production systems. And these investments can be very expensive. And if they are going to be on top of one's home, they have to be secure because they have to withstand our hurricanes and gale force winds that plague our country every now and then. So, again, we need to have people that know what they are doing and that the community can call upon them to ensure that a good safe job is done. So I would like to know whether these people are all qualified or whether they are going to have a local register of solar panel engineers or contractors just to ensure that a high standard is maintained.

As far as the equipment that is being installed on top of our homes or in our gardens, are they standard tested? I mean, at the end of the day we need to ensure, again, for hurricanes that they are wind rated. We have to ensure that they can withstand our rust and salt. Again, standards are important because people are making investments into their homes and also these investments will be for a long period of time because a lot of these people are also doing it for energy reasons and they are also doing it for economic reasons. And if they are going to do it for economic reasons, these solar panels or solar voltaic cells will have to ensure a return on investment at some point.

The other issue that I would like to address is when we have a plant that is on the ground, like we have generators—oil generators—as a backup to some of our homes. We have electrical generators as a backup to some of these commercial sites. The question that I have is, I understand that these production sites are deemed to be . . . fall under the category of a controlled plant. A controlled plant has that label because of emissions. BELCO is a controlled plant because of the emissions from those stacks;

they have the carbon dioxide, sulphur dioxide, and some emissions to the riverbed that flows through the creek at Mills Creek. So, again, if this solar production area that is on one's ground is categorised as a controlled plant then we question why they fall in that category because at the end of the day no emissions are produced by these plants because, basically, the solar panels and the photovoltaic cells have no emissions and there are no negative impact in that endeavour. And so I do not believe that they need to apply to have a licence as a controlled plant. So I would like for the Minister to speak to that as well.

As you all know, there are no import duties on solar energy production systems and so I am pleased with that. That is for the whole system and major components of the solar energy production system. So I am pleased that there is no duty and I am hoping that under the new budget, the Finance Minister will not impose any duties in her effort to raise revenues for the Government.

The Speaker: You must not anticipate.

Mr. Nelson H. Cole Simons: I am not; I am just making the comment, that is all.

The other issue that I would like to have addressed is a number of these homes will have the metering connected to them. As the Minister said, 54 . . . there have been 54 solar installations in the last two years. And some are of a grand scale and some are of a micro scale. And my question is, Does Planning also get involved in the infrastructure that is required to have some of this energy fed into our grid? Obviously, there are protocols that have to be met when one wants to sell the excess energy to the grid. So will this be part of the Planning application? Because you never know how much energy is going to be produced by these solar panels or these solar energy production systems. So I think if we are going to craft legislation, let us look at the whole picture and not just a piece of it—we looked at the production side and we look at the delivery side to the grid backwards and forwards. So, again, I would have thought that the infrastructure that will direct the energy to the grid should also form a part of this legislation and I would like for the Minister to speak to that as well.

It is interesting (and this is just a little aside), I was talking to one of the contractors and they said having the panels on the roof actually is a positive thing from a . . . the structure of the roof. Because I said to them surely the roofs will be dirty underneath the panel and debris will be under there and he said it is quite the opposite. He says with the heat, basically, it keeps the roof dry and they found that underneath the roof where the panel is mounted the roof is whiter and cleaner because the algae does not grow on there and there is no dampness. So, again, just a little educational tidbit that I would like to share with the community and the House.

The other issue that I would like to address . . . and I thought that the legislation should also have an article in it that basically specifies that when a micro energy generation system is no longer in use, it should be dismantled and not be left on top of a roof or in a garden or in a field. When it is no longer in use, part of the legislation should say you must remove it when it is no longer needed or required. And, again, I would like for the Minister to take that under advisement and have that as part of the legislation. Because it makes no sense to leave solar panels and photovoltaic panels up when they are no longer needed because that is where you have the eyesores—that is where you have the compromise to our beauty—after 20 years when people walk away from these systems. So, again, I ask that the Minister to consider adding an area in the legislation for equipment that is no longer in use or no longer in service.

I think that is all I have on the comments. As I said, the listed buildings . . . yes, the Minister spoke about listed buildings and that they can apply to have solar production energy systems on their roofs or on their properties. I am, quite frankly, against that. If they are listed buildings, they are listed for historical reasons, and I believe that we really should not compromise Bermuda's architectural culture if we have a listed building or a building that has been designated as part of the World Heritage Site. So, under no circumstances would I recommend that these panels be loaded on a historic or listed building or any building that falls within the area of our World Heritage Site.

I will wait to hear the Minister's comments in regard to some of my questions. Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Simons, the Honourable Member from Smith's South.

Any further speakers?

I recognise the Honourable Member, Mr. C. Swan, Southampton West Central.

Mr. Swan has the floor.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker.

I, too, have a couple of . . . I guess they are minor questions. First of all . . . and I have to be excused for this . . . for two things and these involve definitions. If someone can explain to me what the word "curtilage" means, because that is referred to in the main General Development Order. It says panels on a building or within the curtilage of a building. And we are increasing the square footage. And then, and I assume we are talking 80 square feet to 400 square feet here, but the first question is, Can someone explain to me what the word "curtilage" means?

And also I believe in the General Development Order a definition for the word "solar energy collection system." I am assuming that is including any kind of panel that is used for . . . not just generating energy, but also creating energy for heating hot water,

which is slightly different. And I just wondered if the Minister could answer those two questions.

Thank you, sir.

The Speaker: Thank you, Mr. C. Swan, from Southampton West Central.

Any further speakers?

Yes. I now recognise the Honourable and Learned Member, Minister M. Scott, from Sandys North.

Minister?

Hon. Michael J. Scott: Thank you, Mr. Speaker.

Mr. Speaker, I am very pleased to stand in support of the Development and Planning (General Development) Amendment Order being piloted by my colleague, Minister Bean. I clearly believe that this user-friendly process through Planning is going to stimulate the adoption of photovoltaic systems on our roofs and in our country generally, which will do wonderful things to develop in our Island, a culture of using energy efficient systems.

I live in a listed house and certainly whilst I was the Minister I wanted to and still wish to have the option and opportunity to have photovoltaic, either with ordinary solar panels or even the solar water heating system. And many of us, Mr. Speaker, across the country have listed dwellings and all of them should have the opportunity and option of panels on our roofs or in the gardens or solar water heating systems introducing efficiencies into our homes.

I heard my dear friend and the Honourable Member, Mr. Simons, draw a line in the sand about this and I recognise that heritage sites and World Heritage Sites may be a different argument. But World Heritage Sites and the electricity bills connected to them . . . I mean, they, too, need to benefit and take up the option or have the opportunity to reduce their BELCO bill or their energy costs. It makes the entire process of green energy apply democratically across all dwellings and for all people.

I think my friend, Mr. Simons, jumbled at least World Heritage Sites and the ordinary listed building owner together. And, I think it bears repeating that there are many, many domestic and commercial owners of listed building who ought to have the opportunity to deploy solar systems, solar panelling systems, and energy efficient systems to our dwellings.

But I think my headliner contribution and support of this Bill is the welcoming of this really, really important planning option that allows, that expands the footprint, and allows for a faster process. It will drive installation and installers of green energy efficient systems in our country. And that is the . . . that is not only the policy drive and strategy, it is the intent of the legislation, of the Order, to actually stimulate and drive Bermuda to becoming an adopter of green energy systems. And so I support my colleague, the Honourable Member for Infrastructure and Strategy, the

Honourable Marc Bean, and commend him for this item.

Thank you.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North.

Any further speakers?

I now recognise Minister Minors.

Minister Minors from Smiths North, you have the floor.

Hon. Patrice K. Minors: Thank you, Mr. Speaker.

Ever so briefly I would like to just give a few comments pertaining to what we have before us. Being one of a handful of private home owners that has a house that has solar panels on it, I am quite encouraged. And I think this is quite significant that we are making this adjustment whereby those persons that are seeking to have a larger footprint of panels on their house that it does not have to . . . the particular size is afforded to do so without getting the permission of Planning.

Unfortunately, when we (my husband and I) were having these panels installed on our house we had to have the appropriate appeal made by the installer to Planning because in order to really get the effectiveness of the solar panels you needed to cover a greater space on your roof.

So now because this is affording us—the persons that do wish to have the installation of solar panels (more space on their roof)—it just makes it much more efficient. Obviously, if you go beyond what has been afforded in this legislation you have to make the appropriate . . . seek the appropriate permission from Planning.

But I think it is a great encouragement to those persons that are seeking to be more green with their homes. I mean, I was quite excited when we got our first bill and we saw \$15 during the summer. So it is something that . . . why I would encourage many who have the opportunity to do so.

I only hope that the financial lending institutions will jump on board with regards to this, because I think if more and more private dwellers are seeking to install solar panels on their homes that they may afford them some leniency pertaining to loans, so that this can be something that is encouraged.

So those are the comments that I would like to make, Mr. Speaker.

The Speaker: Thank you, Minister Minors from Smith's North.

Are there any further speakers?

No further speakers.

The Minister in charge, Minister M. Bean, from Warwick South Central is going to reply.

Minister Bean has the floor.

Hon. Marc A. R. Bean: Thank you, Mr. Speaker, and I appreciate the contribution from my honourable colleagues on the Government's side and the contribution by those on the Opposition's side.

There are multiple questions put forth, Mr. Speaker, and what I will seek to do or attempt to do is bring some clarity on what I deem to be the most relevant.

The Honourable Member, Mr. Simons, Shadow Minister, had made a comment in terms of the solar collection systems and the building permit applications. And in response, the express purpose of building permit applications is to ensure the compliance with the building code. The application would include all relevant information in accordance with these requirements. The order would apply also to systems on the ground. And installation, certainly, would be building code compliant and take hurricanes into account.

A good idea that was put forth by the Shadow Minister . . . actually, something different is to control plant legislation. And we, too, on the Government side agree that it is something that we have to take a look at, but it falls outside the remit of the Development and Planning Act and it actually falls under the Clean Air Act. And we will commence and exercise to seek to amend that Act accordingly.

Another good idea, because I think it is important to accept good ideas from wherever, is that the Shadow Minister mentioned or asked what happens when these technologies are no longer in use? Is there any stipulation for them to be dismantled? I certainly agree with the idea and it is something that we can look into going forward because the last thing we want is for this technology to be on our roofs 10, 20 years down the road after use—starting to rust, and it would just add to the degrading of the ambience of our architecture.

In terms of listed buildings, there were questions on listed buildings on both sides. Listed buildings are excluded from the Order. Applications for development on listed buildings will be subject to the regular formal application process. So I think that should allay some fears of those who are conscious of the fact that listed and historic buildings need to be preserved.

Likewise, he asked a question in terms of the engineers and are they US/UK certified, or [certified] to some international certification. Well, I am quite certain that all technology providers in the marketplace, again, have some degree of international certification. It does not need to be UK or US. For instance, that is like saying that it is important to have, in terms of an automobile, a UK or US automobile engine when we know that the Germans produce better cars.

[Inaudible interjection]

Hon. Marc A. R. Bean: Right. Yes, absolutely, but that is something . . . of course it will come with international standards, but it is something that I will leave for the market to determine. Those who have the technology that can ensure that there is cost efficiencies will more than likely get the uptake in demand, those who do not will have to exit the marketplace. And for that I will leave the market to determine.

In terms of World Heritage Sites—for instance, the town of St. George's—I doubt that there is any indication that we will look to set aside the entire World Heritage Site. I mean, are all buildings in the World Heritage Site listed and historic?

[Inaudible interjection]

Hon. Marc A. R. Bean: Okay, according to Dame Jennifer, she says that under the World Heritage Site all of these buildings are classified or designated within the town or municipality as listed or historic buildings. So I would think that applications to erect solar panelling within the World Heritage Site will have to go through the normal Planning application process. But if I get additional information that is contrary to that I will be sure to inform the Shadow Minister.

In terms of solar energy collection systems and definitions—yes, it does include solar water. And in terms of the overall definition of solar collection systems, the definition is generic to take into account the change in technology as time goes on.

And, Mr. Speaker, I think that I covered—

[Inaudible interjection]

Hon. Marc A. R. Bean: I do not have a definitive answer to say . . . well, I know that the Department of Planning is not going to put the infrastructure in place or ensure the infrastructure is in place for excess energy to go into the grid. But as I get additional information regarding solar energy movement towards the grid, I will be glad to furnish the Shadow Minister.

Mr. Speaker, I think that concludes the question and answer session regarding this Order.

That being said, Mr. Speaker, I move that the draft Order be approved and a message be sent to His Excellency the Governor.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: The Development and Planning (General Development) Amendment Order 2012 approved.]

The Speaker: I was informed by the Government Whip that we were going to carry over the Second

Reading of the Revenue Amendment Act 2011. Is that still the case?

Okay. Then we will move to Order No. 5. Order No. 5 is the Motion in the name of the Honourable Member, Mr. W. L. Furbert.

I call upon Minister Furbert. And the Motion is: That this Honourable House take note of the Report entitled “Establishing the Foundation for the National Tourism Plan: Strategic Imperatives Report—Volume 1” submitted by the Tourism Board.

Minister W. L. Furbert from Hamilton West has the floor.

TAKE NOTE MOTION

ESTABLISHING THE FOUNDATION FOR THE NATIONAL TOURISM PLAN: STRATEGIC IMPERATIVES REPORT—VOLUME 1

Hon. Wayne L. Furbert: Thank you, Mr. Speaker.

Mr. Speaker, I just want to repeat the Motion again. That this Honourable House take note of the Report entitled “Establishing the Foundation” (that is very important, for the *foundation*) “for the National Tourism Plan: Strategic Imperatives Report” that was submitted by the Tourism Board.

Mr. Speaker, times have changed.

An Hon. Member: Yes.

Hon. Wayne L. Furbert: Times have changed. We all recall the 1980s. That was about 31 years ago—

[Inaudible interjection]

Hon. Wayne L. Furbert: Well, you can remember 31 years ago it was 1980. It does not have to be in the brief. I was 20-some years old at the time, some Members were a little younger than that, but we recall the '80s when we pretty well had some bumper crops when it came to tourism guests. And I thought I would read some interesting . . . because I think this is the foundation that we should know where we were and where we are willing to go. [In] 1980 as far as air arrivals, Mr. Speaker, we were just about 500,000 air arrivals at that time. And I am going to name three dates because I think it is very important that we know what dates we are referring to. But [in] 1980 we had about 500,000 air arrivals. And 1998 (because that is a very key year) it was about 360,000—

[Inaudible interjection]

Hon. Wayne L. Furbert: In 1998 there were about 360,000 air arrivals.

[Inaudible interjection]

Hon. Wayne L. Furbert: Mr. Speaker, can I ask the gentleman if he would just stop and—

The Speaker: Yes. The Minister wants you to be more courteous to him.

Hon. Wayne L. Furbert: Yes, I do.

The Speaker: Please do. Carry on, Minister.

Hon. Wayne L. Furbert: Because I know the Honourable Member will be bringing out his graphs and that is why I have got my graphs.

In 2011 we had about 250,000 visitors which will probably show up as far as air arrivals this year. Roughly between 1980 and 1998 we had a 26 [per cent] or 27 per cent decrease as far as air arrivals for that period. And roughly, again, from 1998 to 2011 we had about 26 [per cent] or 27 per cent decrease.

I think it is very important that the public understands that, because when the Opposition gets up and starts throwing out these numbers and starts pointing fingers, I want to make sure that we are all on the same board. So, in other words, Mr. Speaker, we are all in this boat together as far as trying to solve this . . . where we were and where we want it to go.

[Inaudible interjection]

Hon. Wayne L. Furbert: All right. So also 1980, Mr. Speaker, we had about 120,000 cruise arrivals. In 1998 we had about 180,000 cruise arrivals. And the highest point, which was roughly 2007 (and, again, in 2011), we reached about 360,000 cruise arrivals.

Okay. Now, anyone who understands the dynamics of our economy understands that it is more important that we get air arrivals up and the cruise line balancing. You will hear in the Report the Tourism Department talking about roughly a ratio of 60 to 40—60 per cent air arrivals and 40 per cent cruise.

Well, in this scenario it is the other way around. Because cruise lines bring about—and I may have the numbers wrong—but I think about \$130 per person as far as contribution to the GDP. But in regards to air arrivals, air arrivals contribute roughly \$1,400 per person to GDP. So it is important that air arrivals are where we would like to be heading. Okay, so we worked those numbers out.

Now look at number of beds. In 1980 the number of beds for its highest peak, which was 1986, was roughly 10,000. And you have heard persons over the years say we had 10,000 beds—that was in 1986. It dropped down to roughly about 7,500 beds in 1998. And then we dropped down today to roughly 5,300. So, again, we . . . and it has been matching between beds . . . and you notice that the beds match the arrivals. Beds have come down and our air arrivals have come down because if there were beds then we would have hopefully more air arrivals.

Number of hotel units—at that time we had roughly 5,000 hotel units, that is beds, that is not . . . when we talk about . . . sorry, actual units itself, that is a room. Okay, 5,000 units or rooms in 1986 and roughly in 1998 3,700 units and in 2011 we have roughly 2,600.

The number of properties—that is, you have seen hotels close over the years—in 1980 we had roughly 108 properties (Sonesta Beach, you can name them all). In 1998 we dropped down to 66 properties. In 2011 we have, roughly, 48.

So all those things, all those statistics are heading in the wrong direction. There have been some improvement because remember in 2000 and the 9/11—I want to be very clear to people—[after] 9/11 which was in 2001 we had a significant drop in arrivals and we all know why. As a matter of fact, I remember President Obama telling convention groups not to travel, not to go and . . . remember the big talk about not going to Las Vegas and so on and so on. Well, it affected us also. So—

[Inaudible interjection]

Hon. Wayne L. Furbert: President Obama.

[Inaudible interjection]

Hon. Wayne L. Furbert: No, sorry, well, it was one of their Presidents, I cannot remember—it was Bush, yes, Bush. I thought President Obama did say something when he got in so I . . . something . . . I remember him saying something. But anyway, so there has been a drop in 2001 and we started to rise again after that as far as our numbers were concerned in arrivals.

[Inaudible interjection]

Hon. Wayne L. Furbert: Not very much because the hotel beds were not there. Okay? And this is what I am talking about as far as pointing fingers, as far as us working together to resolve the situation.

What is interesting, Mr. Speaker, is that the total arrivals, that is air and cruise in 1980 was roughly 600,000 total arrivals. The highest number of arrivals, that is cruise and air arrivals, was in 2007—655,000 total arrivals. In 1998 which was a different date we all remember, a year, was 550,000—that was the total arrivals at that time.

So the arrivals have been pretty well consistent because at the time we increased our cruise line . . . allowing more cruise lines to come here, and as you know the last couple of years they have gotten larger and there are now 3,000 to 4,000 passengers on a cruise line. So that has gone up—cruise lines have gone up and air arrivals have gone up. So we need this kind of arrow pointing on both sides—one pointing up for air arrivals and we need the cruise ar-

row to be pointed down. I think most of us accept that point.

So, Mr. Speaker, so what have we done over the years? Many parties have looked at . . . you are aware of the Commission on Competitiveness, a Report that I think it was done at that time under Sir John Swan.

[Inaudible interjection]

Hon. Wayne L. Furbert: Commission on Competitiveness.

[Inaudible interjection]

Hon. Wayne L. Furbert: The Bermuda First Report, which I was around . . . we were all around at that time—

[Inaudible interjection]

Hon. Wayne L. Furbert: —the Monitor Report was around and I think the Edinburgh Report.

So then all these Reports have been out there.

[Inaudible interjections and laughter]

Hon. Wayne L. Furbert: Well, I think it is important that . . . the Honourable Member said I was in Cabinet during it, but I was never the Minister of Tourism.

[Inaudible interjections and crosstalk]

Hon. Wayne L. Furbert: I was never in the Ministry of Tourism at that time.

[Inaudible interjection]

Hon. Wayne L. Furbert: No, Mr. Speaker, the Honourable Member said we all have collective responsibility. The Honourable Member said I was in Cabinet, I understand that. But, you know, he knows about how it works. And so there is a Ministerial responsibility and there are debates that go on—he knows how it works.

So these Reports were done, Mr. Speaker, and the point that I am trying to make, if the Honourable Member will just take time, is that there has been no Government—and I emphasise *no* Government—and maybe I missed one of those Cabinet meetings or something, but there has been . . . *no* Government has ever produced, as far as I recall, at least written—

[Inaudible interjection and laughter]

Hon. Wayne L. Furbert: So, Mr. Speaker, he is not catching me up, I will not slip. I will wait until the Honourable Member . . . I think I know what because I had

a little brief word with him, so he has done his research or something. So I am going to wait until . . . and I would say . . . and I am asking him . . . I will not say it . . . there has been . . . and I challenge the Honourable Member there has been no administration that has prepared a five- to ten-year plan for tourism.

[Inaudible interjection]

Hon. Wayne L. Furbert: If they remember it . . . stand up and tell me I am wrong, I will be willing to sit down.

[Inaudible interjection]

Hon. Wayne L. Furbert: Five- to ten-year plan.

[Inaudible interjection]

Hon. Wayne L. Furbert: I said a plan, not a Report.

[Inaudible interjections and crosstalk]

The Speaker: I have not recognised him because I did not hear anything.

All right. The Honourable Member, Mr. H. Swan, has a point of order.

POINT OF ORDER

[Clarification]

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

I would just like to refresh my good friend's memory with regard to reports that extend beyond five to ten years, and that was certainly . . . the Edinburgh Report did. It gave the Government of the day (which I believe was the Progressive Labour Party Government) a plan of what needed to be done, so that we would not be in this position today.

Thank you, Mr. Speaker.

Hon. Wayne L. Furbert: Mr. Speaker, as I said—

The Speaker: Carry on, Minister Furbert.

Hon. Wayne L. Furbert: —there were some reports—

Dr. the Hon. E. Grant Gibbons: Point of order, Mr. Speaker.

Hon. Wayne L. Furbert: —and in those reports—

Dr. the Hon. E. Grant Gibbons: Point of order.

Hon. Wayne L. Furbert: —were many different facets of—

Dr. the Hon. E. Grant Gibbons: Point of order.

The Speaker: There is a point of order.

The Honourable Member, Dr. Gibbons, has a point of order.

POINT OF ORDER

[Misleading]

Dr. the Hon. E. Grant Gibbons: The point of order is that I think the Honourable Member is misleading the House. I think if the Honourable Member will remember the Monitor Study, there was a study done by that Cambridge Consulting Group, but there was also a steering committee which produced a fairly extensive report on the state of tourism at the time and what needed to be done going forward. So I think you are off base, frankly.

The Speaker: Carry on, Minister Furbert.

Hon. Wayne L. Furbert: As I said, Mr. Speaker, there has been no *plan* for a five- to ten-year—there has been no plan produced by any administration up to now, Mr. Speaker, to talk about a five- to ten-year plan of moving forward and uniting the country—*uniting* the country—on the direction that we should go in regard to a five- to ten-year plan, Honourable Member, my good friend Mr. Swan.

[Inaudible interjection]

POINT OF ORDER

Hon. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

I appreciate the Minister has been very factual with his statistics and very helpful in my presentation, but I have got to remind the Minister that he sat in Cabinet when in 1998 his Cabinet brought forward the tourism authority as a plan which was to save this country from being in the position it is in today. He is being disingenuous in his presentation in that regard only, Mr. Speaker.

The Speaker: Carry on, Minister Furbert.

Hon. Wayne L. Furbert: Mr. Speaker, I am going to move forward.

The Speaker: Try not to be distracted.

Hon. Wayne L. Furbert: I am going to move on because I see where the Honourable Member is trying to go, but that is not quite true.

But, Mr. Speaker, so we have here the Honourable Member, Patrice Minors, who was appointed in 2010 having—and the country should thank her for having the foresight for at least encouraging the Board to pause and work towards a plan for the country. The Board got to work and worked diligently over that pe-

riod of time, and we have right now what we call before us today the debate on “Establishing a Foundation for a National Tourism Plan”—that is building the foundation.

So, Mr. Speaker, let us look at some of the ideas that the Report . . . I would like to thank the Honourable Member, Randy Horton, who was on the Tourism Board—

The Speaker: Yes, the Honourable Member, of course.

Hon. Wayne L. Furbert: I said that, didn't I?

The Speaker: Did you? Carry on.

Hon. Wayne L. Furbert: I thank the Honourable Member Randy Horton for being on the Board for helping work with the team to move this forward. And they came to three things—they talked about immediate goals, kind of short-terms goals, and long-term goals.

The first thing the Board looked at—Mr. Speaker, could you just let me know what time do I have to finish this? I was not sure. Is it half an hour or an hour?

The Speaker: Take all the time—

Hon. Wayne L. Furbert: An hour?

The Speaker: Well, you have got . . . you normally would have an hour.

Hon. Wayne L. Furbert: An hour from . . . now.

The Speaker: You have got a lot of time.

Hon. Wayne L. Furbert: Okay, thank you, Mr. Speaker.

The Speaker: You have a lot of time.

Hon. Wayne L. Furbert: The first thing the Board looked at was the vision—what do we really . . . what does the Board, what does the country really need? So you have to have first, before you produce a plan, a vision of what you want to see. In other words, before an architect starts drawing, they have to see what they want to put on the plan.

So the Board looked at particularly Bermuda as a destination, but within the destination they saw three particular [things] for visitor's enjoyment—and that was the City of Hamilton, which they consider a vibrant commercial and residential waterfront development. And then they looked at St. George's which is our international beacon when it comes to a World Heritage centre. And then they looked at Dockyard as

being the best known, what they considered, marine centre of the world.

So it was three destinations within one—City of Hamilton, St. George's, Dockyard, and of course the enjoyment of Bermuda itself.

And what you realise, Mr. Speaker, is that there are many jurisdictions, and you have heard where they have these places where you go and it is all encompassing. In other words, you go there and you basically stay on the property, you eat, you enjoy the amenities, you enjoy entertainment. And those properties . . . and there are many people that say—*just let me go there*. But here in Bermuda we do not want to get to a state where people just go and just stay on that one particular property. Remember the . . . we had that type of a situation in St. George's at Club Med. Club Med was more of an all in one package . . . I am trying to remember . . . all-inclusive where the visitors went and they just basically stayed. But what we are trying to do is for the tourist [to] come here and enjoy all of Bermuda.

[Inaudible interjection]

Hon. Wayne L. Furbert: That is right. Bermuda itself is all-inclusive instead of just visiting a particular property, to be a particular destination. So we . . . that is where I believe the country should be. So we have our three destinations within Bermuda, then itself the public enjoys the amenities as far as gardens and stuff outside.

So, Mr. Speaker, the Report particularly touched on three . . . sorry, 11 to 12, what they consider hot-button issues. And those hot-button issues were:

Transport—and the Committee felt that for us to make sure that our tourists enjoy Bermuda, that the public system has to be up to scratch and has to be a good system to ensure visitor's mobility to get around our different . . . what we consider our three different sites to enjoy the guest experience.

Then the other key issue was . . . and let me just touch, Mr. Speaker, it is interesting enough that within the Report itself (and I am not sure how scientific it was) but the Bureau of International Economic Development which was done in 2010, 79 per cent of our air passengers felt that we should allow car rentals here in Bermuda. Cruise ship visitors—77 per cent felt that we should allow car rentals. And that is mainly for . . . as you know you can go to other islands and rent cars, but, Mr. Speaker, I believe if the forefathers got one thing right, it was to allow only Bermudians to drive cars because of our limited road size, because of our . . . you can imagine the congestion we would have if we allowed our tourists to drive or rent their own cars here. So we cannot . . . I do not think that at this . . . I do not think . . . well, maybe somebody in the future might think it is a good idea, but I do not think that it is a good idea to allow that to happen.

So, Mr. Speaker, some of the ideas coming out from the transportation side were to introduce and promote growth of privately owned and operated water taxi service; (we know we have heard that) approve of end to end buses and ferries by substantially increasing the number of ferries between Dockyard to St. George's and establishing bus routes to directly service Dockyard to St. George's; improve late night service from public transportation—and I am not going to read all of the recommendations coming out of the Report.

The next part was the marketing side. This was another hot topic. Mr. Speaker, the Department of Tourism which includes branding, advertising, promotion, public relations, and all overseas communication activities—it was felt that the Department needs to have particularly some “wow” factors in its advertising. They felt that the market definition criteria to include demographics such as, geographic, lifestyle, purpose of travel, and other cycle graphics—that is more data to make decisions. The more data you have then you can make better decisions.

I was in some jurisdiction here recently (I cannot remember), but when you arrive you take more information. You are able to collect. We do what we call . . . as you know we go down there and do those exit surveys. What they do is collect a large sample which is, of course, turns out to be better because the people, every one of us travelling we normally have to tick off and collect more data. We will have to have some discussions with the Ministry . . . I guess the three Ministries—the Ministry of Transport, the Ministry of National Security—to see how we can include more information so that when they are filling out the form we can then decipher most of it.

Mr. Speaker, they talk about maintain commitment to campaigns over time. We all know, Mr. Speaker, what it is like when the new President moves in and they have got to change the curtains or have to change the colours of the wall. Well, it is no different probably when a new Minister moves in. Then somebody wants to change this, change this. And you have heard—

[Inaudible interjection]

Hon. Wayne L. Furbert: Yes, change strategies.

And so what we need is more consistency moving forward as we move into . . . as far as our marketing. When you hear *One Love*, everybody knows where that is coming from. When you hear other music playing we know where . . . or *Better in the Bahamas* we have heard those. That slogan has been there for years. We have had *Let yourself go to Feel the Love* to . . . I cannot even remember all the different things we have had over the years. And we are confused. We all I think . . . we need some new . . . we need consistency.

[Inaudible interjection and laughter]

Hon. Wayne L. Furbert: And so the hospitality felt that we should look at branding, and so we have gone out for ad agency and hopefully, Mr. Speaker, as we move on we can have some consistency on the branding—what will be our brand going forward. And the problem the others say it was not about me changing the brand, it was the industry itself out there we need to take a look at. But I said, hopefully, this is it. And the songwriter goes *This is it*. Hopefully, this is it. Maybe that is the slogan—*This is it*.

So, Mr. Speaker, we talked about the Proud to be Bermudian campaign as far as our marketing, and I believe also we need to have marketing not only off-shore but onshore to make Bermudians feel . . . and we are working on that.

Mr. Speaker, it talks about improving the co-ordination of communication efforts with key partners, brand managers, local stakeholders on all channels, and you know you just cannot . . . every step we can do to improve our communications and get that information to our stakeholders is important because it allows us to work more effectively with them and them work with us.

Mr. Speaker, the other key hot button was new developments. The idea of new developments, and I gave the statistics showing what we have as far as development is concerned, as far as beds, we have gone from 10,000 beds down to roughly 2,600. We do need some new development, and we are working very closely with some developments right now. I am not willing at this time to mention them. I am a person who does not like to jump until my i's are dotted and my t's are crossed.

But we need new developments, and the reason why we need new developments is because, of course, it brings new enthusiasm within the market, it allows us to get more beds; and with more beds we [will] hopefully get more arrivals, our GDP gets up, it gets more jobs . . . so these are things that are very positive.

One of the key things, Mr. Speaker, and we have been tackling and having discussions with the industry, is how do we bring cost down, because cost is a factor. Investors are not going to develop or take a chance, per se, unless they can show that there is a return on their investment. So if you have a cost . . . and let us use an example. I understand it can run [from] somewhere between \$850 to \$950 a square foot. At the end of the day that could mean almost a million dollars for just developing that one room. And the Government does its part, because as you know we give concessions for bringing in the items that they need, so those things are duty free. The Government is doing their part, and that is the major thing, to [find] how we [can] bring the cost down.

I am having some discussions with the industry, looking at . . . and the cost has gone down, be-

cause the recession has [had] an impact over the last couple of years. But we are having some discussions and, again, we hope to make some announcements very soon on what we were able to accomplish, so we need new development.

Mr. Speaker, it talks about also in the new development side—establish a clear and transparent process to consider new and existing developments to ensure consistent and timely approval. As we all know, there are basically . . . because I am sure that questions can be either raised or at least thrown at me. We have the Park Hyatt down in St. George's that we had talked about developing. We had talked about the development at 9 Beaches. I just had a word here with a player within 9 Beaches recently, and they say that things will be happening soon.

[Inaudible interjection]

Hon. Wayne L. Furbert: They say, and that is absolutely true. So I am hopefully going to be putting pressure on them and talking to see how we can get this thing moving faster, but there are a few things that they are working on. The Park Hyatt is working with the Government. There are a few changes. The plans, as you know, have been done. So we are working with them because there are some changes they want to make as far as where the entrance is. So they are working with the Ministry of Estates and Planning, and I think another one is Works and Engineering as far as the movement.

So I hope to come back with some more concrete movement as far as—

[Inaudible interjection]

Hon. Wayne L. Furbert: I am going to tell you . . . I am not going to try to duck and weave. I am from Hamilton Parish and we do not duck and weave. We just come straight out and tell you what the point is. Hopefully, during the Budget Debate we are going to give you some more information on exactly where we see the Park Hyatt—

An Hon. Member: Groundbreaking.

Hon. Wayne L. Furbert: Yes, I hope to be in one of those bulldozers one of these days, pulling up that soil.

So we need some new development, but I am not going to build someone up to let them down until I know clearly [and] exactly.

An Hon. Member: We have already been built up.

An Hon. Member: We have been let down a number of times.

Hon. Wayne L. Furbert: So Mr. Speaker, on-Island communication was another hot button. The Board believes that our entire community, together with our future economic wellbeing is intertwined with the existence of a vibrant tourist industry. We know that. That is why I said that we are going to make some things happen as far as tourists.

And, look, I expect the Opposition to get up and be critical on a few things. That is their role. But as far as a community, if we are going to make any changes than we all must find a way to put some of our political differences behind and make these things happen.

I was able to point out clearly that since for a period of time you cannot point a finger at anybody in particular, it has just been the way changes have taken place. Mr. Speaker, we all remember the good old days when we were . . . what were we all pushing? Sun, sand—

[Inaudible interjections]

Hon. Wayne L. Furbert: Well, that is what they would double push.

An Hon. Member: Sun, sea and sand.

Hon. Wayne L. Furbert: Sun, sea and sand. Look at the different things. In 1980 these were not even thought of as far as tourism—medical tourism, adventure tourism, rural tourism, geo tourism, space tourism, virtual tourism, sports tourism, extreme tourism, genealogy tourism . . . the list goes on and on. People are looking for a different experience. The older you get you do not look at the sun and the sand so much anymore. You look for a little more rain forest and this type of thing, and sliding on that zip-line. So think culture; you want to visit Europe and see some of the culture stuff.

So times have changed, and with the baby boomers basically now where I am, we are now up there and looking for things a little different. So things have changed.

[Inaudible interjection]

Hon. Wayne L. Furbert: But a lot of people at that time came for . . . we have had some very beautiful days for the last couple of weeks here, so we are doing some things to enhance that part.

So that is another hot button, and I am not going to go into everything because I know everybody will comment.

Now, I have to mention it. I am sure the Honourable Member will be mentioning it, but the Board mentioned something about a tourism authority. They talked about an advantage of an Authority would be the ability to maintain long-term and independent view regarding the industry.

An Hon. Member: By long-term, did they mean more than 5 years or more than 10 years?

Hon. Wayne L. Furbert: Well, what they were talking about here, Mr. Speaker, is about the marketing side. It allows an Authority to become more consistent going forward. I think that is what Dale was trying to say.

An Hon. Member: How do you feel about that?

Hon. Wayne L. Furbert: Well, I will tell you. Sometime in the near future I hope to bring something here to give the Board more authority. We all hope to bring something here, Mr. Speaker, sometime in the near future, that will allow the Board to have more authority.

An Hon. Member: So you caved in?

Hon. Wayne L. Furbert: No, I have not. I just said we would give more authority, so you will have to wait and see what I bring. I will bring something in the future that allows the Board to have more authority.

An Hon. Member: Is this semantics or is this—

Hon. Wayne L. Furbert: So, Mr. Speaker, what I think is . . . and I expect to hear more from the Opposition.

Cruise ships; again, we talked about the cruise ships and the ratio that the Board is suggesting, 60 per cent air and 40 per cent cruise. The Board feels that there should be no more than 350,000 cruise passengers starting [in] 2013. I believe this year, because of the two ships that pulled out, we will probably be somewhere . . . I believe the Minister said, around 350,000 to 360,000 possible cruise passengers. But we have to maintain that level pretty well until we get our air arrivals up to scratch.

So this is something the Board is pushing for, and we support that. We support the 60 per cent air, 40 per cent cruise, and possibly even 70 per cent and 30 per cent, if we can get up to that level.

Now Mr. Speaker, what we have done here recently, and I thank the Minister . . .

[Music plays in background]

[Inaudible interjections]

[Gavel]

Hon. Wayne L. Furbert: Mr. Speaker, I can talk over that. I am used to having music.

Mr. Speaker, I would like to thank the Minister of National Security because we realise those countries, particularly the BRIC countries, and the BRIC countries are Brazil, Russia, India and China. I believe the Minister informed this Honourable House that we

now allow business people coming from those BRIC countries to not need . . . require a Bermuda visa. Because why? They already get a visa from the United States, Canada, or the UK.

Basically, what they said was send the passport here. It was probably rubber stamped, and back it went. So it did not make sense. If [Osama] bin Laden is going to get in they are going to stop it at those three borders first.

An Hon. Member: He is dead.

Hon. Wayne L. Furbert: Oh, whoever his next sergeant is. But we passed that before he passed away.

So that I think will allow us to compete more, allows us to broaden our horizon. And I have asked the Minister and I believe he is going to look, I have asked him to look at the possibility of allowing tourists to do the same thing. We are having discussions with some Russian travel agents and wholesalers, so I have asked him to take a look to see whether . . . again, the security part will be with those other borders, Canada, United States and the UK. If they give them a visa, then I personally believe that we should allow them to come here to Bermuda with that particular visa, because the visa requirement was basically to give some control over our borders.

Mr. Speaker, the other hot button was service standards. We cannot speak more highly about that. Service standards start from the time our guests—and we want to call them our guests, instead of tourists—get off the plane. When they get off the plane, come through to the first stop, we want them to feel welcome at that first entry coming to Bermuda, and we want them to thank us on the way out, and that is the last check as they go upstairs to the departure lounge. So it is about people feeling good. Tourists will come back and tell other tourists, because the advertising . . . as much as we advertise, and we spend about \$10 million to \$11 million in advertising, but the best advertising is somebody telling somebody [else], Mr. Speaker, how good it was to go to that place.

Most places I go to, it is not because I saw a picture in a magazine or even read about it. It is because somebody said it was nice, he needs to go to Fiji. I think you and I were there, Mr. Speaker. It was nice to go to Fiji. It was nice to go to Malaysia. It was nice to go to . . . people tell us about it. So if we treat our guests appropriately, we can get better value, Mr. Speaker, than the dollar.

We were having a meeting the other night and someone said they heard that we decreasing our budget. Well, if we increased our service standards, that multiplication would be significant. That is from the entrance at the airport to the taxi driver to the Bermudians on the street talking to them and helping them, to show people how to get around the Island on their bikes, or whether it is the people serving in restaurants or wherever. And again to the final, that is

where we really get our value for our tourists. I cannot emphasise that any more. So that is another standard. Another standard would be, in talking about airlift, they believe that the airlift should be maintained.

Another hot button—and I am trying to move us because of time—is gaming. Well, the Government has in the Throne Speech, as you are aware, Mr. Speaker, mentioned that they will consider bringing a referendum to the country. So that is where it is at. The gaming is at the level of the Government to consider the next move. This is something the Board has talked about.

Bermudian Culture and Heritage—Bermudian Culture and Heritage was moving away from the entertainment part. They are talking about . . . let us not use [the word] “entertainment” but [rather] “Bermudian Culture and Heritage,” which is wider. So we are working on something for the summer that we call “entertainment” . . . to increase our entertainment this summer more than we have had over the period.

When we looked at our Harbour Night, Harbour Night is now finished before the cruise ship season finished up. So I am meeting with the Chamber of Commerce trying to work out some arrangements with them, even if we can help out to increase the Harbour Night to give more substance to it so people can . . . it has gotten a little boring over the years. When it first started out I think more people were going, but we need to find some way to create some more energy in that Harbour Night and I think by using our people, Bermudian Culture and Heritage, this will work.

Another hot button, Mr. Speaker, was . . . I believe those were all the hot-button issues. Yes, that was nine. So the Board then says, *How do we attack this particular plan?* because this was the foundation. They talked about . . . and I want them to talk in detail, but they said we must look at this plan as far as a plan for immediate action within two years and long term.

The immediate actions are things that the Department is now working on. Some things we are pretty well ahead of our time. In fact, we are also working on some of the things within the two-year part, and then the long term.

The long-term goal, Mr. Speaker, is where we talk about the 5- to 10-year plan. Everyone is aware that we signed an agreement with a company out of Spain working with a local company to produce a National Tourism Plan.

An Hon. Member: One hundred and eighty-two thousand dollars.

Hon. Wayne L. Furbert: One hundred and eighty-two thousand dollars.

I think that is a good price, Mr. Speaker. As a matter of fact, I was a little shocked myself when I first heard the number, because we have heard from the other side that it would be about a million dollars. One hundred and eighty-two [thousand dollars] is good

value for money for [the] 5 to 10 years that they are producing, and we are very happy that this plan will come forward, probably sometime in April.

But we cannot wait (at least I do not think) for April to just take place. We have also moved ahead with the ad agency. We had about 32 applicants or people who responded to our advertisement, and we broke it down to eight. There was one Committee that looked at the 32 and broke it down to eight, then another Committee looked at the eight and is making a recommendation to me. And their recommendation will be made very soon, once they do a little more due diligence on those final one or two companies.

So we are moving ahead, Mr. Speaker. We are hoping that before the season really kicks in, the ad agency will be starting their work on their advertising, getting the brand straight so when the summer kicks in we will be in full swing.

So Mr. Speaker, this is the—

An Hon. Member: It is too late.

An Hon. Member: You should have been working on it last year.

Dr. the Hon. E. Grant Gibbons: Yes, you should have been working on it last year.

Hon. Wayne L. Furbert: Mr. Speaker, the Honourable Member said “We should have been working on it last year.” Let me just report that the numbers for last year are up. So it may have taken nine months—well, it took nine months to give birth to me too, and I turned out pretty good.

So the whole thing, Mr. Speaker, was that the Committee interpret the times. They conceive a plan, which you have before you here, and now the Ministry is what we call initiating the actions. We are full steam ahead moving, and we are quite happy. Again, I would like to thank the Honourable Member, Patrice Minors, for having the foresight to work on and have a plan prepared so that the Government can have something to work for in the future.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Minister Furbert.

Any further speakers?

I now recognise the Honourable and Learned Member, Mr. S. Crockwell, from Pembroke West.

Mr. Crockwell has the floor.

Mr. Shawn G. Crockwell: Thank you, Mr. Speaker.

Mr. Speaker, [I] certainly would like to speak to this Motion that is discussing the Report establishing the foundation for the National Tourism Plan.

I would like to start by putting the establishment of a National Tourism Plan into an historical con-

text, if you will allow me, Mr. Speaker, because establishing a National Plan for tourism is nothing new. It certainly did not originate with the most recent Minister of Tourism, the Honourable Ms. Minors, because I can recall back in 2006 when we had a different tourism Minister, Ms. Renee Webb, and that that time Ms. Webb, at a forum, was exhorted to develop a national strategic plan, and Minister Webb back then said that the Government would take that under consideration.

That was in 2006, Mr. Speaker, that this Government was considering developing what was desperately needed in order to have a successful tourism execution, in order to have successful tourism marketing, in order to have successful tourism structure in this country. To have successful tourism numbers and to have success, you need to have a decent, comprehensive plan.

In 2006 the Government was exhorted to get a plan, and here we are in 2012 debating an interim document. We have not even reached the plan yet—six years later! Today we are debating an interim document discussing the importance of a National Tourism Plan. Something is wrong there, Mr. Speaker, when it takes six years. Because there is no doubt, there is no confusion in this country that tourism is in crisis. No confusion about that.

It was in crisis in 2006. That is why the Minister was seeking consultation from the community and from stakeholders on what she should do, and the recommendation was we need a plan. Because right now all we are doing, Mr. Speaker, and all this Government has been doing since 1998 is making it up as they go along. That is what they have been doing with tourism—is making it up as they go along.

So in 2006 we needed a National Plan and here we are in 2012 and we still do not have it. What is interesting is that it was promised last summer. The Minister for Tourism, Patrice Minors, said, *We will have our plan in the summer of 2011*. Then she reported, *Well, we have a slight delay and you will get it in October of 2011*. Then she said, *Well, you are going to get it early 2012*. And today we hear from the new Minister that we will get it at the end of April. All I say is, *Well, we will see*.

The point I am making, Mr. Speaker, is that the delay in producing a comprehensive National Plan on tourism to revive one of our most important industries in this country is unacceptable. It is unacceptable and it speaks to this Government's lack of understanding of how important this particular industry is, how important it is to our economy, how important it is to generate jobs for our people.

Today the Honourable Minister—the current Minister, Wayne Furbert—gets up and he is speaking like, *Well, you know, the decline has just been a natural decline, and let's all come together and work together and try to solve this problem*. No! It is clear that part of the decline and the extent of the decline is because of this Government's dilatory approach to tour-

ism and the lack of a tourism plan and the lack of having a focused approach on tourism. That is why we saw in 2010 the lowest air arrivals in our history.

So when the Honourable Minister gets up today and says, *Well, there has been a 3 per cent increase*, I would hope that we are going to have an increase on our lowest reported number in history. Let us not brag about an increase on the lowest we have ever seen, Mr. Speaker, and only a 3 per cent [increase]. It is going in the right direction, and that is a good thing. But the point is, Mr. Speaker, there is no legitimate [reason] and no justification for why we are still waiting on a National Tourism Plan to revive our tourism product.

That is unacceptable, Mr. Speaker, and that falls at the feet of this Government. It is not good enough. As a result of this delay and this incompence toward tourism in this country, we have seen a precipitous decline in tourism, particularly in the air arrivals as it relates to tourism.

Now, the Honourable Minister tried to, as this Government has done over the years, make the point that tourism has just been declining naturally over the years and that the decline is not due to any mismanagement, it is just part of tourism in Bermuda. But that is not the case. That is not the case.

If we look at the statistics, Mr. Speaker, it will clearly show that until 1998 there was a consistent trend as it related to air arrivals coming to Bermuda. There was a consistent trend. Yes, there were some peaks, and we all referred to the landmark year of 1980 when we almost reached 500,000 air arrivals. But the fact of the matter is when we look between 1990 and 1998, we never went below 350,000 air arrivals—never went below that. There was a consistency between 1990 and 1998. Irrefutable! But when we get to 1998 . . . and we all know what happened in 1998, Mr. Speaker—we had a change in Government. From 1998 until the current day we have seen a precipitous decline in our tourist air arrivals.

Now, it is not going to take a rocket scientist, Mr. Speaker, to connect those dots. Something happened after 1998 where we can go from 368,000 tourist air arrivals in 1998 to 232,000 in 2010. I think that there is some correlation, Mr. Speaker, to the fact that we have not had a comprehensive, strategic plan. Part of the consequences of not having a comprehensive, strategic plan is the fact that tourism continues to decline year after year after year.

Not only that, as a result we have seen a tremendous decrease in the contribution that the tourism industry has made to our economy. The foreign currency earnings in the 1990s was one to one; tourism to international business, one to one. They were earning almost the same as it relates to foreign currency earnings.

Today international business earns five to one. Tourism has basically fallen off the map. We have gone from double digits, in terms of contribution

to GDP, to now 5 per cent. This has happened during the watch of this Government. We have seen a substantial decline in this industry.

Now, because of the tremendous decline in tourism, because of the fact that tourism is in crisis, we certainly agree that we need to have a comprehensive plan. We need to refocus ourselves as it relates to tourism. We need to revitalise the tourism product. We need to have a shift as it relates to how we deal with tourism.

So we welcome this interim Report establishing the foundation for the National Tourism Plan, and we hope that the Government will take on some of the more salient recommendations from the Report. We fear, however, the ones that we support in this particular document will not be embraced.

For example, there is no secret, Mr. Speaker, that we support the establishment of a tourism authority. No secret about that at all. We have been saying for many years, and I know the Honourable Member, Mr. Kim Swan, is going to let us all know that the United Bermuda Party has been saying it for many years and the One Bermuda Alliance continues to say that it is important, it is critical, that we establish a tourism authority.

We need to reduce the influence of politics from the business and management of tourism. That is what we need to do. We need to put the management of tourism in the hands of the people who understand the industry. We have a former Tourism Minister that is in the Chamber today, and I hope we hear from her later on, but when she took on her post as Tourism Minister she declared publicly that she did not know much about tourism.

[Inaudible interjection]

Mr. Shawn G. Crockwell: How can you be head of . . . she just interpolated and she said "And you do?"

No, I do not. That is why, Madam former Tourism Minister, we recommend establishing a tourism authority—because I do not have the expertise. I do not have the expertise to be advising or giving directives to an industry that knows what they are doing.

You will never see, Mr. Speaker, an international business, an insurance company, a reinsurance company, or a mutual fund company, hiring a CEO that knows nothing about the business. What sense does that make, Mr. Speaker? that the top person that is going to be in charge does not understand the business! It makes no sense. It is nonsensical. It is backward, Mr. Speaker. So we have been saying for a long time that we have to put the management of tourism in the hands of people who understand tourism. That makes sense to me.

But you know what, Mr. Speaker? What is astounding is that in this very Report that the current Minister has brought to this House to debate, they have recommended that we need to have a tourism

authority. They say that the ministerial shifts do not accelerate the work that needs to be done as it relates to tourism.

Since October 2010, we have had three Tourism Ministers—three. And with each Minister comes a new perspective, comes a new idea. How can we have a consistent development of tourism if we are going to have . . . and this is not specific to this Government, because we have had changes in Ministers over the last 30 years. But it is recognised that that is not productive as it relates to the development of this industry, because you are changing direction with each new Minister.

So on page 5 of the document that we are debating today it says “The continuity of our tourism strategy is paramount. In our view, the transition to a tourism authority will provide much needed autonomy and address concerns that have been expressed in the private sector.” It goes on to say that “the Board strongly recommends this organizational shift in leadership going forward.”

“The Board strongly recommends.” This is the Board that was established by this Government, brought some of the best minds that we have in Bermuda [to] have a look at this flailing industry, failing industry, and come up with some recommendations, and it says that it strongly recommends an “organizational shift in leadership going forward” and to establish a tourism authority.

On page 24 of the Report, Mr. Speaker, if I may read, it says “The advantages of an Authority would be the ability to maintain a long-term and independent view regarding the industry. As simple as it may sound, this remains critical as the Government sets in the new steps and initiatives of the National Tourism Plan that will require 3 to 5 years before the benefits will be seen.”

So the Tourism Board has made a recommendation that the Government establish a tourism authority. Now if you can recall, Mr. Speaker, and with your indulgence I would like to refer to another report commissioned by this Government as well. They put together the non-political group called Bermuda First, and they had a report called [“Continuing Bermuda’s Economic Miracle.”](#) On page 30 of that particular report it is talking about reinvigorating Bermuda’s tourism sector. It says that Bermuda should study whether or not it should create a tourism authority. This is what it says on page 30 of that report.

So another non-political group that was put together to advise Government on how to go forward as it relates to reinvigorating tourism made this recommendation, “In Bermuda today, the public-private partnership on tourism is driven out of the government’s Department of Tourism, which regularly consults with entrepreneurs and stakeholders in the industry. Bermuda should consider solidifying that partnership by formally establishing a tourism authority with ultimate public oversight.”

It goes on to say that “There would be two main benefits of establishing a tourism authority. First, it would increase the amount of energy and effort the private sector invested in Bermuda’s overall hospitality industry by formally giving private-sector stakeholders a seat at the table. Second (I am on page 30 of the Bermuda First Report), it would increase the consistency and transparency of government policies in tourism, by somewhat insulating those policies from change from one government administration to the next.”

So the Bermuda First Report made a recommendation that sounds very similar to the recommendation that was made by the Tourism Board in the document we are debating today. Two non-political entities saying to this Government you need to establish a tourism authority, we need to have continuity. We need to have transparency and consistency. We need to move Government out of the way.

Hon. Wayne L. Furbert: Point of order, Mr. Speaker.

POINT OF ORDER

[Clarification]

The Speaker: There is a point of order. Take your seat, Mr. Crockwell.

Mr. Furbert, what is your point of order?

Hon. Wayne L. Furbert: I said that we are going to give the Board more authority. Maybe the Honourable Member can tell me what he meant by a tourism authority. I said we are going to give our Board more authority. Tell me what he means by a tourism authority.

The Speaker: Carry on, Mr. Crockwell.

Mr. Shawn G. Crockwell: Thank you, Mr. Speaker.

Mr. Speaker, both the Tourism Board and the Bermuda First Report clearly speak to the establishment of a separate, independent body with individuals that have expertise in this industry to make the decisions as it relates to the management of tourism.

In fact, I am very surprised that that Honourable Member just took that point of order. I am very surprised, because you know what? I am going to get to that in a minute. I am going to get to the Honourable Minister in a minute, but I am very surprised that he got up and made that point of order, because we all know that when he was the Opposition Leader—

An Hon. Member: I am sorry. It is page 31? I could not find it . . .

Mr. Shawn G. Crockwell: On the Bermuda First Report? I am sorry. I am looking at Recommendation 10 on page 30.

[Inaudible interjection]

Mr. Shawn G. Crockwell: Okay, we may have different copies, Honourable Member.

But Mr. Speaker, I am very surprised that the Honourable Minister for Tourism made that point of order to question what is a tourism authority.

[Laughter]

Mr. Shawn G. Crockwell: Because that Honourable Member, when he was Opposition Leader, surely understood what a tourism authority was because he was advocating for a tourism authority for many years.

So to answer your question, Honourable Minister, the tourism authority I am talking about is the same tourism authority that you recommended to this Government that they should implement when you were the Opposition Leader.

Hon. Wayne L. Furbert: Point of order, Mr. Speaker.

The Speaker: Take your seat.

Mr. Shawn G. Crockwell: The same one.

[Gavel]

The Speaker: He was testing you.

[Laughter]

Hon. Wayne L. Furbert: Point of order, Mr. Speaker

POINT OF ORDER

The Speaker: What is your point of order, Mr. Furbert?

Hon. Wayne L. Furbert: I still ask the Honourable Member . . . I said that we are going to give a Board authority, and that is no different from what I thought.

Mr. Shawn G. Crockwell: Mr. Speaker, if he thinks that trying to sidestep and playing games with words, "giving the Board authority" . . . if the Honourable Member wants to be clear, is the Honourable Member saying today that this Government will be establishing a tourism authority, the same type of tourism authority that you as Opposition Leader were exhorting this Government to establish when you were in the Opposition, are we talking about that same tourism authority?

So Mr. Speaker, I do not know what the Honourable Minister is saying. If he is saying what we want him to say, if he is being clear on the issue, we would not be here playing games with words. We would be clear about it. Is he implementing the recommendations of his own Tourism Board? It does not

sound like it to me. Is he implementing the recommendations from Bermuda First? Is he implementing the recommendations from the Bermuda Hotel Association which says "We urge the Bermuda Government to undertake to establish a Bermuda Tourism Authority on or before April 1st, 2012"?

So what we have here, Mr. Speaker, and if the Honourable Member wants to play games with semantics, then fine. That is up to him. The reality is that the Tourism Board has recommended that in order to revive tourism in this country, in order to get tourism on a solid foundation we need to have an independent tourism authority.

Not only did this Board make the recommendation, [but] it has been recommended by previous non-political boards, by the Bermuda Hotel Association, and it has been recommended by the very Minister of Tourism today when he was in the capacity of Opposition Leader, and yet we still cannot get a clear indication on what the intentions are of this Government as it relates to establishing a tourism authority.

Because the fact of the matter is this: What we are doing is not working, Mr. Speaker. It is not working. I am sorry; I am not here to disparage, to criticize anybody at the Department of Tourism or anybody else, but the reality is, the proof is in the pudding, and when we look at the tourism numbers, when we look at the precipitous drop in air arrivals, what we are doing is not working.

So why will we not stop and pause and listen to individuals, including the Opposition, that have made the recommendation, *Let's do something different*. And that something different, we believe, Mr. Speaker, is establishing a tourism authority, taking politics, as much as we can, out of it because there would be a relationship. I cannot clearly define how it is going to be set up, what type of financial relationship will exist between the Government and the authority and who is going to appoint who. All of that needs to be worked out. We get that. That is going to have to be worked out. But in terms of a concept, we have to start applying our minds to having a shift in how we manage and how we move forward with tourism in this country.

Now, Mr. Speaker, I would like to also touch on the issue of an ad agency, and we are pleased to hear that the Government will in short order (we hope in short order) be hiring a new ad agency. So we can get whatever brand it is because I think, and I am speaking for myself at this point, Mr. Speaker, I think there is no better brand than *Bermuda is Another World*. That was the best brand that we ever had. *Bermuda is Another World*. Why we abandoned that, I do not know. I am not blaming that on this Government or whomever. Why *Bermuda is Another World* has not been our slogan since the song came out baffles my mind. I think that is our best brand.

But whatever this new ad agency comes up with, and they need to start marketing as soon as

possible, we know that the industry is very pleased to hear that we are going to have an ad agency soon. The fact of the matter is, the fact that this Government has been operating without an ad agency for more than a year is inexcusable. It is inexcusable.

We have been using outdated and recycled campaigns that are stale, that are old. We have our tourists that do not know if they should let themselves go or if they should feel the love, Mr. Speaker. They have no idea what Bermuda is.

Now we are hearing that we are going to get an ad agency in a couple months. We hope to get it by the high season, but you do not start advertising for tourists to come to Bermuda when the high season starts, Mr. Speaker

Hon. Wayne L. Furbert: Point of something . . . clarification.

POINT OF ORDER
[Clarification]

The Speaker: Point of order, Minister?

Hon. Wayne L. Furbert: He knows very well [that] just this morning we read out some advertising regarding our golf season and spa. So there is advertising going on. We said that we have an ad agency now. I said that some of the new stuff will come out for the season. We want to make sure everything is in place.

The Speaker: Thank you, Minister Furbert.
Carry on, Mr. Crockwell.

Mr. Shawn G. Crockwell: Thank you, Mr. Speaker.

We need to have a fresh campaign in place, Mr. Speaker, and I am glad to hear that the Honourable Minister is looking at expanding golf and marketing our golf product and the like. I think that is good. I think that is good that he is doing that.

The point that I am making, Mr. Speaker, is that we have not had that continuity where we have a marketing campaign working in conjunction with a strategic plan that is working together for the same objective. What we are getting now is all piecemeal stuff, which may not be bad, but we are hearing college days here, and then we are hearing golf here, and we are hearing something else there that does not fit within an overall comprehensive plan. So we may get a little pocket of success here and there, but that is not going to be sustainable, Mr. Speaker.

So, yes, I know that the golfers and the golf community are glad to see that the Honourable Minister is looking at them and considering their interest, but the fact of the matter is we have not had an ad agency in place for almost a year and that is not acceptable.

Now, Mr. Speaker, the Honourable Minister talked about hotel developments, and I said “or the lack thereof,” because we have heard about all these potential hotel developments. I believe the Plan actually refers to 13 potential hotel developments. We know that the former Tourism Minister and Premier promised that before he left office there was going to be some groundbreaking on a new hotel development. Well, that did not happen.

Mr. Speaker, we need a new hotel. We have lost over 50 hotels and small cottages in the past 30 years. We know we just recently lost Willowbank. Our bed count has gone down substantially, and despite that, we are still having a hard time filling the beds that we have. But in order to generate any type of excitement, we need to attract a well-known developer and get a five-star property here in Bermuda. That is pivotal, and that is critical. I do not know if this Minister has any special magic that is going to be able to get that done.

What is interesting, if I can dovetail this with something that I did not hear the Minister speak to . . . well, he did speak to it, I apologise, on the gaming issue. I know that we have all come to a consensus that we are going to have a referendum. What I do not understand, Mr. Speaker, is this: My information and the individuals that I have been speaking to as it relates to potential hotel development have said that there is not going to be any major hotel development unless they are able to . . . these developers cannot secure the financing for a hotel development if they do not have the ability to have a casino on their property to generate the revenue. They cannot raise the money.

That is what we are hearing. I do not know what the Government is hearing, but we are hearing that there is difficulty with raising the financing. Again, I am going to refer to a former Tourism Minister who said that, we have developers [who] have the money. The hotels are coming. I guarantee that there is going to be groundbreaking before I leave office. But we are hearing that the money is not coming, and one of the reasons why the money is not coming is because these resorts, these hotel properties, will not have the benefit of having a casino.

Now I am not here to debate the pros and cons of having a casino or having gaming, but the Government has stated in its Throne Speech and has now stated through this Minister that we are going to have a referendum on the issue of gaming and we are going to let the people decide. What I do not understand, Mr. Speaker, is this: When are we going to have this referendum? It seems logical to me—to me—that if indeed the people of this country decide that we want to have gaming in Bermuda and form part of our tourism product, then that will feature prominently in our National Strategic Plan. That seems logical to me; that if gaming is going to be a component of our tourism product, if we are going to

be marketing gaming to our potential tourists, then that should be part of our Tourism Plan.

But we may end up having a Tourism Plan come April of this year, then have a referendum on gaming, and then if the people say, *We want gaming*—then we are going to have to go back and revise our Plan. That does not make sense to me, Mr. Speaker. It just does not. It just shows a lack of vision. It shows a lack of focus. You do not create a Plan and then say, *Okay, we may have to shift this Plan. We may have to revise it.*

I mean, we are spending \$182,000 for this Plan, but if we find out that we will be having casinos and we are going to have gaming in Bermuda and we are going to have to try to figure out how we are going to fit that in, then we are going to have to get a new Plan. Should we not find that out, Mr. Speaker, before we develop a Plan?

I mean, I do not know, maybe somebody could shed some light on that, but I think that it is imperative that we resolve this issue forthwith. Resolve this issue immediately and let us move on. If we are going to have gaming, let us get on with it, Mr. Speaker, and let us figure out what [is the] best way to implement that as it relates to Bermuda and as it relates to our tourism product. But to say we are going to have a referendum and leave it out there willy-nilly, floating out in the air, and pay somebody \$182,000 to develop a Plan—and not include what may be a potential component of that Plan—that makes absolutely no sense, Mr. Speaker.

I believe what we need to do is (and it comes out in this Report), I think we need to improve our infrastructure, Mr. Speaker. The Honourable Minister talked about transportation and the importance of transportation. We all know that last summer we had a major debacle as it relates to transportation and the inability to provide suitable transportation for our tourists.

We all travel. The Honourable Minister loves to travel, Mr. Speaker. We know that when we get to a destination, we do not want to be sitting around for an hour, an hour and a half, waiting for transportation to take us to where we want to go. So certainly this Report recognised the importance of having proper and reliable transportation. We need to improve our infrastructure. We need to develop Hamilton.

We need to ensure that if we are asking individuals to come to Bermuda, to come to our shores, then when they get here we have everything properly in place for them. It is a nonsense that you have tourists standing out in the sun for over an hour waiting for transportation. It is a nonsense. So we have to make sure that our infrastructure is suitable and the infrastructure is in place for our tourists.

We have to market properly. I talk to individuals in the tourism and hospitality industry, and they say, *Why are we not marketing where the fish are?* You fish where the fish are at. We need to keep our

marketing efforts where we get the majority of our tourists. We know that is in North America. We need to concentrate our efforts, market to them. We are only an hour and a half flight from the East Coast. That is one of our biggest advantages. I mean, what better place to be right now if you live on the East Coast with the type of weather we have been having recently than Bermuda? Come down here and enjoy some 65, 70 degree weather. We need to market better. We need to have our marketing focused where we will get our best return.

We have to define who we are. We have to talk about the fact that we have good weather all year round, that we have great golf here, that we have great water sports here. We have to look and really extol the virtues of Bermuda and we have to sell it. One of the things that I really liked about this Report . . . I was actually trying to find the page, but I could not find the page, but it stood out when I read it. I will close with this, Mr. Speaker.

It was talking about that, and I know that the Honourable Member, Mr. Kim Swan, will, I am sure, touch on it as well, because he has done so on many occasions in this place. He talks about getting Bermudians back involved in tourism. Getting our own people back involved in tourism.

The Report talked about how Bermudians have this thing about tourist attractions in Bermuda being exclusive to tourists, that Bermudians do not really take advantage, we do not really experience these types of activities because we think that they are exclusive and separate for tourists only. The Report was encouraging Bermudians to go and experience it so that we can become the best marketers of what we have to offer.

I remember being at Harbour front one night and [there] were these two young ladies asking another Bermudian, as I was walking by, they said, "We went to the beach two consecutive days, and we want to do something different. Where can we go?" The individual that they were talking to could not make a recommendation. These were two young ladies, and they said "What else can we do? We have had enough sun right now and we want to go do something different," and the lady could not answer.

I chimed in and gave some recommendations as to where they could go. But as I walked away even I was saying to myself, *Have I experienced some of the great things that we have to offer?* I have never been scuba diving, Mr. Speaker. Never been scuba diving. Yet we hear about how great it is to go out there and do scuba diving and going and looking at some of the shipwrecks that we have in Bermuda. I need to go and experience that. I need to go and experience that so I can go and advertise some of the great attractions that we have.

My daughter and I love to go snorkelling, and my daughter is a very strong swimmer. She is nine now, so previously we would go snorkelling in Harring-

ton Sound because it was not that rough and we could go snorkelling. As she became a very strong swimmer, we would go on South Shore and go snorkelling and we would go to Church Bay. I was raised in Church Bay and I spent a lot of time out there.

People that know about Church Bay would know that it has evolved into a snorkelling spot. People go there for snorkelling. So I said, "We are going to go snorkelling at Church Bay." I went down there, and I had not been snorkelling there for many years, and to my astonishment we were going swimming, and the fish must have become so accustomed to people snorkelling there . . . I mean, you had parrotfish, you had pompano and all sorts of fish right there, like you could almost reach out and touch them. It was unbelievable. Fish all around us. We snorkelled for two hours and did not even realise it, it was so fascinating.

So now if I see a tourist and they say, *I want to do something interesting and special*, I am going to say, *You need to go snorkelling at Church Bay. It will be an experience like none other*. So what I am saying is that we as Bermudians have to experience what is great about Bermuda. We have to experience it for ourselves, so we can then become the best marketers of our own country and let people know, *You can come down here and have a wonderful experience*, because it is indeed another world.

Mr. Speaker, we look forward to seeing this Plan. We hope that the Plan will be comprehensive. We hope that the Plan will have the focus that we need to get tourism back to where it needs [to be]. I wish this Minister well. He is a personal friend of mine, Mr. Speaker. I know that he has Bermuda at the heart of what he is trying to do. But, Mr. Speaker, without a plan, without a vision . . . because what we heard today did not inspire any confidence in me that we are on the right track.

We look forward to seeing what this Plan has to say. But as I said earlier, if it does not include the tourism authority and how that fits into the equation, if it does not include gaming—whether or not we are going to have it, we need to get that resolved before the Plan—then, Mr. Speaker, it is all going to be a waste of time. It all may just be for the fact that an election is on its way, and that, Mr. Speaker, is not good enough.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Mr. Crockwell, the Honourable and Learned Member from Warwick West.

I now recognise the Honourable Member, Mr. H. Swan, from St. George's West.

Mr. Swan, you have the floor, sir.

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

Mr. Speaker, I would like to congratulate the previous immediate past speaker for a good contribution on this Motion. He certainly extolled many of the virtues of a tourism authority, of which I will start off by making a contribution in that regard as well.

Mr. Speaker, before I go there, let me take the opportunity to thank the Board members of the Bermuda Tourism Board that felt it not robbery to follow the instructions of the previous Minister to establish the foundations for a National Tourism Plan. Those members are . . . I do not know all the names.

[Acting Speaker in the Chair]

Hon. Hubert (Kim) E. Swan: I am looking at a news report here done by *Bernews*, which is one of Bermuda's news agencies, that has a picture of Mr. Brian Dupperault, (a picture of a lady I do not recognise), Mr. Malcolm Butterfield, I believe, is the Chairman. I recognise the Minister. I recognise, Mr. Kirk Kitson, and I recognise former Honourable Member in this House, the Honourable Member, Mr. Maxwell Burgess, being present at the presentation of the awarding of a contract to OBM International. I believe Ms. Michelle Smith of OBM is there, along with Ms. Sallie Singleton. Also, I know a lady that does a lot of hard work, works in the industry, Ms. Isabelle Brackstone who owns the Bermuda Perfumery, Mr. Acting Speaker, who is a member of that particular Board as well.

These Board members, many of them, are in the industry and have a very good working knowledge of tourism. They wrapped their minds around what Bermuda needed under the current Progressive Labour Party Government in 2011 to come up with a Tourism Plan.

But, Mr. Speaker, my honourable friend, my former Leader, the Honourable Member, Mr. Furbert, was incorrect. He was incorrect because he was trying to make the point that there was never—this is the first time a Tourism Plan was ever developed. That is not true. I believe Mr. Crockwell, the Honourable Member, went back to 2006. But, Mr. Acting Speaker, I am sure before 1998 there were many tourism plans put together. Bermuda was the place, as you would know, Mr. Acting Speaker, as you work in the industry. We worked together in the industry. Certainly, Bermuda was the place where many jurisdictions came to study.

In the 1980s and 1990s when we were bringing tourists to this Island, people were trying to get in on our act, the same way they were trying to get in on our act in international business when we were at the top of the food chain in international business. They came here, studied how we were doing international business, went away and now those same countries are competing for our dollars. The same thing happened in tourism when we were at the top of the food chain. Certainly, with cataloguing through archiving and the Internet and documents being logged, you

can go back a certain reasonable time and see some of the reports that were done.

But I just want to share with the Member that in December 1997, a news report . . . In 1997 when the Honourable Member, the current Tourism Minister, was the Minister of Health, I believe, in the United Bermuda Party Government, his Cabinet commissioned a tourism marketing strategy, consistent force, strategy task force. The Honourable Member, Mr. Horton, the Deputy Speaker, you may have remembered that because you would have been working directly in tourism around that time, you and I together both in our different capacities.

That tourism task force came up with a 55-page report, Mr. Acting Speaker. Today I think we have a 44-page report. I would venture to say that they, in all honesty, had the similar intent of good contribution then, as the good Members that I gave recognition to have now. To suggest that they would spend that amount of time to develop a 55-page report in 1997, which in my humble opinion would have been the precursor to the Tourism Minister of that day, the Honourable Member, Mr. Dodwell, at that time, who in this modern day is recognised as probably one of the top tourism gurus in the entire Western Hemisphere.

Now, if the mindset that came up with a tourism authority that was not taken on by the change of government in 1998, can come up with a tourism authority in 1998, and then in 2011 the Minister, who admittedly says, *I am not that well known, but I have the good sense to give it out to my Tourism Board*, can come with similar recommendations in 2012 that was put forward in 1998, I want to ask this Honourable House, why are we wasting our time not debating today the merits and demerits of a proposal and a commitment by the Honourable Member, the Minister of Tourism, as to how we should proceed with a tourism authority?

Mr. Acting Speaker, I made myself somewhat known about this Report, and during the time between when this Report came to our knowledge in December and this sitting, I have certainly had a little bit of dialogue on Facebook and on the blogs on the tourism authority. I believe that the buy-in—and I believe the Minister would have to agree—the buy-in for a tourism authority is well beyond the politics that the Minister is coming here today advancing. For the Minister to come here today and say, *I am going to give the Board more authority*, and trying to convince us that it is the type of authority that Mr. Dupperault, Mr. Butterfield, Mr. Burgess, Mr. Kitson, Ms. Singleton and Ms. Brackstone were recommending to his Board, is an insult, Mr. Acting Speaker. It is not good enough!

Because when tourism—and tourism employs Bermudians, as was mentioned earlier. It employs Bermudians, and it encourages greater foreign currency to come into this country, Mr. Acting Speaker. Notwithstanding that, tourism was one of the main

reasons why international business found Bermuda attractive in the first place, because there was an infrastructure. Mr. Acting Speaker, when you look at the numbers . . . When the Honourable Member was looking at 500 air arrivals in 1980 versus 180 cruise visitors and how that has slipped, and used that to justify why we have an over-reliance on tourism, what the Government needs to be looking at is—

The Deputy Speaker: An over-reliance of cruise visitors.

Hon. Hubert (Kim) E. Swan: Over-reliance on cruise visitors. Thank you, Mr. Acting Speaker.

What the Government needs to be looking at is the impact that it has had on . . . It explains why tourism now is 12 or more on the totem pole of GDP, because when you are putting your reliance on numbers as opposed to dollars, then the impact on the community is greatly diminished. Honourable Members that speak for finance could point that out far better than I. But I am just a little country politician that knows that if you have got 400,000 or 300,000 cruise visitors coming up here spending, on average, \$100 (right?), and then you are turning a blind eye to those folks that should be at Cambridge Beaches, that should be at Pompano, that should be down in St. George's at hotels that the Government had promised us would happen, that the country is being short-changed!

What the country is doing, the Government is growing. You have heard people talk about big government versus little government. Government has grown as a bureaucracy because it is having to provide infrastructure to chase after fewer dollars. That is the simple economics. So, where does it manifest itself? You have taxi drivers queued up in great numbers in the East End at the airport and in the West End at Dockyard, and tourists bottlenecked going between Dockyard and Horseshoe Bay, instead of having it spread across the Island in the way it used to be with hotel beds.

Let us look at what happened when we went from having hotel beds to fewer hotel beds. Bermudians participated in the hotel bed counts as well, because up and down the Gold Coast—and for those of us that came from the West End that grew up in the West End, the Gold Coast was Cole's country—the Honourable Member Cole Simons's country down in Warwick, up in Southampton, where there were numbers of guest houses. Remember them? People would stay in a hotel, meet somebody nice at the beach, and they would say, *Where are you staying? Oh, I am down at the Beljare in Warwick*. Beljare does not operate as I gather, *I was down at Pink Sands*, or something like that, a similar name to Pink Beach, all up and down there.

But when Mr. and Mrs. Bermuda, Mom and Pop, found that they could then take long leases out

to the international company businesses, they started moving and getting long leases and renting their houses out one by one to get that type of guaranteed income to accommodate the type of mortgages, the balloon, the five-year mortgage. You were not getting these 25-, 20-, 30-year mortgages then. You were getting five-year loans with balloons up to eight years, and Bermudians were paying off their houses in short order. So we were progressing. We were progressing as a country, and there was a growing middle class. But the middle class moved to where a more guaranteed income was available to them. We have to look at this country's economic development more comprehensively to appreciate people move to where the money is. Today people are a lot more frustrated because there is no money in the country the way it used to be. There are not the jobs to go along with it.

So, what we have had and why the argument for a tourism authority, and why I am so disappointed at this Minister coming here today—disappointed I am, Minister, because of all Cabinet Ministers, of all Cabinet Ministers over the past 13 years, you of all would understand why a tourism authority was thought best in 1998.

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: Because—no, but he is just one of twelve. But certainly, certainly, certainly, he could have a little bit more empathy for the need for this tourism authority. Because the country is failing in this regard, Mr. Acting Speaker! We need to get Bermudians working again, and we need to get the private sector's mindset engaged in tourism! That is the difference between a tourism authority.

We need to allow the Government to become more of a regulatory and facilitator of tourism, not the driving force. The opportunity—and the Honourable Premier would remember this statement that I made during the transition time. It would have been about a year and a half ago when the Tourism Minister, the longest-serving Tourism Minister under the Progressive Labour Party Government, who was formerly the Transport Minister and then combined with Tourism, Dr. Brown, the former Premier. The Honourable Dr. Brown, the former Member, was a great salesman! But the problem of his salesmanship was that he sold us on a bill of goods and we bought into it, but he was not able to sell it to the people overseas to come here in great numbers. History will certainly record that, because we did not get the numbers of tourists coming to Bermuda on air and on land.

The Honourable Member was able to sell us on the fact that we were going to get hotels in St. George's. We were going to get all these hotels built up and down the Island. And it has not materialised. That is the greatest tragedy for us, because that type of passion and ability needed to be channelled through a tourism authority that can convince visitors

to come here, not on cruise ships in those greater numbers, but on air! And, Mr. Acting Speaker, we need to find ways to encourage Mr. and Mrs. Bermuda to get back into the hotel business. Now it is the flip side of what took place back when the Beljare and the other guest houses of this country moved towards condominiums, and we have had guest houses convert to condominiums in great numbers. We need to encourage our people to look at those opportunities flipping back.

Mr. Acting Speaker, by virtue of putting this topic out there, I know that there are *quietly* a number of local homes that advertise internationally, to say, *Listen. Why don't you come and stay here? You can get long-term rentals.* But the difference in that and being able for a tourist who comes on a cruise ship to be able to see, *This is Blue Horizon's Guest House, or This is Mr. and Mrs. Bed and Breakfast* is that it is not visible, not only to our visitors, but also to Bermudians, that we have these guest houses out there. So we need to make that transition as well in the interest of getting more beds.

Now, Mr. Acting Speaker, let me start with regard to the Report, as it said, to new development. I think that is critical. I agree. We need new development. I know of a group in St. George's. The Minister did not mention this group. He mentioned Park Hyatt, which we came to a special sitting of this House . . . Was it 2010? No. Was it 2009? No, or was it 2008? I think it was 2008. We came back in September, after Cup Match, for a special sitting to allocate to a developer—not only the former Club Med hotel—and I agree with the implosion that took place. It certainly made the land more attractive. But also, many did not know that the entire golf course was going to be . . . that the clubhouse was also going to be knocked down, and then the golf course was not going to function in the interim period.

For a community like St. George's, Mr. Acting Speaker, that is mentioned in this Report as critical, it is not good enough to have a golf course there—designed by one of the most reputable golf course designers in the world—looking like a cow pasture and calling itself open when it is truly not of the standard to be open. But could be made back into the standard and could plug into the Minister's own plan to market golf and market rounds and be used as what we call in the industry "a loss leader" to be able to sell as a hotel product and a great training facility, with training and training academies and sports tourism throughout the gambit is one of the big hot buttons.

If you want to find a hot button, look at the amount of academies that exist around the world for developing young people. And not only for golf, that is one facility that could be used as a world-class training academy and appeal to persons in Europe and Germany and Sweden and through the European tour, and areas like that would appreciate, but also

sailing. St. George's in particular is one of the best. I mean, we produce some of the best sailors in this country—when it comes to comets, the number one, Mr. Stevie Dickinson. When you can navigate that cut, you know what you are doing.

I would venture to say that some of these young sailors in Germany and the like, with their parents that have the disposable income, would use Bermuda as a winter destination. Why did the Minister not come here today and talk about the Leading Edge development for the George Hotel and Marina that only needs, Mr. Acting Speaker—only needs the right impetus to encourage people to invest in it? I had an aspiring young man make a suggestion that maybe we could help float a bond to do these types of things. This is the type of mindset that comes out of the private sector, Mr. Acting Speaker. I am not disrespectful to the civil servants that work in tourism. I respect them. But they do not think like the private sector does when it comes to business, Mr. Acting Speaker. They have to make decisions on a dime. They have to make decisions that are relevant today in order to capitalise and make a dollar! And Government make decisions that are going to get them elected.

Mr. Acting Speaker, in 1998, when Mr. Dodwell and his Cabinet Ministers—he was only one, but he was able to convince his Cabinet colleagues that a tourism authority was the way to go, other countries who were at the top of the food chain looked back and said, *Hey, Aruba is coming. This country over here is not even in tourism, and they are coming to us, looking.* You know what that country was, Mr. Acting Speaker? That country was Hawaii. And Hawaii implemented a tourism authority! Hawaii was the Bermuda of the Pacific, and Bermuda was the Hawaii of the Atlantic, the number one in tourism. The difference in tourism between Bermuda and Hawaii was a tourism authority that was implemented in 1998 and a tourism authority that was not implemented in 2012.

But the tragedy is that the Minister of Tourism today who bought into a tourism authority, would come here today and suggest that, *I am going to give my Board a little bit more authority.* What that is telling me is that I want the same mindset of bureaucracy, to permeate in tourism and just to give the appearance that I am giving. We cannot do that because it is not working. It did not work under Dr. Brown.

Mr. Acting Speaker, let me say this. Mr. Dodwell was not the only Minister of Tourism to come to this Honourable House or to this Parliament and to this country and suggest that a tourism authority was the way to go. Former Tourism Minister, Ms. Renee Webb, also advocated the tourism authority during her tenure, before her tenure ended. Mr. Acting Speaker, I believe that may have been 2006, maybe. I remember attending the meeting down at the Number One Shed when it was there.

So, Mr. Acting Speaker, we are wasting valuable time, because the Minister and his Cabinet col-

leagues have been given the opportunity to implement a tourism authority, have been given it, as the Honourable Member said, by Bermuda First, of which we in the United Bermuda Party and Members of the Opposition participated in, came up with the same conclusion in a 2009 report. It has come forward again. But, Mr. Acting Speaker, let me go back to 1998 a minute because in 1998, when the Government advocated a tourism authority, there was buy-in from the Bermuda International Business Association. I believe Mr. Titterton was the Chairman of that organisation then. It got buy-in from the Bermuda Hotel Association.

One of the tragedies in my years in the legislature, being in another place for nine and up here for four, Mr. Acting Speaker, is that during that period the industry went silent on the need for a tourism authority. So, Government cannot take all the blame because the industry . . . But I can tell you, those of us who really believed in a tourism authority, Mr. Acting Speaker (and you will know), have never stopped shouting from the rooftops that it is necessary for this country to change its mindset.

Because of the recession, the country is at a state where it needs to empower Government less and the private industry more, because the private industries are the ones that are going to create more taxes. They are the ones that are best equipped to employ people across this country. They are the ones, Mr. Acting Speaker! When we turn it over to a tourism authority, over to the private sector, persons that tie into that industry, you know, Government ties into it. The utilities company, services providers tie into it. They are all feeling the effects of how the diminishing returns, how their profit line is reducing. They are having to lay off people. We have general managers of hotels driving their buses to make sure they can get through the winter. It is true!

Mr. Acting Speaker, it is beyond trying to convince the Government that a tourism authority is necessary yesterday. Government, please! On this one, you need to get out of your own way. I am begging you! I am, I really am. You cannot come here and say—and you said it. You said, *We have got to work together.* You said it in your opening statement, *We have got to work together* and rescue those who sit on other benches that call for a tourism authority, which is the ultimate vehicle, Minister, to get us to stand up! It is! You cannot . . . Minister, with all due respect, you cannot go around globetrotting, seeing people! Private sector folk need to go there! People in the industry need to be there, empowered.

They said, *Minister, we are going to be here. I think your presence would greatly enhance what we are doing.* You know, I am going to name a company that is doing something in tourism today, and this country needs to look at their model. I declare my interest. I worked for this company once about seven years ago. I worked for Gosling's Ltd. as a marketing

manager. Gosling's Ltd. re-invented itself somewhat and created an export international company. Mr. Malcolm Gosling spends a lot of time overseas. He is in markets around this world, where Bermuda needs to be. We are selling a Bermuda product, Mr. Acting Speaker, as you would know, in selling a Bermuda product that has the Bermuda flavour, in the core markets where people know Bermuda and telling the people about Bermuda. It is a natural synergy.

You may show up, the Minister might show up at Newport, Rhode Island, Mr. Acting Speaker, where a number of potential clients are. They are all up and down the Eastern Seaboard. Government should not be there! Those of us in the private industry, golf pros, tennis pros, sports people that are in water sports, partnering with hoteliers, guest house owners that will come back to the Island in greater abundance—those are the people that will help this country and will do the Government a favour! Because if you are looking for a political angle, let me give that to you, too, okay? The day you wake up and empower the private sector is the day you make a friend out of business. That is an opportunity for you, if you are looking for a political angle. It is an opportunity to empower, to truly empower, not to just have the private sector come along as a, *Oh, here, here's a little bit more authority. But at the end of the day . . .*

Because that is why, during critical periods when industry should be standing up, it does not because it does not want to offend the Government. But that is not what and how an industry should work! It should be driven—

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: No. I have an hour. I do. I am the first speaker. I am the first speaker of the United Bermuda Party. Yes, I get an hour. Thank you.

Mr. Acting Speaker, I just want to . . . I feel it necessary to speak even more specifically to the immediate time frame of implementation thought necessary by these honourable members of the Tourism Board. They highlighted some immediate recommendations—transport. I believe I have touched on how the bottleneck of transport is being impacted.

Let me say this, Mr. Acting Speaker. I am pleased to hear that the Minister made some announcements about greater service of ferries to the East End. I know that East End merchants certainly will be pleased to hear that type of consideration being offered by the Transport Minister, because of the absence of cruise ships in the East End, the only way to get the tourists to St. George's quicker is to have a direct service. The ferry is definitely one opportunity, and having a later ferry and a later direct bus that goes straight along up to Dockyard, centred around maybe the time of the departure of the ship so that a person that maybe wants to make the most of their

visit can get back to Dockyard in a reasonable time so that they do not miss their ship.

Improving night service—Mr. Acting Speaker, I know you would appreciate, being one that travels a lot to metropolitan areas, with persons that like to go out and party, there is a local element to this as well. Greater transportation provision for visitors would encourage them to be out at night.

These are the immediate—the immediate time frame implementations that the Minister's Tourism Board came forward with. We touched on new developments and, of course, I declared my interest. We need some of that new development in St. George's. I encouraged the Minister of Tourism—and I am sure he has conversations with the Mayor and the representatives in that area—to look at the development of the marina, because for persons to . . . Long before Dockyard became a marina, Minister, St. George's was the premier area where folks came to in this country, and the World Heritage Site is listed here in the opening of the Report. Certainly, I declare my interests and felt it necessary to touch on that.

Well, certainly, Mr. Acting Speaker, in the immediate term was the tourism authority, and the board recommended, in the immediate term, that a tourism authority must be more than advisory. And then it said, "Short-term statutory provisions for the Board, giving the Board authority." Now, I thought, Mr. Acting Speaker, when the Minister had announced that we were going to debate this, I thought he would have a brief that laid out, gave us a little bit of an appetiser as to the type of regulatory authority-type of legislation that might be coming around Budget time. But I am taking this opportunity today to maybe invite the Minister between now and Budget, and maybe when we get into Committee of Supply, surprise us, Minister, with some legislation that empowers the Tourism Board, as they had recommended to you.

Because not only was the tourism authority mentioned in the short term, but because your Board, like the Board in 1998 was also looking longer term, the Board also had tourism authority in the longer term, because they said within two years on a longer term, you need, Minister, Honourable Member, to create a tourism authority. I kind of get the feeling that they were thinking about the tourism authority that you had in mind in 1998. I do not think they had in mind what you suggested here today. But I leave it up to you. Maybe you can get back with them. I do not know. I do not see any of them here. But I would invite, if they are in earshot, I would suggest that you get with your Board and find out exactly what model they had in mind, so that between now and April 1st, maybe we might be moving on that there then. All right?

Then, long-term, they said they needed implementation. But they gave you some steps. This plan, this plan, if to be treated differently from the task force of 1997, Mr. Acting Speaker, if it is to be treated

differently from the Monitor Report that the Progressive Labour Party walked into in 1999, if it is to be treated differently from the Edinburgh Report that the Progressive Labour Party had and Minister Webb suggested that she was very disappointed that the Government had moved away from—moved away from, ignored . . . Then the Minister was no longer . . . Then we had the platinum period, remember? Do you remember the platinum period, with more press releases than ever? Remember? And all those wonderful showpieces down on the Cabinet lawn? I used to look out my office and say, *What is going on today? Are they going to announce the election? No, another . . .* You know what? The hoteliers were right there.

I remember sitting in another place, down at the Senate one time, the other place, Mr. Acting Speaker, and remember shaking the hand of Michael Douglas! Michael Douglas came up to the Senate. He came up there, and a former general manager, and they had an announcement. I believe it was Hilton, Ariel Sands. You and I did a lot of good work bringing tourists to Ariel Sands. Remember those days? It was a wonderful announcement, looked good, met Michael Douglas. No results! Where's the beef? That is the problem!

Mr. Acting Speaker, where we need to go is that we need to put . . . You know what? It is funny, but it is not funny anymore, because today Bermudians are out of work. Today . . . I encourage persons with regards to the opportunities to take a job that would give you an honest day's, honest week's wage for good work, even if it is below you. I have been working as a plumber on some occasions. I want to encourage Bermudians, whether or not it is going into the hotel industry, whether or not even to go into the hospitality industry and washing pots. It is not going to be forever, Mr. Acting Speaker. But that is what we are going to have to do.

We are going to have to retool ourselves as people to accommodate the *what is*. You have heard, *It is what it is*, Mr. Acting Speaker? Well, what it is is that we do not have any business. Government is not in the business of business! You cannot get any taxes unless you have some businesses to tax. You cannot tax any people unless they have some jobs. The best people equipped to develop business are people with an entrepreneurial mindset. The Honourable Member, Mr. De Silva, right, a very successful businessman in his own right—we grew up as boys together running around—he has an entrepreneurial mindset! You could have a person that went to more schools than he could ever dream of. But he could go on and figure out how what is going to translate into a profit.

We have to teach this country that businesses making a profit is not a dirty word, Mr. Acting Speaker! That is why we need the Government to buy into the entrepreneurial mindset that is required to drive a tourism authority. Government would not have to . . . Look. Seve Ballesteros used to tell us on the tour,

One per cent of what I make is more than 100 per cent of what you make, to the caddies. Hello! That is where we are as a country! We need to get business churning so that Government only has to figure out that it has a greater base to tax less!

It is country politics. But my granny understood it.

Mr. Acting Speaker, that is the mindset we need to empower in this country. And we have got them! The Government has them on their side, and we have them on our side. Mr. Swan, my colleague, my honourable colleague, the only one remaining on these benches is an entrepreneur. His family thinks like entrepreneurs. Mr. Acting Speaker, those are the type of mindsets that are going to empower people, that are going to employ local people. They might have to bring in some folks from overseas. But we have got to build up a model that is going to get this country working again. It is here within this Report, some of it.

But it is not good enough for the Government, another government administration, to ignore the same thing over and over again. No excuse! It is not an option. I am calling, Mr. Acting Speaker—I am getting a little radical in my day—I am calling on Bermudians to say, *You know what? I think this guy has been making a little bit of sense, and the time has come when a tourism authority needs to be implemented.* Tell their Government, tell our Government, PLP! You are the Government. You are my Government. Do what is right for this country. Empower the private sector.

Finally, Mr. Acting Speaker, another of the immediate . . . No, I take that back. It was not one of the immediate, it was in two years. It was in two years. The Tourism Board came to the conclusion that within two years the country needed to adopt gaming in Bermuda. It did not say, *Adopt a policy.* It did not say, *Consider.* It says they *recommended* that we needed to adopt gaming.

[Mrs. Patricia J. Gordon-Pamplin in the Chair (6:40 pm)]

Hon. Hubert (Kim) E. Swan: Let me say, Madam Acting Speaker, that when gaming came to this house two years ago, I and others voted against gaming for cruise ships. Why? For number one, it was unconstitutional to have gaming on one side of Front Street for cruise ships, and when our hotels are dying, for them not to have the similar consideration. I was not saying I was for it or against it in that regard. I was saying, you cannot give it over here and not at least consider it over there.

The decision not to support the gaming Bill for cruise ships was the right thing to do. It was also the right thing to do at that particular time because cruise ships compete against on-Island services. They compete against our hotels. They tax our infrastructure.

There are persons who say, *Well, you spend \$60–\$70 million for a cruise pier, you get it back in taxes.* But your infrastructure has to grow to accommodate a smaller pie, and as a consequence you get in the state where you are at where you can jump up and down and beat your chest and say, *But I have got the same amount of numbers, but I have got a smaller revenue stream as a consequence.* That is the reality.

I believe, as one who was in opposition to gaming, you cannot ignore the recommendations and just shy away from or put them aside. You have got to deal with them head-on. In that way, Madam Acting Speaker, I went out into my constituency and conducted a survey, as did my colleague the Honourable Member, Mr. Charles Swan, and asked the members of those communities and took a sampling of about 70 per cent of the streets, and about 10 per cent of the constituents in a small window of time on did they support gaming in Bermuda? Yes, no, or maybe?

I was astounded. I would go on the street. I would get . . . I said, *Man, it can't be! Let me go over by her, I might get a different result. Oh, no! Let me go over here and see if I got a . . .* Sixty-two per cent of the constituents that I surveyed said they support legislation to implement gaming in Bermuda. Twenty-two per cent said no, and 14 per cent said maybe.

Now, I would grant you that probably if we had done that type of survey two years ago, it probably would have been about 50/50. But I venture that the shift has been the state of the economy. I was duty bound to share that. Mr. Swan, the Honourable Member from Southampton West Central, also came in with similar survey statistics, and I believe the *Royal Gazette* and the *Bermuda Sun* came in with similar. I felt it my duty to share that, notwithstanding how I felt personally, to let this country know. Across the board, I looked at demographics as well. Young people, old people, different walks of life, different backgrounds, race, ethnicity were making up this particular consistency in the trend.

So, certainly the ringing theme in that was that the country is feeling a need to provide some more entertainment, because that came up. They were telling us that we want to make sure that there are the proper regulations in place. Some suggested that the profits could go to help seniors to reduce the health care costs. All these suggestions were coming back as we asked them about it. They said, *Listen.* They said, *I think the different reports have said that it is not going to be the magic bullet. But with it comes entertainment as well, and other things that hotels can market.*

But our hotels have been crying out for it as well. So it is incumbent upon the Government to look at what in fact the industry—the industry is crying out for.

Madam Acting Speaker, those are certainly the comments that I felt necessary to make today, and I take the opportunity to thank the Tourism Board—the

Tourism Board for feeling it not robbery to commit to carry out the Report. I hope that the Minister and his Cabinet colleagues in the weeks ahead leading up to this Budget take on seriously the immediate and long-term recommendations that have been brought forward out of this Report.

Thank you, Madam Acting Speaker.

The Acting Speaker: Thank you, Honourable Member, Mr. Kim Swan.

Does any other Honourable Member wish to speak to the Motion that this Honourable House take note of the Report entitled Establishing the Foundation for the National Tourism Plan: Strategic Imperatives Report—Volume 1 submitted by the Tourism Board?

The Chair recognises the Honourable Member, Mr. Randolph Horton, Member for constituency 32.

Mr. Horton, you have the floor.

Hon. K. H. Randolph Horton: Thank you very much, Madam Acting Speaker.

It gives me honour to be able to comment on this Motion, the Report regarding the establishing of the foundation for the National Tourism Plan.

Madam Acting Speaker, tourism is something that is very dear to my heart, apart from the fact that I like to travel. (I love to travel.) But also I will declare my interest. I am now working in the industry. I also have had several years in the industry, in fact, working with the Ministry of Tourism as a civil servant.

Madam Acting Speaker, just recently, I returned from a vacation in Hawaii on the Big Island, Kailua-Kona. What an experience it was! The one thing that ran through Hawaii was the fact that every single person that I came into contact with on that island, in my estimation, understood the value of tourism to that country. The kind of welcome that one got, no matter whether you were speaking to the doorman or whether it was the general manager of the hotel, whether it was the clerk in one of the stores downtown or whether it was a server in a restaurant out in the country, everyone was engaged and understood just what the value of tourism was to that country. It just came through to those of us who happened to be visitors in that country.

It just makes one think that . . . In fact, I fully believe that if Bermuda is going to get to the stage where it needs to be in regards to moving our tourism to the point where it becomes more of a value to our economy than it is today, then it means that we have to be getting more of our people, first of all, understanding and then being more involved in the industry. Certainly, I will speak to that when I look at some of the recommendations that have come out of the Report.

There is no question that tourism is in not a very good state. The state of tourism in Bermuda to-

day that the Minister, when he stood, certainly gave us the figures in terms of the number of visitors that come into our country compared to what was coming in, going back to even 1998 . . . Our numbers have been going down steadily. He also talked about why, in fact, that has certainly happened.

The one thing I believe, Madam Acting Speaker, is that there is no question in my mind that the model is broken. There is no question that the model is broken. Certainly, we have heard comments from speakers coming just before me, the Honourable Member, Mr. Crockwell, and the Honourable Member, Mr. Swan, who hit on salient points in regards to not only some of the challenges that we have, but also maybe some of the direction that we should take. So I think they were very valuable comments that came from those Honourable Members.

I would also like to point out, you know, that I sat on this Board. I was a member of the Tourism Board. I thank the honourable former Minister, Ms. Patrice Minors, for putting me on the Board. I should have been the Chairman of the Board. But I took the . . . You know, I sat on the backbench and was happy to make my input from that position.

The Acting Speaker: She had good powers of observation.

Hon. K. H. Randolph Horton: Absolutely.

It has been a valuable, valuable experience, and I thank her for allowing me to have that experience. Because I believe that the Board is made up of people who have a good feel for what tourism should be, as is explained in the division articulated in the Report that we are looking at.

You know what is even more interesting is that I was chairman of the . . . I became chairman of something. I was the chairman of the committee, a small committee that looked at the tourism authority. I can tell you from my experience in working in the Ministry of Tourism, going back when. One of the things that I always said, I said, *Why is the Government spending all this money on marketing and advertising? You are not getting the money, the level of money, from the private sector.* The hotels were living on the Government! They were living on the Government.

There was certainly . . . I always remember that. I would travel, and I would speak with colleagues who were in the Caribbean, in particular in Jamaica. And in Jamaica, when Sandals goes out and Sandals does the advertising for Jamaica, Butch Stewart! Butch Stewart is the man that does the buzzing. Down in the Bahamas, it is Paradise Island and the Atlantis. People come to those places because of them. They have put the money into bringing people into their country.

So what always struck me was, *Gee, you know. I was a part.* I used to go out . . . I used to work my butt off trying to get people—and got people—in. I

was very involved in getting business groups to come to this country. That always struck me as not being right. It needed to be a bit different.

This is where this tourism authority comes in. I believe in the tourism authority. I sat on that committee, and I believe that is the way we should go. But I think the bottom line . . . But the tourism authority should be funded by the private sector. This is where the funding certainly should come from. The majority of the funding, indeed, should come, with of course, support from the Government. Certainly, we can even in this regard maybe even look somewhat to the business model of the international business, where those companies really get out and get their business. This is what we need to see happening in the tourism industry.

So, I certainly support a move in that direction. Certainly, as we said in the committee, we were always mindful of the politics involved. I think that what happens is that some in politics would think, *Well, if you put a tourism authority in place, then the Government is not going to have much of a say.* Or certainly, if the Government is putting all the money in, then they should have much of the say. But then if we have an authority where the appropriate level of funding is coming from the private sector, then the Government will certainly be there to ensure that the proper regulations are in place and the appropriate policies in place, going forward. But I certainly think and certainly agree that that is the direction that we need to be looking at. When we . . . I do not think I need to say anymore on that.

If we are going to bring tourism back and make it an important part—and I totally disagree with Larry Burchall. It was Larry Burchall who, in his commentary, Larry Burchall is saying that, you know, *Tourism is dead. Tourism is dead.* No! Tourism is not dead. Tourism is alive. We are going to make it more alive. Because we are going to get more Bermudians back into the industry. Why is this so important? We sit right now in a country, when we look around, all of us here in this House, we walk downtown. When we walk downtown, how many of us can walk 100 yards without walking into someone who either needs a job, who wants to borrow five dollars, a dollar off you, or whatever? How many of can walk 100 yards through town without having somebody ask us that? I do not think. Those of us who walk through town? No way.

[Inaudible interjection]

Hon. K. H. Randolph Horton: Hey, that is right, two or three of them every 100 yards. That is the state we are in. My point is that tourism is the kind of industry which is labour intensive. It is a labour-intensive industry. The reason why so many of our people were happy, when we go back and we look at the quality of life and the satisfaction that people had living in our country during the days when tourism was strong, was

because everyone was involved and people were working.

So, when we strengthen tourism, we provide so many more opportunities for our young people and adults alike to find employment. Not everyone is going to be working in the international business arena. Not everyone is going to be a doctor or a lawyer. A lot of our people are great people who will do wonderful things in the hospitality industry, and we want to be able to provide opportunities for them. The only way we can do it is to improve. I think that if we shift the model, that will start to help us.

What is important as well, and when I think about it . . . and I know that it is happening in the schools. I know that young people are now talking about tourism in the schools. But certainly, I think that every single young person who goes to our school system, when they come out they should know what tourism is about, why tourism is important to our country.

The Board was also . . . When we looked at the whole question of on-Island communications, we looked at the fact that, you know what? What happens is that too many Bermudians . . . I think one of the speakers, the Minister, was talking about the fact that sometimes if someone—everyone should know what is going on in the country. I think it was the Honourable Member, Mr. Crockwell, who mentioned it. Everybody should know what is happening in the country. That means excellent online on-Island communications about everything that is happening in this country so that when a tourist walks up to a Bermudian, a Bermudian can direct them to where they need to go. That is right. And they should be able to experience it.

When I was growing up as a little boy in Somerset, I used to run. I could not tell them what was going on downtown. I could not tell them what was going on in town, maybe . . . until I started going to Berkeley, of course. But before I went to Berkeley, I could tell them about Dockyard, about Long Bay. I could tell them about the Fort Scour, that they needed to go up to Fort Scour and look around. We need our people involved. This is what the Board feels, that the on-Island communication is so important to ensuring that, developing, just improving really also across the Island the opportunities to know where to go in terms of (what do they call it?) improving the electronic services for our visitors, so that they will be able to easily find out where to go and when to go. We do not need people walking around lost. They should easily be able to find the attractions.

The other important aspect, if the industry is really going to go, has to do with the whole question of development. The Minister talked about that and the fact that the concern in regards to the cost of doing business in Bermuda, certainly the high cost of doing business in Bermuda sometimes makes it difficult for people considering investing here in Bermuda, particularly in the hospitality industry. But it is great when

we do have . . . Again, I declare my interests. When you have a company that decides that they are going to invest a significant number of dollars in their property, then it bodes well for the furtherance of our industry.

So, when we look at opportunities for development, I certainly . . . I always have to talk about Morgan's Point. Morgan's Point is in my constituency, and I cannot get up ever and not say this, because I want to see that place developed for the benefit of the people, not only the people there in the West End, but also for Bermuda. I am certainly looking forward to seeing a development in that area, which, again, I think is a great, great location. Something can be developed there that is the place that people will say they come to Bermuda for, like the Atlantis is out on Paradise Island. Right, Minister?

[Inaudible interjection]

Hon. K. H. Randolph Horton: That is right, absolutely. Good conch salad under the bridge with a little bit of squeezed lemon. Yes, yes, yes.

[Inaudible interjection and laughter]

Hon. K. H. Randolph Horton: So, certainly, I want to see that development.

The Minister in his presentation talked about sports marketing. Sports marketing is a multibillion dollar business that is just growing and growing and growing. I think that in Bermuda, Bermuda probably has the best . . . As a former athlete I can certainly say that the air in Bermuda and the conditions in Bermuda for training are absolutely fantastic. Once we are able to provide facilities to be able to have professional teams, et cetera, to come in to train . . . I believe there is a development in train or that is being considered for out at the West End, which would provide an opportunity for teams to come in and train and the like. This is all excellent in terms of regenerating energy in our product.

So, Madam Acting Speaker, I didn't want to take too long because I have been sitting in meetings discussing this for months now. I certainly value the comments that all Members make so that as we move forward as a Board, we will certainly be able to move forward with the suggestions and comments that come from Members of this House.

Thank you.

The Acting Speaker: Thank you, Honourable Member, Mr. Horton.

Does any other Honourable Member wish to speak to this matter at hand, on the establishing of the foundation for the National Tourism Plan?

The Chair recognises the Honourable P. K. Minors. Minister Minors from constituency 10, Minister of Business Development and Tourism *[sic]*.

Minister Minors, you have the floor.

Hon. Patrice K. Minors: Minister of Economy, Trade and Industry. It must be wrong on there if it does not say it.

[Laughter]

The Acting Speaker: My apologies. I am going by some outdated information in front of me.

Hon. Patrice K. Minors: Not a problem.

The Acting Speaker: Minister of Economy, Trade and Industry.

Minister Minors, you have the floor.

Hon. Patrice K. Minors: Thank you very much, Madam Acting Speaker.

It indeed is a pleasure to stand up and give my comments of support on the tabling of this Strategic Imperatives Report that was made last year and in particular the time that has been afforded us right now to debate the Motion that was put by the Honourable Member, Mr. Furbert.

What I thought would be my approach, Madam Acting Speaker, is to give a bit of history as to how we got to this point. As we may know, back in the spring, in particular April 2011, while I was the Minister responsible for Tourism, we decided to have a retreat at which many key players throughout the tourism industry were invited to come at a gathering at Hamilton Princess, which served as a medium for the sharing of ideas, and there was a wealth of dialogue. Lots of notes were taken, and there was the presence of a notable tourism aficionado, whose name escapes me right now, but who was there and basically conducted this retreat.

Coming out of it were quite some strategic hot items that were brought to the fore that spoke to a number of concerns for which those that were present felt needed to be addressed, that covered the areas of immigration, the visitors' stay, many of the items that are captured in this document.

Once this document was prepared, and my thinking at that time was that surely we can go straight into the mode of developing a Plan. That was my thinking, and that was what was articulated on numerous occasions, as the Honourable Member, Mr. Crockwell, said, that there were times given for when it was determined that a Plan would be ready. But much to my frustration, and now I look back and I see the value of the wisdom that was communicated by the Chairman and the Deputy Chair, that being Mr. Butterfield and Mr. Ingham, in which it was felt that it was in need of having an interim document. This is a form of such a document, that being the Strategic Imperatives Report, where it was felt that there was a need to engage in a consultative process whereby

focus groups were to be held with various sectors of the community for the purpose of establishing a foundation, a document that would thereafter be handed to whomever was determined to be the preparers of the National Tourism Plan such that it had already embraced input from various key sections.

I was torn because I felt that, *well, why cannot we get to the Plan right away?* But as I thought and had the continued discussions with the Chair and Deputy Chair, I got an appreciation as to what the Board was seeking to accomplish. And here we have before us this document.

I think this is and was the best move to make, and I just see it here. The people that I spoke of that facilitated the Plan that had a significant role in getting us through that (I am sorry), through the retreat, getting us through that process was Dr. Peter Yesawich and Dr. Janet Ferguson, who also, I would add, was the individual who facilitated most of the focus groups that were held. She was assisted by members of the Board.

So, to come up with and arrive at this document is significant, because what it does is provide us with . . . If in the Plan we go straight to the back pages where we see that the recommendations are broken up into three sections, things that needed to be done immediately, things that they saw that could be done in two years, and others that they can see to be done in long term. It was deemed that to do this document, we needed to continue to address the functionality of tourism and doing the things we have to do to encourage and continue to have it functioning. Hence, you will see here that there are things that they listed as being things that we could do immediately.

Obviously, we all know that there were challenges pertaining to transport. It is my understanding that the Minister of Transport has worked quite feverishly in meeting with the various partners with regards to the upcoming season in transport, the bus drivers, the taxi drivers, the mini-bus drivers and the ferries to make sure that the challenges that were had in the past will not repeat themselves in the season coming up. So, all the recommendations that are listed here as hot-button items under Transportation were considered as needing immediate addressing. Hence, that is being attended to.

Then there were the needs to address the immediacy of marketing. We could not just, as was intimated . . . We need to have this Plan before we can . . . We need to have the contract entered into with regards to the marketing of Bermuda before we can have the Plan, so we know what vision comes out of this, and make sure they are incorporated. The Minister made the decision; we needed to continue with marketing. We could not just wait until we had the final Plan to get to that. I am confident that the engagement of our New York office, and with the support of the Bermuda office, that we are doing just that to continue those lines of communication pertaining to en-

couraging the visitors to come to our Island. The Minister is experiencing the fast pace of meeting with the various key persons overseas in order to do just that.

What I would like to concentrate on is something that the Honourable Member, the Deputy Speaker, Mr. Horton spoke to, and that is the on-Island communication, also service standards and Bermudian heritage and culture. It is important, Madam Acting Speaker, that we need to make sure that when our visitor hits our shores, that they are experiencing the hospitable nature of people and that they are getting the quality of service that they are deserving of. That has been a concern; it is no secret that it has been a concern pertaining to our ability to provide that.

I think captured in the recommendations of immediacy under Service Standards has been the repeated call that we needed to up our game. We need to really make sure that we are providing the service at the doorstep. That goes from the minute that the person enters our border patrol, to the minute they get in the taxi, to the minute they arrive at the hotel, to the service that they are provided by the chambermaid. The whole nine yards needs to be embraced and needs to be elevated.

I was most supportive—and I believe the Minister is as well—of the campaign to get us to that point, which is to not just concentrate on our campaign overseas, but we need to concentrate on our campaign locally in instilling in our Bermudians the importance of hospitality, the importance of the tourism industry, the importance of being proud of who you are in our tourist industry. Hence, the opportunity that exists pertaining to a *Proud to be Bermudian* campaign.

I recall several months ago when the song just came out, that the writer of the song, Mr. Woolridge, had expressed an interest, and that was really the impetus of him having come up with the song, feeling that we really needed Bermudians to embrace who we are. I feel that is a very great opportunity for us to pursue that and use that locally. Who knows whether that can transition into something that can be used externally. But that would be for the Plan to flesh out, as well, as I am sure the persons who have been charged with preparing this Plan will have some input and give their critique on what our brand should be. What is it that we should be doing to encourage the visitors to Bermuda?

So, it is important that we help Bermudians rediscover the importance of tourism. I was at a town hall meeting the other day, and this person who spoke spoke quite negatively pertaining to tourism and how it is not attractive anymore to our young people. I spoke afterwards. I said, *That is the problem. We continue to speak negatively about the industry. We are not going to be encouraging our young people to enter into it. Accepting the fact that not every young person is meant to go and do international business, is to go*

and become a doctor. The career of working in the hospitality industry can be just as rewarding as working in any other industry. It is how you promote it to our young persons.

The Honourable Member spoke about it being introduced early in schools, and that is happening with the establishment and existence (I should say) of a Bermuda Hospitality Institute [BHI]. That is their role, to go into the school system and promote hospitality early, not waiting until they are into the senior schools, but going into the middle schools. I am encouraged that some teachers have even taken the initiative to introduce it in the primary school. Actually, the BHI has on an occasion—I think on an annual basis—is going into the primary schools to promote it as well. That is when we really need to instill in our young people that tourism has a major part to play in our economy, in the provision of jobs for our young people and for those that seek something different. A career in hospitality is one that can be most rewarding.

I myself actually had a desire to study hotel management when I went away to university. But that was a time when many of us in my era were encouraged to go into international business. *This is what you should be doing. Study insurance.* So, that desire was replaced with studying insurance, which I never even got into, having completed the degree and coming back where the insurance had taken a bit of a dip, and finding yourself stuck and working in a profession that society has directed you to work in. But I believe there are many out there like myself who would have easily found themselves working in hospitality if they had been encouraged and made to feel that this was a career that could have been extremely successful to them.

[Hon. K. H. Randolph Horton in the Chair (7:20 pm)]

Hon. Patrice K. Minors: Our Bermudian heritage and culture: We have heard repeatedly even Bermudians claim this that, *What is our culture? What is unique about Bermuda?* I think, with all due respect—and this is something I realised as the Minister responsible for Tourism—we had not as the Tourism Department part of the Ministry really embraced our culture and promoted it as such as best as we could. This was really hit home when I attended the African Diaspora Heritage Trail Conference that was held in Nova Scotia, where we had the presence of representatives from the Department of Community and Culture, who . . . It really was made clear to me that they needed to be—we as tourism and community and culture needed to be working much closer together to really develop that cultural aspect of our tourism product.

This is also something that I have heard coming from the various key persons in the town of St. George's, who have a wealth to offer—the Heritage World Site. I think, and I am sure the Minister will concur, that our ability to promote that on a global stage

needs to be embraced. Obviously, there are financial constraints that may make that a challenge right now. But there are so many opportunities within culture and Bermudian heritage that we can really explore to great levels. I am sure that in the final document that we will see that will be our Tourism Plan, it will be quite clear. It will be set out quite clearly what it is that we need to do, and we will do, in order to really make our tourism product one that is the envy of many of our—of the world.

Now, pertaining to cruise ships, I have here the short-term goal, or the immediate goal was to put a cap on the cruise ship arrivals. I am greatly supportive of that because I believe that we really need to make sure at least immediately that we are able to manage the numbers that approach our shores. While it has here that we are to maintain our present airlift, I am encouraged as we go forward that we will engage greater communication and continued communication with other airlines to draw more people coming from the markets that have not been tapped, the markets of the BRIC countries, as they say—Brazil and China and the like—where we can get some more influx of people who have the money to spend on travel and also to spend once they arrive to the Island.

Looking at the within the two-year section of this Strategic Imperatives document, where they go into a bit more detail talking about the things that we need to do, obviously, new developments is an area that is most important for . . . If we are looking to encourage the numbers of visitors to the Islands, we need to have beds for them to rest their heads. I am sure in due course the Minister will be sharing more information pertaining to what is happening, pertaining to those beds being realised. I accept that it has been a long journey getting to that point, but the thing to do is to remain hopeful and recognising that this is a challenge not just realised by Bermuda. This is a challenge that is realised by many a tourism destination challenged to have the capital influx into their countries to afford them the opportunity to build these hotels that give them the extra beds that they need.

Unfortunately, some jobs are started and then the capital dries up and they are not completed. I think the time that we are taking is important, to make sure that whoever does make that contribution, that capital injection into a project, is successful and moves from start to end, where we actually have a premise and a facility and we are not having the experience, as in some islands, whereby the government has to come in and complete a project that was started from the private sector. So it is a long process, but I am confident that we will get there, where we will meet with success at the end.

Once again, just looking at the Service Standards, this needs to be repeatedly highlighted. It was a comment made, that I recall being made when I was Minister, talking about there being a code of etiquette that is accepted across the board of all hotels so that .

. . . and understanding that each hotel has a different brand and a different expectation. Now, with Rosewood, there is a Rosewood brand that should be upheld by the staff, and I think that they are doing just that. Obviously, for the Fairmont, they have the same thing. But it does not mean that all the other hotels should not be operating at a high level of standard, at a level that is an acceptable level regardless of what class of hotel they are. They should still be giving a good level of service and being hospitable to the customers and the visitors as they enter their facilities.

Marketing, I have touched on that. On long-term—and this is something that I really feel strongly about, and someday we would be possibly attractive to some capital developer that will see the need to and see the benefit of setting up a convention centre in Bermuda. *Where?* might be the question, but the fact is that we do need one, one in which it will afford us the opportunity to host events that are not just left to be at the larger hotel which has a capacity to have those numbers, but at a central—at another separate location whereby all hotels will have the opportunity to benefit from the visitors that come. A facility that can have the ability to convert, not just from a conference centre—to somewhere where concerts can be held, somewhere where expos can be held . . . I think it is important that we have that type of facility that will add significant value to our overall tourism product.

While this is long term, it does have some viability along with the concept of medical tourism, which one will accept may be a longer ways away, but understanding that the Bermuda Hospitals Board has already dipped into it a little bit with the medical procedures that are afforded here that are of a medical nature and, hence, the numbers that have come have made a contribution to tourism.

So, while there have been calls for an immediacy of a National Tourism Plan, I believe that the process that has been taken and suggested by the Tourism Board and taken on by the Minister is a process that will bear its fruit at the end of the day, one that will result in us have a strong, solid document that will meet the needs of our Bermuda tourism product in the next 10 years. I have had the opportunity to meet with the company who has been charged with the preparation of this document, a company that has its base in Spain, but has a worldwide reputation of rendering the service to many a tourist destination. Based on the questions that were asked of me, I am very convinced that what will be the final product will be one that the Minister and Bermuda are proud of.

But what is important . . . I am confident that this will be carried out, that it will not be a Plan that will sit on the shelf, Mr. Acting Speaker, but one where the implementation of it will be realised in short order, which is most important. I congratulate the Minister for progressing this through, because as has been said in the past, sometimes when Ministers change, plans somehow get pushed to the side. But the vision has

been caught by the Minister, and we see this going through to fruition. I am sure that it will meet with success.

Thank you, Mr. Acting Speaker.

The Acting Speaker: I will take the Honourable Member, Mrs. Gordon-Pamplin.

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Acting Speaker.

Mr. Acting Speaker, let me just say, as I contribute to the debate on establishing the foundation for the National Tourism Plan, that we on this side try very hard to support the Government in their initiatives that we see have long-term lasting effect for the people of Bermuda. Clearly, a well-established Tourism Plan and the execution thereof would fall within that category.

But I can tell you that to hear the Minister's presentation today, I have to say I was a little disappointed, the reason being that on Wednesday night, there was a town hall meeting at Francis Patton School. I had the opportunity, as I was just arriving back on the flight from Miami, decided that I would stop in to hear what was being said. It was a town hall meeting, a public meeting, and I feel as part of the public, notwithstanding a Member of Government, a Member of Parliament on the opposite side of the aisle, I thought it was important to show, first of all, support for what the Government attempts to do, and to find out what the Government is suggesting, so that I know how to approach my constituents and the country at large, from our perspective of Opposition.

Well, when I heard the Minister say, on the request of somebody who asked about the slashing of the tourism budget, and he said, *I have got so many wonderful ideas*. He said, *As a matter of fact, I don't even think that you all are ready to be able to hear everything I have to tell you*. So, when I heard that we were going to be debating this Plan today, I thought I was going to be hearing some really wonderful, innovative and exciting ideas that the Minister was going to advance with the prospect of knowing that we are going to—you know, we need to have this Tourism Plan. I really expected that we were going to be hearing something really, really exciting that was going to come out of it, given that there was so much hot information that the people in this town hall were unable to receive it. It was just too much for them to be able to receive.

Having heard that, I thought, *Well, never mind. We are going to get it today*. But what we are getting today . . . there was no riveting revelation. There was a very slow step by step by the Minister, who seemed to be able to support the fact that the Board that was actually created by the former Minister a year ago January and we are now 13 months later debating the Plan, the foundation that is going to form the Plan. Now, that, to me, says that we are missing

something. There is a slip between the cup and the lip. Because to my mind, one must first of all have a vision.

A vision is an overarching plan. I do believe that when the former Minister established this Tourism Board a year ago, I thought that that was the intent. Because when I looked at the makeup of the initial Board that that Honourable Minister pulled together and embodied, I thought, *Wow, this is innovative. It is different, and it is bold*. Because it incorporated people from all walks of life that, in the overall scheme of things, one may have questioned the mix: *Are you really suggesting that these people can work effectively together for the better good of Bermuda?* I believe that the Minister recognised that.

Well, it was in very short order that the person who could have been the game changer was summarily dismissed. For what purpose? I will never know, because I do not believe that the country was ever given an explanation. Not that the Minister had to explain, but once we found that the wheels had slowly almost ground to a halt, such that what was considered to be the availability of a plan by the middle of the year that could have been implemented in order to have a profound impact on 2012 tourism was not to be.

Here we are in 2012 being told by the Minister now that we will perhaps have a plan by April. Now, April plan—and notwithstanding there are little bits and pieces in between—we cannot . . . If you do not have an overarching vision, you cannot be successful if all you are doing is to react to the few little things that come in front of you. You have got to be able to show that there is a big picture and these small steps are getting towards the big picture, not making small steps and then wonder, *What is the picture? What is the vision?* Because what we have seen today, from the Minister's presentation, we do not see that vision.

When we heard somewhere in November, or thereabouts, that we had brought on a company in Europe called Publicasity (I believe was the name), and that this Publicasity was going to be marketing Bermuda . . . they spoke to how excited they were to have the opportunity to market Bermuda. Well, of course! Any company who is going to be able to put another client on their books and have more revenue from their fees for putting a client on their books, they are going to be excited. The question begs, *What is it that they are going to be marketing if we ourselves do not have the overall concept in place for them to see what they ought to be doing?*

When one looks at Hawaii (and the Honourable Member Kim Swan mentioned it earlier), it is a model. I did have a period of time during which I was responsible on this side as Shadow Minister of Tourism, and I studied the Hawaiian model and looked at the similarities between where Hawaii was at in 1998 and where Bermuda was at that point in time, the time when Hawaii elected to implement a tourism authority.

Now, we heard the Minister tonight say, *Oh, well, you know, the tourism authority, we are going to give more authority to the Board.* That might be well and good, because that is the Minister's myopic vision. But the Board itself is saying, *We are not looking for more authority; we are looking for the implementation of a separate entity.* They have not said in their Plan how they foresee this entity working. But they recognise that if a place like Hawaii can take a tourism authority . . . if you go on the website for Hawaii tourism, you will know what Hawaii is planning for the next 20 years. We do not know what we are doing from now until April! That cannot bode well for the development of tourism in our jurisdiction.

I have to tell you, Mr. Acting Speaker, that very recently I had the occasion to visit Antigua on a flight out of Miami into Antigua. Antigua is a wonderful Caribbean country, but it pales in comparison to what it has to offer in its infrastructure compared to Bermuda. I can tell you, there was not a seat to be had on the flight from Miami to Antigua. Conversely, two weekends ago I returned from a visit to the Caribbean on a cruise. I came back. There were 40 people in the back of the plane from Miami to Bermuda, such that I was able to have an entire row to myself, throw my arms up and lay off and go to sleep! The same thing happened two days ago when I returned, Miami to Bermuda, there were about 60 people in the back of the plane, all the elbow room that you could possibly want.

The question has to be, *What is different between what they are offering and how they are able to embrace people, and why is it that the numbers of air arrivals in the Caribbean are growing exponentially, and the numbers for Bermuda, we are struggling?* Yes, we did hear a 3 per cent uptick in the number of arrivals. But 3 per cent, as the Honourable Member indicated, on the worst year possible that we had last year, the lowest number of air arrivals ever, certainly is nothing to blow one's horn concerning.

What we have seen over time is that when the air arrival numbers are down, it impacts significantly the economy. Air arrivals, it is known, spend 12 times the amount of cruise ship arrivals. Now, I cannot suggest for a moment that we ought not to have cruise ship arrivals. What I can suggest is that the balance has to be effective such that we have to get some revenue. I think the Government has taken the attitude that we cannot get air arrivals; we might as well get some revenue from somewhere. We are therefore flooding the market such that the Board has determined that they would like to see a cap on the number of cruise arrivals, and for the Government in its marketing to concentrate on air arrivals because it is the air arrivals that support the local industry in terms of jobs. If there are no people occupying the hotels, we are not going to have an effective contribution to the economy. People are not going to be able to have

jobs, and it is going to be an all-around negative experience.

The one thing I did hear from the Honourable Minister on Wednesday night was that, *I am not going to look back,* he said, *because I think it is more important for us to move forward and work together.* But within the same breath he said, *In 1980, we had "X" number of tourists and we had a 28 per cent decline by 1998, the year that was significant, and from 1998 to 2010 we have had a decline of 27 per cent.* So what he is saying is that, *Notwithstanding a total decline of 55 per cent, 28 per cent belonged to those guys, and only 27 per cent of the decline belongs to us.* That is what he was saying, without saying those specific words.

But, Mr. Acting Speaker, the Minister ought to realise that any decline does not bode well for us. We have to be able to determine how best to sell and market our product. We heard about on-Island communication. I think that one of the things that I have encouraged almost everybody I have ever seen or heard come to Bermuda to do is, *Take yourself a nice helmet dive.* I had the occasion to go on a helmet dive once, and I thought, *This was the most beautiful experience that I think I have ever had.* Now, a lot of people have not done that. But my sister-in-law who came one time and had the experience of a helmet dive said to me, *I did this helmet dive and my hair didn't even get wet.* And I'm thinking, like, *How did that work?* So of course, I did it more out of curiosity as to how you can be under water and your hair does not get wet. And she wears glasses, and she said, *My glasses—I'm fine with my glasses.* I am thinking, *What is going on?* So I wanted to see.

Obviously, if anybody knows how the bell helmet dive works, it works on the concept of an inverted helmet in which there is air that is pumped through it for you to be able to breathe while you are under water. It is a 90-pound weight, but once you get under water, the buoyancy of the salt and the water does not make you feel as though you are being weighed down. But it is the most beautiful experience. So, I think that people who have come to Bermuda subsequent to my sister-in-law coming are probably recommending maybe 15 or 20 people to do a helmet dive, that they may not otherwise have had that experience. So I take the point that in order to be able to market Bermuda, we have to first of all have the experience.

Now, we have heard, Mr. Acting Speaker, that this Board, in coming up with the National Tourism Plan that they will come up with, obviously are open to ideas. I think that when we did a debate just before the end of the last . . . Maybe it was the end of last summer we did a tourism debate. Actually, it had to have been . . . I first met this gentleman in August of last year. So somewhere perhaps maybe in November when we came back to the House we had a tourism debate or a debate on the subject of tourism. I am

losing a little bit in terms of the time frame, but it was . . . It may have been maybe the last session before we went down for the summer.

The Acting Speaker: It was the last session.

Mrs. Patricia J. Gordon-Pamplin: It was the last session before we went down for the summer.

I can say that some of the ideas that were advanced by someone who said that they had attempted to share these ideas with the then-Tourism Minister and they were unsuccessful in doing so and got this sort of attitude that said, *I know you may have good ideas, but stand in line to give them to me.* When that becomes the attitude of the person who is charged with developing our tourism and making sure that we infuse the people who are going to be selling Bermuda, if you get that negative kind of reaction from them, how then can we say to our young people, *Be enthusiastic about Bermuda?* If we do not see the enthusiasm emanating from the top, there is no way it can permeate the masses.

I think that in order to sell . . . Bermuda is a wonderful place! I can tell you, with the hotel in which I stayed this past few days, it was probably a two star. But the service was beyond belief. It did not matter that the bathtub, you looked at it and thought, *Well, should I really step in it, or should I put a mat down before I get in?* And the power of the water from the shower, it is like, you know, this really leaves a lot to be desired. You really did not think about that because of the level of service. You know, the fact that there were no washcloths in the room and you had to bathe with a hand towel—but that is okay, because the service that was offered, the smiling, friendly people who were there far surpassed any of the inconveniences that existed as the result of lack of amenities that might have been offered in the actual rooms themselves.

Now, Mr. Acting Speaker, we have heard about the transport aspect of it, and it is that to which I choose to speak for a few moments. That is that the Board recognised that transport is a major, a key ingredient of the success of the tourism industry. What we found is that, you know, one of the recommendations—and we have heard the Minister indicate and the Board suggest that we have got lots of taxis on the Island and mini-buses, and we are looking for water transport, and we will enhance our land transport with respect to our buses and the whole nine yards. But, Mr. Acting Speaker, how can we enhance the transport experience when we heard just this morning that 60 per cent of our buses are in operation? Sixty per cent! We have got 40 per cent down. That is 44 out of—or maybe 38 per cent—44 out of 120 buses are not operational because they cannot get fixed.

So, how can we suggest for a second that we are going to improve the transportation experience when we just do not have the infrastructure to do it?

We have suggested that we are relying on our taxi drivers to help to drive the industry. It is said that there are certain bottlenecks in terms of East and West End, and the use of the mini-buses would be the offset in terms of making life convenient and to have an integrated transport system is the key to moving passengers.

When you have a boat that comes in with 3,000 passengers, you do not want people standing on the docks for any inordinate length of time to wait for transportation, the majority of whom want to go from Dockyard, if they are coming in at Heritage Wharf, to Horseshoe Bay. You cannot stay on the wharf for that period of time. The situation is a little different in the Caribbean from the perspective that, having done this cruise, you come off the boat and there are taxis like—they are just there. Transportation is just there. The reason it is so robust is because, in those instances, lots of boats are pulling in at 7:00 in the morning or 8:00 in the morning, and they are leaving at 4:00 or 5:00 in the afternoon. So they know that they have to provide for their guests the quick turnaround that will enable them to have a maximum exposure in the islands in which they are.

Well, we have almost more of a luxury in that when boats come to Bermuda, they are invariably here for at least two, three nights at a time. So if a boat is going to be here for three nights and people want to go to the beach, they may not be sort of rushing off. So you will not get all 3,000 people rushing off at one time. But we do have to have a reasonable measure of transportation that enables people to know that they feel special. When they want to move, it is there. So we rely on the 600 taxis, to which this Report has referred, to fill in the gaps to make sure that people are transported.

Now, what is interesting—and I asked the Minister this morning, and I think it is important to make mention of the response that he gave—that it is up to the Taxi Authority to make arrangements with the ship so that we do not have pre-sold transport vouchers where people come off the boat, and they may have taxis lined up at the dock waiting to transport people, but because they have paid for a voucher onboard they are not going to take a taxi because they are not going to pay twice and they are not going to get a refund for their package that they have purchased. There has got to be a manner in which we can work hand in hand with the cruise ship agencies so that the taxi drivers are not left out in the cold. We cannot on the one hand say that we want to rely on the taxi drivers to assist in the process, and then we treat them like they are the low end of the totem pole. We cannot expect enthusiasm.

I had the opportunity very recently to stop and chat to a group of taxi drivers who happened to be congregated in a certain area. I stopped just to find out how things were going. I heard from them some of the challenges that they had with respect to their

GPSs and everything else relating thereto. But the one thing they said, they spoke about the competition that existed with the permission of the mini-buses and the Government buses to take mass traffic. I mean, they had solutions. They talked in terms of, *Is there any way that we can look at the fare structure so that if we are taking from one to four passengers, we can charge "X", "Y", "Z", and if we are taking five or six passengers, we can charge a little bit . . .* They had it all worked out. They had it figured out; because they know that in order to survive they are now fighting against a mass transit, which sometimes does not work. Because when you have got people standing and queuing on the dock because they have pre-purchased a certificate, and they are waiting for the transportation to realise the value of that certificate that they have already purchased, they know that we need to be able to service them within a reasonable period of time.

We heard last year that some of the—a couple of boats on some instances, one arrived late or one arrived early, and we found that we had 4,000 or 5,000 passengers getting off at the same time. Well, I would certainly hope that that is the exception rather than the rule. What the Board said is, *Let us make sure and stagger the arrivals. Do not let boats arrive at the same time.* Well, you know, that is a lot easier said than done. When the captain sets his instruments to say that, *The speed, the distance that I have to travel is "X" and I need to get there by a certain time, the speed that I need to go is "Y",* and therefore, they make—they do the math. They do not wait to say, they get over on the banks, and they are waiting to come down and say, *Oops! This guy is right there, so I have to go do another swing around until it is my turn to come in.* They do not do that! They have their fuel that they have to consider, and they have their commitment to on-time delivery.

When they are serious about getting their tourists to their destinations on time, we have an obligation to figure it out. So, while it is very simplistic to say, *Do not allow two ships to arrive at the same time,* what we have to say is, *How can we maximise the value of what we have within our infrastructure to be able to service those people if they should arrive at the same time?* If it means that we have to put more buses on, and we say, *Okay. We have got a ship coming in late, so therefore we have got to redeploy,* we cannot do it. We do not have the buses. We have got 44 broken-down buses. Now, how can we permit our infrastructure to fail to that extent when we are telling people that we are in the service industry? We are not!

When you hear from people the likes of what I heard earlier, you, Mr. Acting Speaker, indicating that the likes of a reporter in the public, Mr. Burchall, indicating that tourism is dead and tourism is not dead—well, I can tell you that if you see people standing on the docks and complaining, it makes it look like we are

not open for business. When you have people who are coming off the ships in Somerset . . . I am happy to hear that there are going to be more ferries offered for people to come to St. George's, because we have heard that St. George's is a ghost town. We heard that from the Mayor of St. George's, who is very concerned about the lack of traffic that comes to the town in order to sustain the businesses that are there.

But one of the challenges that we have is, visitors show up and you find that the places are closed! You know, we close on Sundays. We close at five o'clock in the afternoon. How can you be open for business if at the time that people want to show up . . . If somebody gets off the boat and they want to go to the beach, they are not going to say, *Let me go into Hamilton, do some shopping, go back to the boat and take my purchases, and then find transportation to go to the beach,* because by that time it is dark! So they are not going to be able to do that. They are going to maximise the daylight hours, go to the beach. And our beaches are the most beautiful in the world.

The Acting Speaker: They are.

Mrs. Patricia J. Gordon-Pamplin: I can tell you, I visited Roatan in Honduras.

The Acting Speaker: Anywhere you go.

Mrs. Patricia J. Gordon-Pamplin: I visited Roatan in Honduras, an absolutely beautiful topography, last week. We did a tour, and we asked them to take us to the beach. This gentleman said, *This is Sandy Beach.* We go to Sandy Beach, and the sand was brown. The sand was brown. It reminded me of my experience when I first went to Jamaica to school, and they said we were going to the beach, and how excited I was at the prospect. And we went to a place called Gunboat Beach, which is on the road from the airport towards Kingston. We go to Gunboat Beach, and the sand was black! I thought, *Holy Jesus!*

We have our pink, beautiful sands in Bermuda. We have everything to offer people who want to come. There has got to be a way that we market this country to be able to show that we are the *crème de la crème*. But if we are not open for business, if we do not show that we want your business, if we do not have a price structure that is competitive, then we are whistling Dixie with what we are trying to do.

We talk about the tourism authority, and I know that we heard several times in terms of the free enterprise aspect of it and how wrong it was, as you mentioned, Mr. Acting Speaker, for the Government to be marketing the hotels, whereas in other jurisdictions the hotels market the jurisdiction. I agree 100 per cent! You turn the television on, and you see Atlantis, the fourth night is free. You know that Atlantis, even if they do not say *Nassau, Bahamas, Paradise Island,* all you have to do is see Atlantis and it is synony-

mous, one with the other to say that Atlantis is synonymous with Nassau, Bahamas. You can see various . . . Sandals when they do their advertisements in terms of their presence in Jamaica. When you see somebody like Usain Bolt running and doing the advertisement for Jamaica, and you recognise how important the correlation is and the identification of high-profile individuals and places to the destination, there is a way to do it.

One thing we do not have to do is to sit and to nickel-and-dime in terms of how we are going to do this and, how is the tourism authority going to work, and who is going to fund it, and where is the money going to come from? That is something that can be figured out. It can be figured out. But what is important is how a tourism authority in its overarching plan is going to enhance our tourism product. How is it going to work? That has got to be the bigger vision. Then we work on the nickel-and-dime part of it. We work on whether it is private sector funded or Government funded in some way. Does Government put up some seed money at the outset and then find that somewhere along the way it becomes a self-sustaining self-sufficient entity? Those things are things that you work out.

But I can tell you that the Tourism Board have said definitively that that is the way to go. So it is unfortunate that the Minister wants to either fail to acknowledge or does not have the comprehension to acknowledge what the Board is saying. The Board is saying they do not want the autonomy for themselves. They want this entity to be there to be able to ensure that Bermuda is given the best possible opportunity.

They have said specifically, *Create a tourism authority!* Not think about it, just do it! We do not need to be fighting and pushing back when somebody is coming up with good ideas. Why? Because, *In 1998 the United Bermuda Party Government mentioned about a tourism authority and they did not do it for the 30 years prior, so therefore, because it was their idea, we are not going to do it?* What kind of nonsense is that? Because I cannot see any other reason why it has not been done.

When you see other jurisdictions who used to pale in comparison of their infrastructure versus ours, you see how they have surpassed us in leaps and bounds while we are still here, a year and a half later, talking about establishing the foundation for the Plan that is going to create the plan that is going to be implemented so that somewhere towards the end of the year we are going to get some kind of result. When your personnel that you had right there, willing, able and educated enough to do it, and we are saying to them, *Thank you for your input. Good-bye!* Then we are left standing at square one. It is not acceptable. It is not appropriate. I at least wish, if nothing else, that the Minister understands his mission. His mission is the enhancement of the tourism product in Bermuda, and his mission is not to suggest that the ideas that

have come at him from the Tourism Board that has been appointed by the prior Minister and adopted by this current Minister, that their ideas need to be given short shrift, because that is not acceptable.

I think we expect more from our Minister, and we certainly hope that whether it is just a question of semantics, or whether it is a question of needing to have a little bit wider knowledge of what it is that he is in charge of, it is time that we stop playing politics with the lives of our people, because we have a whole segment of our society that is critically dependent on the success of our tourism industry.

Thank you, Mr. Acting Speaker.

The Acting Speaker: Thank you, Madam Gordon-Pamplin.

The Chair now recognises the Honourable Minister from Warwick, Minister Marc Bean.

Minister Bean, you have the floor.

Hon. Marc A. R. Bean: Thank you, Mr. Acting Speaker, and good evening, honourable colleagues.

I will just start off by speaking on the previous speaker's comments. You know, oftentimes, I sit here because tourism is a strategic national interest. So it should be solution driven. The previous speaker spoke of a vision being the overarching stepping stone towards implementing a plan. But yet in her discussions, Mr. Acting Speaker, I heard very little in terms of solutions. So, what I will seek to do is elevate the discussion and move it away from a debate on despair and a discussion on digression.

She mentioned earlier, she compared the need or the reality that she went to Antigua a few weeks ago, and the plane was full from Miami. Then she said that when she came to Bermuda there were only 40 persons on the same type, same size aircraft, I am sure. Well, I can understand that. I am pretty sure that anyone who comes from Miami to Bermuda during the wintertime is going to find very, very light loads. The reason why is, Bermuda at this point during the winter, this is our off season. But yet the peak season for the winter months is what you will find in the Caribbean.

Furthermore, when people in the Northeast and in Canada seek to escape the cold, they do not seek to escape the cold and go to a cool place. They seek to escape the cold to go to a hot place. So, we are at a disadvantage when it comes to the seasonality of our tourism product.

Nevertheless, Mr. Acting Speaker, just a few weeks ago, after that tragic incident off the coast of Italy with the cruise ship that ran aground, I had an opportunity to watch the BBC, and I heard a comment by the gentleman who leads the British Cruise Association. He made a very profound but simple statement that summed up to me what tourism is all about. He said, in quote, "Tourism is the industry of human happiness." I think that is worth repeating: "Tourism is

the industry of human happiness,” Mr. Acting Speaker.

But, Mr. Acting Speaker, when you look at the context of happiness, human beings do not feel happy if they do not feel free. Can you find happiness in a slave? No. Will you find happiness in a person incarcerated? No. Would you find happiness in a person who has been told that they cannot do this, they cannot do that and there is no chance of even attempting to do the other? Absolutely not. So, the basis of tourism being a way to happiness means that the construct of tourism must be based within the framework of freedom. That is what I think we need to focus on as a tourism industry if we are to become competitive again.

I would speak briefly on freedom and the concept of freedom as it applies to tourism as I go further along in my very brief remarks.

In terms of a tourism authority, I am on record of being a strong proponent of a privatised tourism authority—a privatised tourism authority. I really take exception to the concept of a tourism authority being publicly funded. I mean, if that is not the height of government intervention and subsidisation of an industry, I do not know what is. We all can see the effects of that model. It just does not work, because it strips the responsibility, the obligation of the entrepreneur, of the business owner, your hotelier, the restaurateur from taking risks. How could you be in business and you do not have allocated an adequate marketing or advertising budget for your business?

That is what we have been facing over the years. As a result, when you look at these businesses, you see a decline in standards. You see a decline in service. Why? Because if you do not have skin in the game you become complacent. You become comfortable. If you are not progressing, certainly you will start to decline. That is what we have faced over the years. So, absolutely, I am a proponent of a private tourism authority where the private sector has their skin in the game, they take the risk and the Government acts according to the private sector’s movements instead of the private sector reacting to the Government’s movements. That is a complete opposite way of thinking to the status quo and is something that we have to consider very, very seriously.

Mr. Acting Speaker, I spoke earlier about freedom and happiness and how that it attached to tourism. I had an opportunity just the other day to go to Miami. I decided that I will go over to South Beach for the first time to see for myself what South Beach is all about. I only went to have dinner at six o’clock in the evening, Mr. Acting Speaker. I was so impressed with the action at South Beach that when I returned home to my hotel, the sun was coming up!

The Acting Speaker: Not too much information.

Hon. Marc A. R. Bean: Well, I do not mind declaring. I went [to] college. You know, it is nothing new for a man, a young college student.

[Laughter]

Hon. Marc A. R. Bean: But I went to dinner at six in the evening and left South Beach Strip at six in the morning. Why? Because it was action!

The Acting Speaker: Say it again! It was action!

Hon. Marc A. R. Bean: It was action, man! Okay? It was so much action that even if you tried to be frugal with your money, you could not. It was so much action that your money wanted to run out of your pocket!

The Acting Speaker: And did!

Hon. Marc A. R. Bean: And it did!

[Laughter]

Hon. Marc A. R. Bean: Well, regardless of what you are buying—because it is all for sale, right? It is there. It is tourism. Okay? You have access to do whatever you want. When a person feels that, I guarantee you, money will come out of their pocket.

Mr. Acting Speaker, after I left South Beach, I returned to my hotel. I saw a couple of my colleagues, and I was a little miserable. I had to ask myself, *Are we really in the tourism business in Bermuda?* Because if I compare Bermuda to South Beach, Bermuda’s only . . . The only thing it seems like we have on offer is to allow tourists to come here and write poetry and read books, when you compare it to South Beach. Why would someone from the Northeast of the United States come to Bermuda when they could go to South Beach on JetBlue for a cheaper price and have much more flexibility on how they want to enjoy their vacation? We are just not competitive enough in terms of the core business of tourism.

Likewise, you know I am a strong proponent and admirer of the Commonwealth of the Bahamas. It has been said many times from across the floor, across the Island, that Paradise Island and Atlantis, it is a premier resort, so much so that Paradise Island markets itself and, by extension, the Bahamas receives a marketing explosion. I see Atlantis advertised on a variety of channels. I do have cable. I do watch the same channels, local channels, the Miami channel, the New York channel, the Boston channel; I see all those channels. And I see Atlantis. I see Mr. Butch Stewart’s Royal Sandals, and Exuma, I see all this private sector-driven advertising, and the results speak for themselves.

Mr. Acting Speaker, let me just go back to the last speaker where she said Bermuda has pink sand, and that is one of our niches. She compared our

beaches to Roatan in Honduras—not really a good comparison. But our people should know that we are not the only country that has pink sand beaches. You can go to the Bahamas today and the whole eastern side of Eleuthera, 130-odd miles long, is all pink sand beaches. Some of the beaches are pinker than ours. Very nice!

If you go to Harbour Island, you would see pink sand beaches. So we are not the only ones who have pink sand beaches. The Bahamas has it, too. But they are leveraging their pink sand beaches in a much more beneficial way to their economy than we do ours. There is no issue about a Bahamian setting up a nice jerk stand or a nice little bar, an affordable bar on the beach to offer the tourists some amenity. But in Bermuda, where we have a group of people who are stuck on telling everyone that you cannot do this, you cannot do that, you have to protect this, you have to protect this—

[Inaudible interjection]

Hon. Marc A. R. Bean: Right. I call them the CAVE people—I have said it before—the Citizens Against Virtually Everything. That type of mentality has been hindering our tourism's potential, our tourism's growth.

Mr. Acting Speaker, in essence, freedom or freeing-up comes down to one question that you ask the customer: *What do you want? You want that? You got that. You want this? You can have it.* In other words, the last thing that should come out of our mouths is, *No, you cannot do it.* See, there is an issue we have in this country, which I call our hypocritical conservatism—our hypocritical conservatism, which says that as Bermudians we have to portray ourselves as some upstanding stiff-necked group of people who do not like to enjoy ourselves. But as soon as we get on the plane, Bermudians have a reputation of raising the price everywhere. Every single destination that has a Bermudian visit, they know that Bermudian is a cash cow and, through demand, will raise the price. Okay? We act like little kids let out of a cage or in a candy store.

But then we return to Bermuda and we walk through the airport, right back to our stiff-neckedness, right back to our high-and-mighty thoughts of ourselves. We take that attitude, and we try to impart that same attitude on people who choose to come to this country to enjoy their vacation through free will. We tell them that they cannot do it.

Now, I have heard this narrative over the last few months, Mr. Acting Speaker, by a certain commentator who says that tourism is dead. I cannot think of a more disingenuous comment or line of thinking. *Tourism is dead.* I will tell you what is dead. It is not tourism. It is this old hypocritically conservative line of thinking within our people (some people) that is dying. That is what is killing tourism. It is not the product; it is the people. It is people who say and try to manifest or

speaking into existence the fact that our industry, our taxi drivers, our water sports operators, our charter fishermen, our restaurants, our hotels—all those persons depend on an industry. But yet we have some people in this community who have the audacity to get up, for whatever intent and purpose, to say that tourism is dead.

If we are to revitalise our tourism industry we need to revitalise our thinking and free up. Stop being stuck on stupid. Because that is what the world sees us as, you know, being stuck on stupid! But yet we profess to be in the tourism industry.

You know what? When a tourist comes to a destination and feels free, as I said in comparison to South Beach, money runs out of the pocket. So, bringing a freer environment to allow tourists to do whatever they choose to do would increase tourist spending. But more importantly, Mr. Acting Speaker, it would increase capital investment in our hotels. Investors follow the money. If they do not see action in a jurisdiction, the first thing they are going to say is, *Well, what are you doing as a jurisdiction that is going to allow me to fill beds, which is going to allow me to have an adequate return on investment?* If they do not see the action, if they do not see the reason why tourists want to come here, I can bet your bottom dollar, as an investor they are going to be hesitant in investing in this jurisdiction. So, freedom attracts capital. Freedom attracts wealth.

Mr. Acting Speaker, the last area (two more areas) I would like to speak of, which I think others have spoken of before, and it is something that we really need to consider seriously. The essence of tourism is not how much money you throw at the product. It comes down to customer service. But customer service, really, in its essence, is only based on this deep human component of forging and maintaining human relationships. I know I came back on American Airlines from Nassau the other day. Because they had a mechanical problem, I missed my connecting flight to Bermuda. So, it was their liability. I did not miss my flight; they had a mechanical problem. So when I got into Miami, it took me eight hours to get my bag. Then they put me into this hotel, this rinky-dink hotel. I cannot even describe to you what—

The Acting Speaker: It had bedbugs.

Hon. Marc A. R. Bean: It had bedbugs on it and stuff. So, it got to the point where I got frustrated, and I asked the customer service agent, the lady, I said, *Listen, lady. It seems like you act like you are doing me a favour.* To the point that I was so disgusted from that one experience, I said, *The next time I have to go to Miami, I think I am going to go fly a JetBlue to New York and then connect to Fort Lauderdale.* I refuse to go on American Airlines just because of that poor customer service. There is no chance that they are going to get my money anymore.

That is how the market works. The consumer is king. Customer service is based on how we interact with one another. It is simple. You do not have to be a multimillionaire. We do not have to throw \$50 million in marketing to be able to attract people and retain them and get them to come back to visit. It comes through that bond that is deeply embedded within the human spirit. That is the essence of customer service.

One other thing, in terms of advertising, I have a little peeve in terms of how our advertising is being allocated and the impact that it has. Because again, I have cable TV, and I look at all the channels, all the local channels on the Eastern Seaboard. I am hard-pressed to find an advertisement on Bermuda's tourism. Now, some will say, *Yes, we actually do advertise*, and whatnot. But I look at TV primetime, the time period where we should be advertising and marketing. What makes it hurt even more is, I see Sandals and I see Atlantis and I see other properties being advertised primetime.

But to our credit, last night on Wealth TV, channel 148 on cable, there was a half hour Wealth travel documentary, and it was on Bermuda. I was excited to see it! Because the Wealth channel, the people who are interested in the Wealth channel are those who have a tendency to love high quality and are usually high net-worth individuals. That is the type of channel we should be advertising on. So, I was encouraged to see the documentary, but I think that we could do much more. That is why I say the private sector has a role, because the private sector, which is commercially driven, will take the risk of advertising in these key markets, without apology, because they know that if they do not, they are not going to fill their beds. But as long as the private sector is being subsidised by the public sector, what you are going to get is that complacency and what you are going to get is that decline.

The Acting Speaker: And dependency.

Hon. Marc A. R. Bean: Well, complacency, subsidisation—that leads to the biggest problem we are facing in this country today. That is dependency and a dependent mindset, expecting everybody to do something for you instead of you doing it for yourself. That is across the board. That is part of the culture, the status quo culture that has been imbedded in this country. That requires a shift, not in three years' time. It requires a shift right now—right now!—if we are in the tourism business.

Lastly, I cannot finish without speaking of the necessity of adding a cultural component to tourism. People from New York do not choose to go to New Jersey for vacation. Why? Because culturally, New Yorkers and New Jerseyites are basically the same people. People are attracted to something different, a different flavour, different food, different music. You go to the Bahamas, not only do you have under the

bridge, which connects Nassau to Paradise Island, but you have a place called Arawak Cay. Arawak Cay gets rammed with cruise ships and air arrivals, air visitors. At Arawak Cay, you can get the biggest and best fresh groupers, plate of food . . . oh, man! You can get their fresh conch salad, their grilled lobster and you get a nice cold brew—

[Inaudible interjection]

Hon. Marc A. R. Bean: Right. You get a nice cold one, a nice cold brew or cocktail to wash it down. Right? But, see, that is what people, who are getting on a cruise ship or getting on an airplane, are looking for. They want to spend money on something different that is safe, secure, but yet it is free.

Likewise, you go to . . . What is in Barbados? Oistins? Oistins! It is the same thing! Those English people who love to go to Barbados, well, Oistins is at the top of their list. You know, there is nothing special about Arawak. There is nothing special about Oistins, except that it is Bajan and Bahamian culture. Okay? It is Bahamian and Barbadian, or Bajan, food, music, entertainment. It is something different from the United Kingdom.

Now, I ask the question: What on earth do we have in this country that could compare to an Arawak or Oistins? Even in Jamaica, you can go to get off the plane in Kingston and end up around the corner at Hellshire Beach where you could get yourself a nice plate of food, and you can lie with what they call the natives. That is what tourists are looking for. They are looking to free up.

So, if—if we are in this industry called tourism, we have to move away from this 1950s tea and scones and crumpets and all the rest of that old stuff, to a 2012 mentality and reality. People love freedom. Even those, what did they call them during the '60s?

An Hon. Member: Hippies?

Hon. Marc A. R. Bean: Not the hippies. Went up to the Baby Boomers and Woodstock! Yes, Woodstock, right. Now, they are people during those days . . . right? Listen—

[Inaudible interjections and laughter]

Hon. Marc A. R. Bean: Look. I only read about it, but those people know. You see films of Woodstock, you knew that . . . boy, everything . . . Woodstock was free. Right?

[Inaudible interjections and laughter]

The Acting Speaker: I do not think we need to go to that extreme.

Hon. Marc A. R. Bean: No, I am not saying that. But the same people who were at Woodstock in the 1960s and 1970s are now high net-worth individuals, business owners, managers, executives, right?

The Acting Speaker: And managers.

Hon. Marc A. R. Bean: Yes, they are mellowed out, but trust me. The seed is still within them. It is still there. You know, a leopard cannot change its spots. They have just matured. But trust me. I have said it before.

An Hon. Member: Grant, though, he was a hippie back in the day.

[Laughter]

Hon. Marc A. R. Bean: See—even Dr. Gibbons, right, the Honourable Member, Dr. Gibbons, is smiling because I am taking him back and he is thinking of his younger years.

An Hon. Member: He was there!

Hon. Marc A. R. Bean: See? He was there! Even Dr. Gibbons!

An Hon. Member: In pink corduroys!

Hon. Marc A. R. Bean: So, it shows you that while times change—times change, right?—and people get mature, they still want freedom. But as you got mature, you want freedom with discretion and privacy.

The Acting Speaker: As a discerning customer.

Hon. Marc A. R. Bean: Well, as a discerning customer. That is what people are looking for.

So this mindset of saying, *Tourist, you cannot do this. You cannot go here. We cannot offer that. Clubs have to be closed by one o'clock. You cannot have a cold brew on the beach.* Man! What type of anti-tourism business are we in? Because we are certainly not looking to attract anybody here. You certainly would not attract me here. If had the choice, I'm going back to South Beach. Okay? If not, I'm going to Paradise Island! Because I want to let off. I want to let off steam. I want to feel good. I want to spend money. But I am not spending money anywhere where someone is going to tell me I cannot do something. I would rather go somewhere else.

So, if we are going to go forward, if we are going to revitalise tourism, I am not saying because you are 80 years old that you are no longer relevant. It is not your age. It is your thinking that has to change. Because I know some 75-year-olds, especially taxi drivers, who love to enjoy themselves. They act no different from 30-year-olds.

[Inaudible interjections, laughter and general uproar]

Hon. Marc A. R. Bean: Senior citizens, senior citizens, right? One thing about senior citizens, while their identification says that they are old, in their hearts they take offence when you tell them that they are old. In fact, they will go and prove to you that they can run with you. They are going to prove that they can hang with you. Then they will charge you and say, *Boy, you ain't got no stamina. Have another drink. Let's have another plate of food, or let's go dance.* It is the youngsters who cannot handle it. So it is not age discriminatory. It is thought discriminatory.

I am tired of the thinking in this country. The hypocritical conservatism where we walk around all roly, moly, holy and poly, right? It has to end. Because we all know . . . When I say hypocritical, we all know, as I said before, as soon as we get on a plane we are going to raise the price. We act full foolish, even our lovely ladies. I love the ladies in Bermuda because they are very sharp, and that comes as the result, more than often, from their retail therapy. But when you put a Bermudian lady in a mall, she is going to blow you 10 grand within an hour if you let her. She is going to go crazy. She is going to free up. She is going to feel good. That is all part of a pursuit of human happiness.

But where there is no freedom, there is no happiness. Where there is no happiness, there will be no tourism.

Thank you, Mr. Speaker.

[Hon. Stanley Lowe, Speaker, in the Chair, (8:00 pm)]

The Speaker: Thank you, Minister M. Bean, from Warwick South Central.

Any further speakers?

I now recognise the Honourable Member, Dr. Gibbons, from Paget East.

Dr. Gibbons, you have the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a few observations on this particular debate. Let me start by saying that there were two words that went through my head over and over again. Those were *déjà vu*. Here we go again. I do not mean to be self-righteous, but here we go again. We have got another Minister and, as many reports have said, we have got another Minister—no matter how well-meaning, how sincere, however well-intentioned—who once again is heading in the direction of being what the Monitor Report said many years ago was the master strategist.

I think it is interesting because when you think a little bit about once again this strong, strong recommendation coming through in this paper for a tourism authority, I go back to a friend and a colleague, David

Dodwell, who arguably in 1996 through 1998, when he was the Minister of Tourism (just two years) was probably the most experienced Tourism Minister we have ever had. By “most experienced” I do not mean necessarily that he had the flair of Jim Woolridge or the sales ability of Dr. Brown. But he certainly understood the industry, and he understood it so well that almost every year The Reefs or the Nisbet [Plantation], or whatever, figured in the top one or two in the Caribbean. One year it was close to one or two in the world.

But the irony here, Mr. Speaker, is that David Dodwell; having been probably the most experienced as far as the hotel industry is concerned . . . that is what he studied to be. He was a tourism professional. He has done extremely well. He was the one that recognised in 1997–1998 . . . I know this because I worked with him, because I had Management Services at the time when I was in Government, and we worked fairly closely on this particular issue. He recognised that Bermuda had come to a point where you could not have the Minister be the master strategist anymore. You could not have a succession of Ministers coming along and going a slightly different way every time. You had to have it done in a much more professional way.

So the person who arguably was the most capable of being the Minister of Tourism recognised at that point, given the increase in competition, the number of new resorts, the change in travel, that we had to go to a more professional model. Unfortunately, the subsequent Government did not understand this and did not pick up on it. We have had a series of Ministers every few years—I think somebody said three in the last two years—that have all gone in different directions.

Mr. Speaker, it is here in the Report. In fact, I have to say that I am surprised that that Honourable Member, Mr. Furbert, actually brought this Report to the House to debate. I say that because if you read this Report carefully and you go through these, as they call them, “hot buttons” here, these various topics that come up, from transportation to marketing to development, in many of these different areas what you will find in each of these sections is an indictment or a repudiation of the policies of this particular Government over the last 12 years.

You do not have to believe me. But exactly this thing we have been talking about, if you go to the section here on Marketing, it says, page 15, “Consultations highlighted that BDOT changes at Ministerial and/or director levels have led to repeated redefinitions of brand Bermuda. There is a need for a timeless and iconic brand representation that communicates” what Bermuda is all about. Again, it is approaching this in a professional way.

The previous page, page 14, in a very nice way it says that we really don’t know who our customer is. We have not done a professional enough job of

understanding who our customer is. It says on page 14, “During the retreat it was acknowledged that Bermuda as a destination, needs to demonstrate a more refined understanding of ‘the discriminating visitor’ it aims to attract.”

Mr. Speaker, this is the kind of professionalism and sophistication that needs to come in this day and age. We have heard lots of suggestions up here, again. And I glory in people’s enthusiasm. But this needs to be done in a professional way. That is exactly why, on page 25, it says at the very bottom, under this issue of the tourism authority—and this is the most clear and precise recommendation in here—it says, “We urge the Bermuda Government to undertake to establish a Bermuda Tourism Authority on or before April 1st, 2012.”

Nothing could be clearer, Mr. Speaker. “We urge the Bermuda Government to undertake to establish a Bermuda Tourism Authority on or before April 1st, 2012.” It is clear all through this, because every time we have had a new Minister we have gone off in a different direction. No wonder our customers, if we know who they are, are confused.

You start to look through all of these sections here. I mean, you look at this section on Cruise, page 27, second paragraph: “There appears to be little doubt that the overall contribution benefit from this visitor group is unfavourable for Bermuda.” What they are saying is, this push over the last few years to cruise ships, to cruise ship tourism, where you have now got a 60 per cent cruise ship percentage as opposed to 40 per cent tourism, it says that there is “little doubt that the overall contribution benefit” has been unfavourable to Bermuda. That is a direct repudiation and indictment of the policies of this Government over the last few years.

Now, maybe some folk on that side will want to blame it on members of this particular panel that were in the hotel industry or whatever else. But when you start to look at what has happened, you can see very clearly that we have gone from probably about 20 [per cent], maybe max 30 per cent cruise visitors in the 1990s. I think at one point it went down as low as 18 [per cent]. We are now roughly 60 per cent cruise ship visitors.

Mr. Speaker, you remember these debates back in the 1990s. We used to laugh at the Bahamas because they had made the mistake at that point of going almost entirely to cruise ship tourism. Their overall product deteriorated as a consequence. I am in the Bahamas now probably on a quarterly basis because of business I have got down there. The Bahamas is doing very well, thank you. You go to the Bahamas now and there is enthusiasm. There is this huge Baha Mar project that is underway. Atlantis has started to snap back a little bit. They had to lay off 1,000 people a couple of years ago. But Bahamas, relative to Bermuda, is booming.

They made the mistake of going more and more into the cruise area. It had a knock-on effect in the type of visitor they were attracting. It changed the type of infrastructure they provided, the type of retail. I think we all remember the Straw Market down there. All of that basically headed them into a very bad direction. I think it was Atlantis, finally, with its commitment to training, with its commitment to sophistication and product development, that started to bring them back around.

But again, I mean, you read this, Mr. Speaker. There is really nothing new in this Report whatsoever. It is a good Report, though, because it does highlight a lot of the issues that we have been suffering from over the last few years. It is a plan to create a plan. I do not have a problem with that. But again, really what we are looking for on this side . . . It is, *Here we go again*. Where is the plan? We need a plan at this point. We do not need to have a plan to have a plan.

All through this Report, you continue to see it. In this whole area on (where is it now?) development basically, New Development. Again, on page 19: "Having consulted with past and present developers, it appears to the Board that the process for obtaining mandated approvals for new developments is overly protracted." What have we been hearing for years now? "The linked risk of withdrawal by key participants and decision makers is unacceptably high."

Mr. Speaker, I am sure you will remember it. There was an extraordinarily embarrassing debate we had over a couple of sessions going back to last year, when we were trying to work through the lease for 9 Beaches up here. I mean, it kept coming back to the House. There were mistakes. The Minister had different versions of it. They were sending us different versions. We laugh now, but an extraordinary embarrassment. I am surprised that the principals behind 9 Beaches stuck around at all, because they kept waiting and waiting, and the Government seemed to be at sixes and sevens, all over the place. It went to the Senate. It came back. It was an absolute mess.

You read something like this, which is very polite, but it says, "obtaining mandated approvals for new developments is overly protracted." It is a basic way of saying, *We do not have our act together at all*. But there is nothing new about this. That has been the story over the last 10 or 12 years, basically. So, you read this and you go, *Here we go again*.

Another example, page 16—and we have been seeing this for the last couple of years. This is in this area of marketing. Page 16 says we "Need to replace last minute and poorly coordinated promotions, advertising and planning events with long range approach to working with local (hotels) and overseas (PR and sales blitz). This will increase the impact of promotional messages." Again, it is this issue of, you have a Minister and they go off in different directions. They are doing promotions in Argentina or India, or in

the Boston market with baseball. It is all over the place.

Mr. Speaker, you can hear the frustration in my voice up here right now. But again, it is one of these issues that we simply have not been able to get our act together. I go back to David Dodwell in that sense that we need to do this in a very professional way. Wayne Furbert, the Honourable Member, the Minister, is, I am sure, sincere. I am sure he likes to travel as well, and he has been doing a fair amount of that. But he is not a tourism professional. He really needs to follow the advice in here, Mr. Speaker, and say, *By April 1st, we are going to set up a tourism authority*. I think that is the only thing at this point that is really going to start to restore some confidence in this community.

Sure, there are lots of other issues in here that need to be dealt with. I think of transportation, for example. We had this almost ludicrous debate going back six months or so about ferries in Paget. The reason that came to the attention of the Honourable Member Pat Gordon-Pamplin and me was because there were a number of small hotel properties there that all of a sudden were going to be in desperate circumstances if the ferry schedule changed, upon which a lot of their long term visitors who stay two weeks, a month, or whatever, depend. We understand the Government has got money problems. We understand that they have got serious money problems at this point. But that, again, is the left hand not knowing what the right hand is doing in terms of, you are either in the tourism business or you are not. Again, the Report highlights this issue of transportation. Others have pointed it out as well. Page 11: "Recently press reports have highlighted several shortcomings"—again, very polite, Mr. Speaker—"in the public transportation sector. Unfortunately provision in these areas has been deeply affected by ongoing human resources issues and the maintenance scheduling of the bus and ferry fleets."

My honourable colleague, Pat Gordon-Pamplin, pointed out just 15 or 20 minutes ago that if you have got 44 buses out of commission out of 120 . . . you had a debacle last year with transport up at Dockyard. If you have not got the money to buy the parts or bring mechanics onboard to get those back in, we are likely going to be facing the same kind of issues again this summer.

Mr. Speaker, I do not know whether you have been in Singapore or not, but I have to say that my eyes were opened when I visited for the first time back in 1998. They have done an extraordinary job there of integrating transport. In fact, the Honourable Member, Mr. Furbert, may remember that I brought back to Cabinet at that time the Land Transport Authority Strategic Plan, in terms of how they have arranged ferries, buses, and the rest of their transport sector, taxis and everything else. It is quite extraordinary. This is the kind of thing that needs to be done here. If you are in

the tourism business, you cannot ask, *What works for us?* You have to ask, *What works for the visitor?* I think again, this Report points out here . . . There are some very useful topics; they are not new. There is nothing really new here pointed out.

This whole issue of transport for visitors, very good point at the bottom of page 12—it says, “The current modes of transportation available are unappealing to those who place a premium on autonomy and value independent mobility; cycle rentals do not meet these needs.” The issue, Mr. Speaker, is, rather than just saying, as the Honourable Member did earlier—*We are too small to do rental cars here*—some serious thought needs to go into, we are now in 2012. We need to get a clear understanding of how we deal with those transport issues. The Report comments very importantly here. It says, “Transportation is so much more than just a ride.”

There needs to be some brain power, some money put into this issue of, How do we make this place better for visitors from a transport perspective? I do not care whether it is three-wheelers. I do not know what it is. But somebody needs to spend some significant time doing this. This is not a new issue, but it is a much more important issue now because everybody knows what our roads are like. Visitors are simply taking their life in their hands, to a large degree, getting out on those roads. So this is an area where rather than going through the same motions all over again, Government needs to put some significant resources behind looking at this issue. It says very clearly here that both air passengers and cruise ship visitors, over 70 [per cent], almost 80 per cent said, should they be allowed to rent cars, basically? I am not sure that that is the answer. But what I do know is the answer is, we need to find a much better way of getting visitors around, because visitors in this day and age—and we have all travelled—like to have autonomy. We do not all go on packaged tours where the bus picks us up and takes us from “A” to “B.” A lot of people, particularly in a jurisdiction like this where they can get around—it is still relatively safe—there needs to be more effort put into the whole transport issue.

So, Mr. Speaker, I am not going to go on much longer because I would just be repeating what a lot of other people are saying here. In some respects, maybe this has been an entertaining debate. In other respects, I think it is almost a pointless debate. We need to put a sophisticated issue, like our tourism policy, take it out of the hands of amateurs, as well meaning as they may be, and we need to get on with a tourism authority. A tourism authority is not going to solve all of our problems, but it is going to get us moving in the right direction again.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

Any further speakers?

I now recognise the Honourable Member, Mr. T. Lister.

The Honourable Member, Mr. T. Lister, has the floor, from Sandys South.

Mr. Lister?

Mr. Terry E. Lister: Thank you, Mr. Speaker.

Mr. Speaker, it is very, very easy to look over our shoulders, to look backwards. I am going to try and avoid that too much tonight and truly look forward.

This Report, as has been said by several people, is telling us things we knew already in many cases. It is not the final; it is an interim. We are all, all 36 of us, looking forward to the final report. We are all looking forward to implementation.

Mr. Speaker, there can be no doubt—no doubt that Bermuda has fallen from the high and lofty place it held in the tourism business of years ago. We were the place that everybody wanted to come to. We were the place that others were trying to style themselves after. As we would all agree, Bermudians travel everywhere. We have listened to some of the speakers talk about the places they have been, and I can join the chorus and talk about what I saw in this place, that place, and the other place and the ideas that I got from travelling, because that is what we often do.

But as we travel, we have come to realise that we have fallen behind. The amenities that we experience in a hotel in Cancun, the things that we experienced in a place like Turkey, that was not even supposed to be in the business of tourism, these far outstrip where we are. How did we get here? How did we find ourselves in this position?

Well, if you want to do the history lesson, we can go back to the 1980s where we got confused. We started to do well in international business, and all of a sudden we thought that that was it, and we downplayed the tourism. That clearly was a mistake. What we should have done was build both—not let one grow and the other suffer. So that was something that held us or hurt us.

As time has gone by, the lack of product had a big impact. When we became the Government in 1998, we immediately, almost, passed legislation that would encourage the hotels to reinvest. As we sit here now 13 years later, I believe we are all glad that we passed that legislation, because where would we be if the hotels had not reinvested? And just about every one of them did. Where would we be without it?

Mr. Speaker, the greatest external force working against us is the competition. Years ago, there were only so many places that an American tourist was going to go. As you know, many do not even like to fly. They do not want to leave the Mainland. So, Bermuda was a great destination for those in the East Coast. They could get here in a very short period of time.

But time went on, and they travelled all over, the numbers that go into Europe. Then people on the East Coast going, as one colleague said, all the way over to Vietnam, into Malaysia, into Thailand, into China, Japan, places like this—all over. Here we are, this little 20-square-mile Island, a dot in the Atlantic Ocean, trying to hold our own.

So what do we do? How do we turn this around? Mr. Speaker, clearly, we have to reinvest. Clearly, we have to reinvest in all sectors. I do not mean, let us just improve the hotel product, let us have great hotels. I mean, let us have a complete re-newing of our whole mental approach.

Somewhere there was a slogan. I cannot remember where I heard it. It was somewhere in the world where I was travelling, where the slogan was, *Tourism is you. Tourism is you.* That was not aimed at the tourist. That was aimed at the local population. If we could get that into our heads, that would have a big impact. If a young man who was hard-pressed for money thought, *Tourism is you*, he would not attack a tourist for his wallet. He would realise that that is not the way to go. If a person driving their car while a light rain was falling thought, *Tourism is you*, he or she would stop at the bus stop and pick up the tourists and take them to their destination rather than letting them stand at the bus stop where there is not a shelter. *Tourism is you.* We have to get that idea from top to bottom.

Mr. Speaker, this idea that has been thrown around about a tourism authority, it seems as if its principal role—the role of the idea—is to be a political football. We have kicked it around for more than a decade. To be perfectly honest, I do not know why we do that. We have a Monetary Authority. We are moving towards a telecoms authority. We have an Energy Authority. We are having a Taxi Authority. We are going to have some debate over that, I hope, because what I heard the Minister say it is going to do is not quite what I had in mind for it to do. So, he and I are going to just have a little friendly chat about that. So we are not afraid of authorities, and we can make the authorities work.

So, it may well be that the time has come that we can embrace this. It is not going to make all Bermuda stop if we have a tourism authority. However, it is not just about having an authority. It is about having results—results. The man in the street needs an answer. He does not need to know about the Plan. He wants the results. So that is what we have got to work on. That is what we have got to work on. So, if we are going to do a tourism authority, as some of the speakers have said already, the funding issue has to be addressed. We have got to ensure that all the partners have some money in it, some serious money in it, because then they have to seriously commit.

I have been in meetings sometimes where I and my PS seem to be the hardest working and most committed in the room because we have got the pub-

lic purse that we are spending here, and I am thinking, *Who is benefiting? And is everybody else around the table, when this thing works, going to stuff the money into their pockets and the Government is going to get a little trickle-down piece?* And we are the ones with all the money in the game. That does not make sense. So if the tourism authority is going to be a success for Bermuda, everybody who is a part to this has to come onboard.

[Inaudible interjection]

Mr. Terry E. Lister: Put your stakes up. I like that.

Let me give you a simple example of what disappoints. The last Honourable Member made reference to the challenge—he will like my word “challenge”—that we had with the Pink Route ferries. Oh, yes, we had a real challenge from that. But what annoyed me was that from day one we talked about water taxis. What a glorious idea! Do you know how much pushback I got from the union on water taxis, the threat they were to them and their jobs? Zero. Probably the only thing I got zero pushback on from the unions—but zero in that the unions were never opposed. The workers were never opposed to water taxis. So, here you have got the Government saying, *We want to do this. We would like to see it happen.* The workers are embracing it, saying, *Yeah, that's fine. We don't mind it.* And here we had an opportunity for it to happen. Nobody stepped up. Nobody came forward.

The Honourable Kim Swan has spent a lot of time in this House talking about the need for better and more down in St. George's. He is a tremendous parish pumper. In the States they would call him a “pork belly” man. That is certainly what he is. But that is okay. It is good. Maybe it will keep him in the House; who knows?

But in St. George's, we have got one person, Jason Anderson, who stepped up

An Hon. Member: Philip Anderson.

Mr. Terry E. Lister: Philip Anderson. (Who is Jason?)

An Hon. Member: I do not know.

Mr. Terry E. Lister: Okay.

[Laughter]

An Hon. Member: His cousin. He plays at Cup Match.

Mr. Terry E. Lister: Is that the one, the wicket keeper?

An Hon. Member: Yes.

Mr. Terry E. Lister: Okay. See, I am still there.

An Hon. Member: You know.

Mr. Terry E. Lister: Yes, I know. Jason is the wicket keeper. Okay. We are talking about Philip right now.

An Hon. Member: You have the right family.

Mr. Terry E. Lister: Right family. Philip stepped up. We were in a meeting. The Member from constituency 3, Ms. Lovitta Foggo, had invited us down to talk to the residents about what we were doing bus-wise and transport-wise for the people of St. David's. In the on-going discussion, the water taxi subject came up. Mr. Anderson put his hand up, and he said, *I would like to do this*. By the time he had his hand down, our guys were talking to him, and we got some things going. I would like to see more of that.

There is really no reason why we should be sitting around here talking about, *What is the Government going to do? Every single issue in Bermuda right now is the fault of the Government*. Come on, people! Come on! We are all in it together. This boat is going nowhere unless we all row in the same direction. It is as simple as that. So that is just an example I wanted to give.

Clearly, we need a vision for tourism. I am going to encourage the Minister to really focus his mind and that of his team on that aspect. I too have been concerned over the years where the theme has changed. Unlike the Honourable Minister, Marc Bean, I have not watched and taken note in recent times of the Bahamas tourism approach. But I can remember that for years and years and years, everybody knew the theme for Bahamas. Tell me, somebody.

An Hon. Member: *It's better in the Bahamas.*

Mr. Terry E. Lister: *It's better in the Bahamas*. Simple—how can you forget? It is simple. They said it year in and year out and year in and year out. It makes sense. So we have to develop a lingo that is right on people's lips that they cannot lose and that they can always use. We have to have a vision for what our Bermuda experience is going to be all about.

An Hon. Member: *Bermuda is best.*

Mr. Terry E. Lister: *Bermuda is best*. Okay. I like that. But what is the experience going to be? Who is our customer going to be? Are we going to ensure that when that customer leaves Bermuda, they leave happy enough to get on the Internet, go to TripAdvisor, write up their tour and their vacation, and put five stars for us? Because all the advertising in the world, in my mind, cannot compete with TripAdvisor. Am I right or wrong? There are a lot of people who, before they travel, get on TripAdvisor and go up and down. They look at everything—hotels, restaurants, entertainment,

transportation. They prepare their whole trip before they go looking there. So if our customer is going to come to Bermuda and then go on TripAdvisor and trash us, we have got a problem. So we have to make sure that we have realistic answers to their needs.

I am going to confess that, like my colleague, Mr. Bean, I was in South Beach last year as well. I was impressed with what a great time everybody was having. I am not going to say anything about what I was doing. I am going to say I was in South Beach, and I was impressed with what a great time everybody was having.

[Laughter]

Mr. Terry E. Lister: Yes, we are going to leave it there. I will qualify it by saying that I was with my wife and my PS, both honourable ladies, so we were okay. Okay? I am qualifying all of this. But everybody was having a great time. Now, I cannot tell you what they were doing at six o'clock in the morning, unlike my colleague. But until we all got tired, everybody was having a good time.

The Speaker: We heard about the action, but what kind of action?

[Laughter]

Mr. Terry E. Lister: Well, you see, Mr. Speaker, you are really encouraging me to drift away from there. I wish to.

[Inaudible interjections and laughter]

Mr. Terry E. Lister: But, Mr. Speaker, what really hit me and reinforced once again for me is, that is not our client. That is not our client. We have moved so far away from there that if we tried to advertise and draw that client here, TripAdvisor would give us all zeroes. Okay? The atmosphere, the entertainment, the experience that was being offered is not what we are offering. You just cannot switch the tap and move from what we have to what they have. We should not try to switch the tap. But what we have to do is look at the market we have and determine how best to serve that. What exactly is it that they need, and how can we fill it?

Mr. Speaker, having been a Transport Minister, and unlike my predecessor not having been Transport and Tourism Minister, I was given the responsibility of looking at the transport side, which included the cruise ship side. However, I share the concern that we have moved from the cruise ships being 20 per cent of our guests to being 60 per cent of our guests. It is an imbalance that does not quite work. And let me tell you that it does not have to be 40 per cent land and 60 per cent cruise. It could be 10 per cent land and 90 per cent cruise because despite the

supposed disaster at the end of the season, and Carnival leaving, and this and that and the other, the reality is that we could bring as many cruise ships in here next summer as we choose to. There are people knocking on our door still. Okay? There are always people knocking on our door. And so we were saying, *This is the cap*. And the cap was jumping up just a little bit every year, but we were still trying to cap it because we want the land visitor. We have to have the land visitor.

What happens if we do not have the land visitor? Well, everybody would immediately say, *Well, the hotels are not full—da, da, da, da, da*. Well, let me tell you something for Mr. and Mrs. Bermuda who really think that this has nothing to do with them. One of the challenges that we are experiencing, and I believe we are experiencing it right now as I am speaking, is that as the air arrivals fall the amount of lift falls. So you get this chicken and egg situation where, *Will you get the lift if you do not have the people? Or will you get the people if you get the lift?* Now because we do not own the airline, we cannot just say, *We will just put more flights on and hopefully more people will get on the plane*.

Last January, WestJet, a market we worked hard to develop (western Canada), came to us and said that they were reducing their lift. And we looked at the numbers and what they were proposing to do was going to mean that, unless there was a miracle for this fiscal year, the number of people out of Canada would be less than the previous year—simply because there was less lift. And they were making that decision based on two things. One, they were not quite satisfied with the results in Bermuda, and we could make a lot of noise and dance and do all sorts of things and say we were going to fix that. But, two—remember I said competition? WestJet, just before we got there (talk about timing being against you) they had been ranked in one of the industry reports as number one for utilisation—number one in North America—ahead of everybody else.

So here you are, Bermuda . . . because remember the Minister of Tourism and myself and our staff went to meet with them. So you go and knock on the door and you try to start a conversation with the fellow where you are saying, *Well, we can give you 60 per cent of your flight filled for sure on a regular basis. And we might be able to get it up to 80 [per cent] sometimes*. And he is sitting there showing you a report that says all of his other flights are doing 85 [per cent] on a bad day—most of the time they are doing 95 [per cent]. Whew! You are up against it. You are up against it—so that is why we lost the lift.

If you lose the lift, you cannot fill the beds. If we do not fill the beds, we cannot get the lift. So it is a real chicken and egg thing. So this is why bringing everybody on board together is vital. In our tourism plan going forward, part of that group that sits around the table for some serious discussions, and not friend-

ly conversations, are the Government, yes; the hoteliers, yes; the airlines, yes; the local transport people, yes. You put them all in that room—as they used to do in union days in the past—you actually locked the door. Put the key in your pocket. If you have to, you swallow it. But you make sure that you get something done in that room that is going to benefit everybody. Because right now we do not have all the players working together, and we certainly experienced that last year. It is part of the challenge. So everybody has got to work together.

Mr. Speaker, on-Island service: We have got to get to a point where . . . and, actually, this bothers me and it baffles me. In the year 2012, at a time when we are losing jobs—and I keep saying, *Where are the jobs coming from?* When 10 people lose their jobs today, will we have five new jobs tomorrow? Will we have one new job? It is a challenge and it baffles me that in this climate I can walk into a retail shop and the clerk acts like I am disturbing him when I ask for help.

An Hon. Member: You are.

Mr. Terry E. Lister: Hang on. Hang on. Hang on. I do not follow this. There are a lot of people outside this door who do not want to come into the shop; they want to come in to take your job. That is what they want. They want your job. They do not want anything you are selling. Am I right? And the clerk is acting like, *Pfft, What do you want, buddy?* Or as my colleague says, *Whatever!* All right? No! So if we get treated that way, do you that the tourist does not get it?

So, on-Island service. We have got to be at the top of our game. We have got to get back to being that Bermudian of yesteryear—the friendliest, the warmest people in the world. We have got to get back to that. We have to ensure that the product in the restaurant is first class. We have to ensure that it is different.

I was talking with somebody last night (I was trying to think where I was), or the night before last. And they were saying how they were driving along the street some months ago and they saw a tourist just walking along, and he stopped them. And the tourist said, *Listen. I am staying at one of the nice hotels. I have been there two days. I am enjoying it. Everything is good, but where do the locals eat?* And this was a Green Lantern story. He told them the Green Lantern. He explained how to get to the Green Lantern and that was the end of it. The very next day he ran into the same guy and the guy saw him and he flagged him down and waved to him. So he went over and spoke to him and said, *Hi, how are you doing?* He said, *Listen. I want to thank you. I went to that place. I had a good time and I am going back there today to eat again*. Okay? He will not be able to do that next year.

But the point of the story is [that] he wanted to eat where the locals eat. He wanted to eat the local

meal, the local experience. And we have some very nice restaurants that offer a very nice non-traditional meal for Bermuda. Am I right? When you go out in the restaurants in Bermuda and you eat, you eat nothing that you eat at home. You don't eat much that your momma and your grandma cook. You with me? We have to get that on the menu as well. We have to get the Bermuda flavour back there in order to make it interesting and different. Because otherwise why come?

Mr. Speaker, especially at this time we talk about employment of Bermudians in the hotels. It is a two-way street. I can remember sitting in the Gallery way back in about 1995. The Youth Parliament was sitting here in our seats having a debate. And the topic was tourism. And a 14-or-so-[year-old] young lady who was very articulate stood up to her full height and said, *No one should be expected to go and work in tourism because tourism is not the place of good employment. We should all be preparing for international business.*

And when she said that I thought, *Oh, my gosh. This is what we are telling our young people.* There is a bright, young, articulate young lady who today is probably is an executive somewhere being taught this and believing it. If we keep teaching that and believing it, our people will not go. So we have to get our people back in the industry in order for us to be selling a Bermuda product. Tourism is you. It is the only way it is going to work.

Mr. Speaker, we have to have unique Bermudian experiences. We have to be able to sell them, promote them, [and] explain them. Last year you will recall, Mr. Speaker, that I and the Honourable Member, Darius Tucker, Dame Jennifer, and Senator Dillas-Wright went off to the UK for a conference. We missed the last sitting of Parliament. Whilst the others came home, I stayed in the UK for a few more days and so I missed Cup Match.

[Inaudible interjection]

Mr. Terry E. Lister: Not sorry I did now, having lost.

[Laughter and inaudible interjections]

Mr. Terry E. Lister: The Honourable Member, Darius Tucker, was sending me e-mails all through the two days and my heart went down and my heart went up. I was excited; I was deflated. I was wishing I was there and when the final runs were scored, I was glad I was where I was.

[Laughter and inaudible interjections]

Mr. Terry E. Lister: I kept saying to my wife, *The whole game hangs on Lionel Cann.* And I was right. You get rid of Lionel, you get the Cup. And we dropped the catch.

But . . . oh, man, I almost lost my train of thought now—

[Laughter and inaudible interjections]

Mr. Terry E. Lister: London—what we were going to do in London. Where was I?

[Inaudible interjections]

Mr. Terry E. Lister: Oh, oh. Where was I?

[Inaudible interjection]

Mr. Terry E. Lister: No, I'm going to come back because I have forgotten what I was going to say. I got so taken off with the Cup Match and not being there—

[Inaudible interjection]

Mr. Terry E. Lister: So I am going to come back to that, Mr. Speaker. I know what I was on. I was on about unique Bermudian experiences. Cup Match. That is where I was. Cup Match. That is why I was talking about it.

I was over there and I said to myself. *You know what, Terry? Both days of Cup Match we are going to be having two cruise ships in Dockyard. What arrangements have been made to ferry these people into St. George's and then take them by bus or cab to the game, host them, and then bring them back?*

I am over in the UK. I am on holiday. But I pick up the phone and I call my staff and they go, *Oh, oh, okay, Minister. Okay. We'll see what we can do.* Hadn't been planned—hadn't been thought about. This is what I am talking about, about a unique Bermuda experience. We have nothing, in my view, that tops Cup Match as a Bermuda experience. Nowhere in the world do you get a two-day holiday for a sporting event. Nowhere! Nowhere! This is really special. And so we should be building people's holidays around it.

I had an American friend; he has passed away now, unfortunately. But he used to come to Bermuda every Cup Match. He would wear (poor sight) blue and blue. He carried around a flask. He drank all day. He talked to everybody. He carried on and he had a great time. And because people saw him every Cup Match, they assumed he was a Bermudian coming home. He was not from Bermuda; he was American! He was an American guy who just fell in love with Cup Match and Bermuda and came down every year for it. Okay?

We can sell this event. We can package it up and bring people down here via the cruise ships, via the airlines and have them enjoy it. We need to have some of those unique selling points. Cup Match is one.

Mr. Speaker, I hate to sound defensive, but I know I do. And I get defensive about this whole transport debacle of last year. And I have said many times, and I will say it again, it was a press debacle. We had the press going after us last year and it was not very nice. We had 160 cruises that came into Bermuda, and we had transport issues with about six of them—out of 160. We had days where the press would wander up to Dockyard and start taking pictures of all these people on the dock. Well, if you only had one ship it was 2,000 people. And if they all, you know, were huddling to get the buses and huddling to get the ferry, you could take a picture that would show a lot of people. Come on, that was easy. That was real easy. That was too easy. That was the type of thing that happened.

It annoyed me that Bermudians were being fed this and getting worked up on it. And the talk shows were going crazy. And some of my friends here in this House were getting excited. But it really annoyed me. And so I went to the Bible—*Cruise Critic*.

Sorry?

The Speaker: One minute left.

Mr. Terry E. Lister: Oh, oh my gracious.

The Speaker: I am being generous.

Mr. Terry E. Lister: Okay. Well, let me even forget all that.

[Laughter]

Mr. Terry E. Lister: Forget it. I am not going to defend anything. Forget it. We are big people up here and we know the real deal. Okay? So we know what happened.

Let me say this, Mr. Speaker. Taxis, transport—taxis did a great job last year. They can do a great job next year. The battles that went on between us—the Government and the taxi industry—are by and large behind us. And if the Taxi Authority is implemented correctly, it will make all the difference in the world in sorting it out because it will be self-governing and there are people in that industry, drivers and owners, who want the best for Bermuda. We have still have many, many Bermuda taxi ambassadors. So that is going to work.

Mr. Speaker, the idea of car rentals is scary. We can do it with minibuses and things of that nature. We can work through it.

Mr. Speaker, let me just take my seat. But I am going to end it this way: Tourism is you. Every one of us has a role to play in the tourism industry and we are going to encourage all of Bermuda as we enter the season this year to take a part.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. T. E. Lister, from Sandys South.

Any further speakers?

I now recognise the Honourable Member, Mr. C. Swan, from Southampton West Central.

Mr. Swan, you have the floor.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker. I will be very brief. I have been sitting here listening to everybody who has spoken so far and I have to admit I am always encouraged when I hear positive thoughts or positive wishes for what is—or was—one of our primary industries.

Mr. Speaker, tourism is something that Bermuda has been involved in since its inception, literally, going back to visitors coming on ships and things, or rich visitors from the United States to spend winters here and this type of thing. We have been at the forefront and leaders in tourism. We lost that to a large degree, so I just like to think positive. And some of the things I have heard tonight are positive. Some are not so positive.

I have heard some suggestions come from the Honourable Member who spoke immediately before which are encouraging. I have heard some positive, I guess, new ideas from a previous speaker, the Honourable Member, Mr. Bean. You know, about fresh thinking and freeing up and this type of thing. And I have also heard what I would . . . I have heard some positive things from this side. I mean, that we have not . . . we have heard many times before about the need for a Tourism Authority and removing the control of tourism away a bit more from Government hands.

But then I have heard some negative things, Mr. Speaker. I have heard a comment, I believe, by the Honourable Member, the Premier, about a certain Member of her Cabinet . . . he does not control a Cabinet. And I am thinking, *Well, hang on. You know, that didn't sound quite right to me.* I do not know. I have never been in a Cabinet, so I do not know exactly how it works. And I imagine one has to be quite forceful if you have to get your . . . or want to get your viewpoint across, and have to get other people to buy into it to convince your colleagues.

People have been calling for something in the region of a Tourism Authority for a long time. And I just wondered, and I did not hear the comment about—*He doesn't control a Cabinet*—made about Mr. Bean and his comments. He has long supported a Tourism Authority. So it sounds to me like there may be some sort of . . . there may be, just may be some hope that within that Cabinet there is some measure of support for a Tourism Authority. But why we do not have one, I do not know.

This Report says that it is a long-term goal, I believe on the second to last page. And I think that that is a little bit lamentable, Mr. Speaker. A lot of the things that we have talked about tonight—we want to

improve our product. Our one Member talked about that there is a lot of action in South Beach and there is not a whole lot of action here in Bermuda. Well, we want to improve our product. We want to improve our service with the people who are involved in tourism, who are face-to-face with our tourists.

Our tourists and visitors do not come face-to-face with Minister Burgess or the Premier. They come face-to-face with the people who they interact with on this Island—the people who they meet at the airport, the people who drive the taxis, the people who they meet in their daily travels, the people they rent bikes from, boats from, or whatever. And we say we want to improve the service that they get. Well, those things—the product and the personnel, the infrastructure—every last one of them involves the private sector, every last one of them.

So I am calling on this Government to take the introduction of a Tourism Authority off of a long-term plan and make it immediate, Mr. Speaker. And that is really all I wanted to say tonight. Someone has mentioned before . . . this was our primary industry and it can be one of them again. I told you the two different positives and negatives that I have heard. The negative to me is the politics that is involved in promoting Bermuda as a tourism destination and making our product and our personnel . . . that has to be removed. Has to be removed! And the sooner it is done, I think the better off we will all be.

Mr. Speaker, I have looked at a few statistics and things from other islands and jurisdictions and I know we have had three Tourism Ministers in the last two years and they all travel and what have you. Some have been more (what is the word?) charismatic, I suppose, than others. But I wonder, in their travels . . . we all, as elected Members of Parliament, have the opportunity to interact with counterparts in other countries, so I am sure we have access to ideas elsewhere that people have done. And I read some of the things that the Bahamas did. I believe a companion was one thing—that companions fly free—and that generated 300,000 bed nights. Which is, you know, if people are staying three nights, that is 100,000 visitors.

I wondered if in their travels and interaction with counterparts in other countries, or similar countries, whether they picked the bones from, you know, *What are these countries doing different from us to make their visitors, their air arrivals, go up by 6 per cent or 7 per cent or 13 per cent year over year?* Whereas ours have gone up by 3 [per cent], I mean, it is a nice start—3 per cent is not to be sniffed at if we are trying to build air arrivals.

Making Bermuda perhaps a bit more attractive to investors in their travels—what have other countries that are similar sized, that are involved in tourism, what have they done to make themselves more attractive to investors?

So I want to leave it at that, Mr. Speaker. I am imploring the Members on the other side who right now have the mandate to enact some different thinking, some freeing up, they have the mandate to do it, and I implore them to do it sooner rather than later.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Swan, the Honourable Member from Southampton West Central.

Any further speakers?

No further speakers.

The debate on the Take Note Motion by the Minister, W. L. Furbert, “That this Honourable House take note of the Report entitled “Establishing the Foundation for the National Tourism Plan: Strategic Imperative Report, [Volume 1]” submitted by the Tourism Board is concluded.

[Motion carried: The House took note of the Report entitled “Establishing the Foundation for the National Tourism Plan: Strategic Imperative Report—[Volume 1]”]

The Speaker: All further Orders, Order 6 through 11, inclusive, are being carried over which are not Government Orders.

I recognise the Honourable Member, Minister G. Blakeney.

Minister G. Blakeney has the floor.

SUSPENSION OF STANDING ORDER 21

Hon. Glenn A. Blakeney: Thank you, Mr. Speaker. At this time I would like to move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Human Rights Amendment Act 2012 be read a third time by its title only.

The Speaker: Any objection?

Agreed to.

[Gavel]

[Motion carried: Standing Order 21 suspended.]

The Speaker: Carry on, Minister.

THIRD READING

HUMAN RIGHTS AMENDMENT ACT 2012

Hon. Glenn A. Blakeney: I move that the Bill do now pass.

The Speaker: Any objection?

Agreed to.

[Gavel]

[Motion carried: The Human Rights Amendment Act 2012, was read a third time and passed.]

Hon. Glenn A. Blakeney: Thank you, Mr. Speaker.

The Speaker: Yes.

I recognise the Honourable and Learned Member, Minister M. Scott, from Sandys North. Minister?

SUSPENSION OF STANDING ORDER 21

Hon. Michael Scott: Thank you, Mr. Speaker.

Continuing under the suspension of Order 21, I move that the Bill entitled the Police and Criminal [Evidence Amendment] Act of 2012 do now be read a third time by its title only.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: Standing Order 21 suspended.]

The Speaker: Carry on, Minister.

THIRD READING

POLICE AND CRIMINAL EVIDENCE AMENDMENT ACT 2012

Hon. Michael Scott: The Police and Criminal [Evidence Amendment] Act 2012, Mr. Speaker, I move that that Bill do now pass.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: The Police and Criminal Evidence Amendment Act 2012, was read a third time and passed.]

The Speaker: Minister De Silva. Yes, Minister?

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker. I would like to . . . like to—

The Speaker: They did not give you a script?

Hon. Zane J. S. De Silva: No, they did not.

The Speaker: All right.

[Laughter]

SUSPENSION OF STANDING ORDER 14

The Speaker: We will move that Standing Order 14 be suspended.

Any objection?
Standing Order 14—

Hon. Zane J. S. De Silva: Standing Order 14 be suspended.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: Standing Order 14 suspended.]

The Speaker: The Minister wishes to read a Ministerial Statement.
Carry on, Minister De Silva.

STATEMENTS BY MINISTERS AND/OR JUNIOR MINISTERS

FUTURECARE

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker, much obliged.

Mr. Speaker, last year the Opposition and the Government spent many hours going back and forth about FutureCare. We argued over the cost of premiums, the sustainability of the Fund, the benefit package, and the way that FutureCare was implemented.

On November 28th, Mr. Speaker, I presented a very long Ministerial Statement which set out the history of FutureCare, the public consultation that had taken place, and the way in which this insurance plan was implemented in phases.

In the run-up to Christmas, Senator Dunkley raised questions in the Senate about when the Government would provide FutureCare policyholders with a detailed explanation about the implementation of co-payments for care provided by surgeons and other specialists.

Mr. Speaker, on December 8, 2011, the Health Insurance Department issued a detailed press statement on FutureCare co-payments in which the director of the department acknowledged and apologised for the fact that the introduction of co-payments had not been properly communicated. The director also pledged to ensure that the policyholders were informed in writing—and this has been done, Mr. Speaker.

Now, today, Senator Dunkley seems surprised that the director has written to policyholders. Mr. Speaker, let me take a few moments to comment on the statement released today. Let me start with statements made by the Honourable Member opposite, Mrs. Jackson.

Mrs. Jackson, on the record, said that HIP coverage is better than FutureCare coverage. This is clearly incorrect, Mr. Speaker, as I have said many times. The most cursory review of the benefit brochures on the Department's website will show that. In addition, Mrs. Jackson raised the issue of the 25 per cent co-payments—

The Speaker: The Honourable Member.

Hon. Zane J. S. De Silva: The Honourable Member—25 per cent co-payments for overseas care. She said this information was only in brochures from 2010, but that wording was not in the first FutureCare brochures from 2009. In this instance, the Honourable Member was partially correct, and I acknowledge that last year, Mr. Speaker.

The 2009 brochure did not specify a 25 per cent co-pay, but it did say that overseas care would be paid at rates approved by the Bermuda Health Council. It was also pointed out that from 2010 the Department sent its overseas care brochure to policyholders on several occasions.

The Honourable Member also said that the cost of overseas hotel and transport was not on the 2009 brochure. Mr. Speaker, it was on that brochure.

Mr. Speaker, the OBA is claiming that FutureCare was irresponsibly launched in 2007, but the product was not made available to the public until April 2009. Many of the points made in the Statement about the origins of FutureCare have been previously addressed. Government was transparent in how it developed and wrote out FutureCare. There was a full request for proposal process to select vendors for the design of FutureCare. There was a detailed one-year process of research, focus groups, data collection, and actuarial analysis prior to launching FutureCare. All major stakeholders were also consulted.

Regarding implementation, there was a separate, rigorous tender process that had been completed for the Health Insurance Department's automated system. The system was implemented in stages just as FutureCare was implemented in stages. It was planned, it was systematic, and the principal part of the system implementation was complete within 18 months.

Mr. Speaker, let me say a few words about the financial viability. It has been stated clearly that FutureCare is a plan that is subsidised by Government. There has been no secret, and funds have been appropriated through the normal budget process for FutureCare since its launch. Amounts of \$10 million, \$8 million and \$6 million were allocated as FutureCare capital injections in each of the three fiscal years since its inception, and these funds were approved by this Honourable House. The plan is actuarially evaluated annually, and the premiums are set accordingly. Like any other high-risk insurance pool, Mr. Speaker, the viability of the plan is linked to the level of premium,

benefits and amounts of subsidy received. This is being managed by technical officers with expert advice from the fund's actuaries. FutureCare is well capitalised.

Mr. Speaker, the Opposition speaks of a disconnect between the policy decision and the target population. However, to date, there have merely been a dozen calls from FutureCare policyholders over the letter that was sent out. None of the callers were upset or angry at the change. All of them understood the rationale for the co-payment and accepted it once they had the opportunity to pose their questions. This is hardly a public outcry. Moreover, since the co-payment was implemented in April 2011, the Opposition seems to be the only group criticising the move. In fact, the Department has only received one complaint about the implementation of co-payments for local specialist care. And, Mr. Speaker, that was for one co-payment of—hear me, Mr. Speaker—\$300.

Finally, Mr. Speaker, there is no scapegoat or forcing of any civil servant to write to FutureCare policyholders. One only needs to examine the Department's website to see the numerous letters sent directly to policyholders over the years advising them of various changes. This is a normal part of the marketing and communications function within the Health Insurance Department, and it does not stop there. Technical officers at the Department have presented at dozens of Town Hall meetings and other public meetings over the past three years reaching over 1,000 members of the public, Mr. Speaker, and the Department continues to reach out directly to communicate with its policyholders.

Mr. Speaker, let me take this opportunity to congratulate the entire Health Insurance Department, ably led by the hardworking Director, Mr. Collin Anderson, for what, at times, can seem like a thankless job. There are days when all they seem to get is criticism and cannot seem to please anyone. But, they soldier on, Mr. Speaker, and they continue to give service where it counts most—to our seniors and our HIP clients.

Before I close, Mr. Speaker, I have to ask the question, What health insurance options would our Seniors have if FutureCare wasn't available? The answer is not pretty, Mr. Speaker. Seniors would either have to go without health insurance, sign up for HIP (which does have limited benefits), or purchase health insurance from the private sector. And we know that the private sector is two to three times the cost of FutureCare. Those are the sad options that our seniors have, Mr. Speaker.

But cost is not the only factor. Many private packages limit lifetime coverage and do not let a senior sign up at all if they have a pre-existing condition, or if they are over a certain age. That is not the case for FutureCare, Mr. Speaker. It is open to anyone over 65, over 85, and even over 105, if one lives that long. There are no lifetime coverage limits and no exclu-

sions for pre-existing conditions. And that is very important, Mr. Speaker. And I will repeat it. There are no lifetime coverage limits and no exclusions for pre-existing conditions. What an awesome package for our seniors, Mr. Speaker!

Mr. Speaker, if you can just bear with me for a moment, my stepfather, Lord bless his soul—

The Speaker: You are going to digress?

Hon. Zane J. S. De Silva: I am going to digress a bit, Mr. Speaker.

The Speaker: All right.

Hon. Zane J. S. De Silva: But it is very important—

The Speaker: Just a wee bit.

Hon. Zane J. S. De Silva: Just a wee bit, because, Mr. Speaker, when we talk about lifetime coverage limits and there being none, and no exclusion for pre-existing conditions, my stepfather, Mr. Speaker (Lord bless his soul) died two years ago.

Mr. Speaker, when he turned 65, he went to the insurance company and he said that [he] would like to get insurance now that [he was] retired. Mr. Speaker, he received insurance. And, you know, Mr. Speaker, when one gets insurance after they are 65 from a private company, it is a limited amount. That amount, Mr. Speaker, was \$500,000. Mr. Speaker, he was diagnosed with cancer three years before he died. But three months before he died, Mr. Speaker, I received a call from the insurance company. They said, *Mr. De Silva, your stepfather, I'm sorry, he only has \$20,000 left on his policy. After that, he has to start paying everything. If he doesn't have the means, we are sorry, we can't give him—*

The Speaker: Yes, back on the script.

Hon. Zane J. S. De Silva: So, Mr. Speaker, when we say with FutureCare there are no lifetime coverage limits, that is huge. If any of our people have the unfortunate circumstance of being diagnosed with something like cancer or any other chronic disease, Mr. Speaker, they have lifetime coverage.

An Hon. Member: Point of order.

The Speaker: Pardon?

An Hon. Member: Point of order, Mr. Speaker.

Hon. Zane J. S. De Silva: Not on a Ministerial Statement.

An Hon. Member: I mean, if this is a Ministerial Statement he is supposed to be reading from it. He is not supposed to be adlibbing.

The Speaker: Let him finish.

Hon. Zane J. S. De Silva: Thank you very much, Mr. Speaker.

The Speaker: Stay on script.

[Inaudible interjections and general uproar]

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, it is sad when the Opposition gets up and wants to interrupt.

The Speaker: Get back to the script.

Hon. Zane J. S. De Silva: Thank you. Mr. Speaker, I will continue.

FutureCare, Mr. Speaker, is not perfect, but it is good value for money, in my opinion, Mr. Speaker. What is the OBA's and UBA's solution?

An Hon. Member: Are we back on that?

Hon. Zane J. S. De Silva: Mr. Speaker, let us remember that the total cost of Bermuda's healthcare system is now over \$630 million per year. And we have spent untold hours arguing over a piece of that system that accounts for only 1 per cent of this total. And the 1 per cent we argue, Mr. Speaker, if you look at the benefits, what are we doing arguing about them? Let us get rid of the political football once and for all.

Mr. Speaker, we have to provide adequate insurance coverage for our seniors and the rest of Bermuda's residents, but we also have to address the unsustainable increase in the total cost of healthcare on this Island. And that, Mr. Speaker, is why the team in my Ministry is working so hard on the National Health Plan.

We are focused, not just on the pieces of the system, but on the big picture—the whole system.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister De Silva, Minister of Health.

Questions will be deferred until the next sitting of the House. However, if it is raised on the Adjournment Motion, then we will, of course, disregard that.

Madam Premier, there are no further matters before the House.

ADJOURNMENT

Hon. Paula A. Cox: Thanks, Mr. Speaker.

Mr. Speaker, I move that the House do now adjourn.

The Speaker: Any objection?
Agreed to.

[Gavel]

The Speaker: Before I recognise the Honourable Member, I am going to invite all Honourable Members into the Chamber that we might have a little [sustenance] since we did not get to do it during the Christmas season.

I say that just so we do not prolong—

[Laughter]

The Speaker: I now recognise the Honourable Member, Mrs. Jackson.

Mrs. Jackson, you have the floor. Carry on.

FUTURECARE

Mrs. Louise A. Jackson: Thank you, Mr. Speaker. I can only call this a debacle. I am going to read a letter. I want the people of this country to listen to this letter.

May I read parts of this letter, Mr. Speaker?

The Speaker: Oh, yes. Yes, yes, yes.

[Inaudible interjections]

Mrs. Louise A. Jackson: This is a letter. Again, they are going to be disrespectful, but I think—

The Speaker: No, no. No, they are not. They are not. I am going to—

Mrs. Louise A. Jackson: I see it is going to be allowed.

[Inaudible interjections]

[Gavel]

Mrs. Louise A. Jackson: This is a ³letter sent by the Health Insurance Department. It is signed by a civil servant who happens to be the Director of the Health Insurance Department. And I am going to start off with the very first line.

“I personally apologize to you . . .” Now this is to a FutureCare policyholder.

[Inaudible interjection]

Mrs. Louise A. Jackson: “I personally apologize to you for failing to notify you of a change we made in our automated system. This was a departure from the Health Insurance Department’s normal means of communication.”

Now this is the important part, Mr. Speaker: “This change had a significant financial impact to you as policyholders and to medical providers. The failure to inform you is unacceptable and I am sorry for the anxiety and uncertainty which has resulted.”

Now all that dribble that the Minister just stood up and talked about certainly has been totally turned around by this statement—from his Department! He is the Minister of this Department!

[Inaudible interjections]

Mrs. Louise A. Jackson: Has he written a letter to say that he is apologising to the seniors of this country? Is he saying—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

The Speaker: Yes, what is your point of order?

POINT OF ORDER

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker, I thought you had given direction that we would deal with my Statement next week.

The Speaker: No, no, no.

[Inaudible interjections and general uproar]

The Speaker: Carry on.

Mrs. Louise A. Jackson: You know what?

The Speaker: Carry on, Mrs. Jackson.

Mrs. Louise A. Jackson: People of Bermuda, I want you to know, again, that he is trying to shut me down, this Minister.

[Inaudible interjections]

Mrs. Louise A. Jackson: I am going to repeat it. This man, this Minister, this Honourable Member—

[Gavel]

Mrs. Louise A. Jackson: —sent out someone else to apologise for failing to notify these seniors. He did not have the guts to do it himself. He said, in this letter, “The failure to inform you is unacceptable and I am

³ Letter from Ministry of Health/Health Insurance Department, headed “Important message for FutureCare policyholders on FutureCare Specialist Co-Payments,” dated 17 January 2012

sorry for the anxiety and uncertainty which has resulted.”

Now he goes on—it gets worse everybody! It gets worse. He says, “Many of you will be familiar with the articles in the print media in December 2011 regarding FutureCare.”

I have got these articles here where he maligned me. I have the *Hansard*, and I am going to read it out. Because if he is allowed, if the Honourable Member is allowed to malign, misquote (I would love to use another word), misinform (I have to use that. But I would rather)—

[Inaudible interjection]

Mrs. Louise A. Jackson: —mislead . . . and it is in print forever, ever and ever, amen. And it is right here that it was not true. He did these things—the Honourable Member.

Now I am going to go on. He talks about the fact that on April 1, 2011, the Health Insurance Department implemented a system change introducing 25 per cent co-payment for all procedures performed by outside medical providers at the hospital, and so forth. I asked—

[Inaudible interjection]

Mrs. Louise A. Jackson: I asked. I asked.

Listen. He did not do it, the Honourable Member, did not inform the people who were policyholders for FutureCare about this. They received bills. He is talking about \$300. There were people who received bills for \$1,000 or more. And he is saying, again, the Honourable Member, that he is sorry—of course, he is not going to say it; he is putting it off on somebody else—for the anxiety and the uncertainty that has resulted. This is in black and white. I am going to table it. I am going to table it.

[Inaudible interjection]

Mrs. Louise A. Jackson: Then he says that . . . and he thinks this is funny, by the way, those of you who are listening.

Hon. Zane J. S. De Silva: No, I do not.

An Hon. Member: That is not true.

Mrs. Louise A. Jackson: That change has—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker. Point of order.

The Speaker: What is your point of order?

POINT OF ORDER

[Impugning]

Hon. Zane J. S. De Silva: The Honourable Member just said that I think it is funny, Mr. Speaker. I am not laughing at anything. I might be laughing at what she is impugning, but I am certainly not laughing about the facts of this matter, Mr. Speaker, which will get clear in a minute.

[Inaudible interjections and general uproar]

[Gavel]

The Speaker: Thank you. Thank you.

[Gavel]

Mrs. Louise A. Jackson: You were. Of course, you were.

[Gavel]

The Speaker: Let us give Mrs. Jackson courtesy, please.

Carry on, Mrs. Jackson.

Mrs. Louise A. Jackson: I will go on.

Further down in the letter he has this to say. “Delay in implementing this policy, or my failure to notify you in advance does not lessen the need to prudently manage the plan.” Which was imprudently planned, obviously, in the beginning.

Now, I am going to go on to show how this affected the seniors on this plan. Many of them left private plans to go on FutureCare thinking that they would have 100 per cent coverage. [They] left that, went onto FutureCare, now they are told . . . No, they are not told. Of course, everything is silent here. From the very beginning things were silent. When it was first rolled out there was no advertising for it. You had to be (as I have often said) family or friends in order to get into FutureCare in the first place.

Then—

[Inaudible interjection]

Mrs. Louise A. Jackson: *[Replying to interjection]* Initially. And then as we went along, there were obviously benefits that had to be printed out.

Now, we have never seen . . . at the point when we questioned the Honourable Member about this in December, early December, he was not able to show me any brochure that said anything about 25 per cent co-pay. And this is where the anxiety and horror came in for people who were on FutureCare who did not know anything about it.

Now he can put out these Ministerial Statements and stand up there and read them as often and as long as he wants to, but it does not get around the fact that they did not do it, Mr. Speaker. They did not

let the people on FutureCare know that there was a 25 per cent co-pay. And they have apologised for it.

So, you can spin it all you want to, Honourable Member, you did not do it.

Now I think the shocking thing, the shocking thing was that he knew. The Honourable Member knew that he did not advise the people about that 25 per cent co-pay. However, he went on television, he went on the radio; he was on ZBM for two hours maligning me, making all kinds of remarks.

[Inaudible interjections]

Mrs. Louise A. Jackson: Knowingly did. He knowingly did on the Everest DaCosta Show. He went on the Shirley Dill Show and called me what was tantamount to a liar.

[Inaudible interjection]

Mrs. Louise A. Jackson: A liar!

The Speaker: He would not—

Mrs. Louise A. Jackson: Oh, yes, he did.

The Speaker: The Minister would not do that.

[Inaudible interjections]

Mrs. Louise A. Jackson: And it is on tape. And he is laughing. It is on tape. He is laughing, and he is saying, *Yes, he did.*

An Hon. Member: I would never laugh at you. You are telling untruths yet again.

Mrs. Louise A. Jackson: It is . . . he said—

The Speaker: Yes, we should not infer that.

Mrs. Louise A. Jackson: It is all on tape.

An Hon. Member: You are telling untruths again, Louise.

Mrs. Louise A. Jackson: But the thing is, I—Don't call me Louise!

[Laughter and general uproar]

Mrs. Louise A. Jackson: Don't call me Louise!

[Gavel]

An Hon. Member: Sorry, Aunt Louise.

Mrs. Louise A. Jackson: Aunt Louise—it gets worse. You know . . . Well, we won't have a brawl here. We will go on, Mr. Speaker. Obviously, this is a man of—

[Inaudible interjections]

Mrs. Louise A. Jackson: No. Obviously, manners are not there.

Again, I do not care about myself. He is not ever going to apologise to me. It is to the seniors that he has hurt.

Some Hon. Members: Mm-hmm.

Mrs. Louise A. Jackson: It is the seniors, the people who he has caused anxiety to.

[Inaudible interjections and ongoing crosstalk]

Mrs. Louise A. Jackson: He has had . . . Again, if you are the Minister . . . Mr. Speaker, if you are the Minister, the buck stops with you. And *you* are the one who should be sending a letter out saying you apologise. Again, but of course this is not done.

Now, I have got articles up here. He has here, "Every time MP Jackson misrepresents the record on Government's health policy, or FutureCare, I will correct it. I will not apologise for stating facts. As evidenced by MP Jackson's statement claiming that I called her a liar; the OBA is short on ideas, but full of attacks without offering an alternative." [[Bernews, 5 December 2011](#)]

This is all the time, Mr. Speaker—when *he* is the liar. *He* is the one who actually—

Some Hon. Members: Oooh.

Mrs. Louise A. Jackson: Oh, yes. I am not going to use . . . well, all right.

The Speaker: Yes, yes. Let's—

Mrs. Louise A. Jackson: I'm sorry.

[Inaudible interjection]

Mrs. Louise A. Jackson: What is it?

[Inaudible interjection]

The Speaker: Carry on. Yes. Let us keep it courteous.

Mrs. Louise A. Jackson: I will try to keep it. I will try and keep it that way.

The situation is this: Even the Senators, when this came up in the Senate, were unable to speak to it. Here is a headline: "[PLP Senators Silent on FutureCare Error.](#)" Unable to speak, because it was

clear to everyone that this Honourable Minister had misled the—how many is it?—over 1,000 or more seniors on FutureCare, close to 2,000. I am not sure how many are actually there.

An Hon. Member: I will tell you in a minute.

Mrs. Louise A. Jackson: I think the thing that, really, I am most upset about is something that is in the [Official Hansard \[Report\], the 2nd of December 2011](#). This is something that will be in print forever. Forever! And it is awful here. It says [at page 320]:

“Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

“Mr. Speaker, I rise this morning to address concerns raised by the Opposition One Bermuda Alliance with regard to FutureCare. Although we applaud the tenacity and passion of our Honourable Member opposite, yet again we have found that the research and fact gathering have been very poor.”

The Speaker: You said, *Hansard* you are quoting from?

[Inaudible interjections]

Mrs. Louise A. Jackson: When in fact it was the Minister who was misinforming the public—would not answer.

[Inaudible interjection]

Mrs. Louise A. Jackson: It is true, unfortunately.

All right, it goes on. He says: “In the OBA’s statement dated November 28, 2011, the Member stated that this ‘Government has a responsibility to ensure seniors are informed about FutureCare’s different levels of coverage—

An Hon. Member: He did not say that.

Mrs. Louise A. Jackson: Oh, yes, he did.

“—to minimize confusion, misunderstanding and shock.’ Their statement goes on to say that the OBA’s research shows that this is not the case.” [*Official Hansard Report*, 2 December 2011, page 320]

And it was the case. I stood up here, Mr. Speaker, during the Question Period—

An Hon. Member: That’s a lie!

Mrs. Louise A. Jackson: I did not lie. You know—

[Inaudible interjection]

[Gavel]

The Speaker: Let us not use that. Members do not do that in here.

Carry on, Mrs. Jackson.

Mrs. Louise A. Jackson: Thank you, Mr. Speaker. Again—

An Hon. Member: Stay focused.

Mrs. Louise A. Jackson: Yes, have to stay focused.

Again, we have Ministerial Statements. He knew (that is, the Minister knew), the Honourable Minister knew at the time what the truth was, but did we get it? No.

Then it goes on [Ibid page 321]—it is even worse. He goes on to say: “Mr. Speaker, the OBA’s statement goes on to say, ‘We have found that FutureCare clients are shocked to be handed bills of many thousands of dollars for overseas care,’” (Which they were, Mr. Speaker!) “professional services and other benefits. They are facing significant co-payments for overseas care because FutureCare coverage is limited to 75 per cent . . .’” He goes to say: “This should not be a surprise to the Honourable Member, Mr. Speaker.”

Mr. Speaker, how could he stand up in the House of Assembly as an Honourable Member knowing full well that there was nothing in print for these seniors to know that they had to pay 25 per cent of their bills? Nothing in print! And he bulldozed it through. He went on television for hours. He went on everybody’s show he could find, calling me all kinds of names, and knowing within his heart that he had not informed the people of Bermuda that this was not true.

Shame!

In fact, the more I think about it, I really just need to change the subject. But I am not going to stop talking about the things that have happened during his tenure and a few other tenures.

I want to talk, while I am standing up, this FutureCare thing, of course, has been just about the worst of just about anything I can go [on] about. But think about what this Government, what they have done as far as seniors are concerned. I am going to go all the way back to when I first started, and the big thing then was Lefroy House. And for years they had that hole in the roof. And, of course, as you know, the patients were moved out and renovations were not done for many, many years. And during those days, we could not get any answers from anybody. But there was a Minister that came and went as a result of that. I will not call any names, but I think we all know who we are talking about.

I want you to know, Mr. Speaker, that Lefroy House, as far as I know, still is not finished.

An Hon. Member: Still what?

Mrs. Louise A. Jackson: It is not finished, as far as I know. Mind you, they will not let me in there.

[Inaudible interjection]

Mrs. Louise A. Jackson: They will not let me in to see.

[Inaudible interjections and crosstalk]

Mrs. Louise A. Jackson: As far as I know (but I could stand to be corrected on this), the wards there are still not finished. But, again, they will not let me in to see anything. I do not know what the fear is there, but—

[Laughter and inaudible interjections]

[Gavel]

Mrs. Louise A. Jackson: Because I am going to talk about them. I am going to go on. You have Fairview—

The Speaker: Carry on.

Mrs. Louise A. Jackson: I am going to go on. You have Fairview Court. Some of you probably do not even remember that, but that was one of the wards at the Mid-Atlantic Wellness Centre. There was a misappropriation of funds there. You never heard anything about it. I asked over and over and over again. No one ever got an answer for that one. I think the police were involved and everything else. All right? That is still hanging out there.

Then you had the pensions and, of course, again, they were asked to be revised. That is a long story, so we will not go into that one. And, of course, that is still something that we are all very concerned about.

Cost of hospital administrators—do you remember that, Mr. Speaker? I will take you back a little bit. And that was the fact that the hospital, some members of the hospital administration were receiving astronomical (probably are) salaries. But no one would ever tell us what they were. We still do not know. They received bonuses. We also had a Chief of Staff who, by the way, now has a change of name. He is no longer Chief of Staff; he is something else. And do you want to know why?

An Hon. Member: Why?

Mrs. Louise A. Jackson: Because he does not have a licence.

An Hon. Member: Oh, no.

Mrs. Louise A. Jackson: In the United States, he does not have a licence. He lost his licence. We will not go into why because that is another long story. But

they changed the name of his position, Mr. Speaker, from Chief of Staff to something else because Chief of Staff, according to the regulations, has to be a physician.

I could on. In fact, I think I will go on. We have the lack of legislation for residential care. We all know that there are no beds available. People have to keep their loved ones home. We still only have two places for Alzheimer and dementia patients. And that, of course, is one of the most serious situations that we have here. Nobody cares or understands about that. In fact, that is one of the fastest growing situations in the world. And we in Bermuda, of course, have made no arrangements—nobody seems to care about that.

CCU (Continuing Care Units) and Sylvia Richardson are the only two wards for people who have dementia and Alzheimer's. And the numbers are growing. In fact, they are growing so fast, Mr. Speaker, that I do not know how Bermuda will ever catch up. Right now it is a serious situation that no one is addressing. But the sad part about that is that the hospital, the new hospital, is not making any provisions for continuing care. None! It is going to be an acute care hospital—period. So, what is going to happen?

How much time do I have, Mr. Speaker?

[Inaudible]

Mrs. Louise A. Jackson: One minute? Well, in the last minute that I have I want to say that I am totally disgusted with the Minister—

The Speaker: Oh, I thought you were going to say the Speaker.

Mrs. Louise A. Jackson: No.

[Laughter and inaudible interjections]

Mrs. Louise A. Jackson: Mr. Speaker! I am really totally disgusted with the behaviour of this Minister of Health—

An Hon. Member: Bermuda deserves better.

Mrs. Louise A. Jackson: Someone is helping me here by saying that Bermuda deserves better.

I cannot understand how someone—

[Inaudible interjection]

Mrs. Louise A. Jackson: —how a Minister can knowingly know . . . he knew that those provisions, that 25 per cent co-pay, was there and did not tell the truth.

The Speaker: Time is up.

Mrs. Louise A. Jackson: Thank you.

The Speaker: Thank you, Mrs. Jackson.
Does the Honourable Member, Mr.—

[Some Members' desk thumping]

The Speaker: No, no.

[Inaudible interjections and crosstalk]

The Speaker: I am going to recognise the Honourable Member, Mr. Z. De Silva.
Minister De Silva has the floor.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, let us start from the back and work our way back to the front. Mr. Speaker, the Honourable Member mentioned Lefroy House and she said that she is not sure about the renovations that have taken place because she is not allowed in there. Well, Mr. Speaker, the reason the Honourable Member is not allowed in Lefroy House is because she showed up unannounced, unscheduled, with a reporter from the *Royal Gazette*. Since that day—

[Inaudible interjection]

Hon. Zane J. S. De Silva: Mr. Speaker, we talk about respectability and we talk about relationships and how you want to build relationships. You know, when you are on that kind of a visit, Mr. Speaker . . . no, I am sorry, Mr. Speaker, I would not turn up in someone's place of business unannounced, unscheduled, with a reporter unless I had some ulterior motives.

[Inaudible interjection]

Hon. Zane J. S. De Silva: So, Mr. Speaker, when you do things like that . . . and let me just answer the Honourable Member. Mr. Richards, I think had a question.

But, Mr. Speaker, one would say, *Well, why not?* Well, Mr. Speaker, it is a seniors' home. You walk in with a reporter . . . some of our seniors may be having some difficulties. Some may be changing, Mr. Speaker. Some may have some personal problems, Mr. Speaker. It is called "dignity," Mr. Speaker, and it is called "respect." It is called respect, Mr. Speaker. That is why that Honourable Member was not allowed into Lefroy House. And if she shows up again, Mr. Speaker, she will not be allowed in.

An Hon. Member: Unless she is a patient.

[Inaudible interjections and crosstalk]

Hon. Zane J. S. De Silva: Now, Mr. Speaker, let us get onto FutureCare items that the Honourable Member mentioned.

The Honourable Member said that many, many of our seniors left private plans to join

FutureCare. Mr. Speaker, that is another mistruth and I will give you a fact. Mr. Speaker, there are 2,900 people on FutureCare. Of those, 2,500 came from HIP, Mr. Speaker. So, what does "many, many people" mean to the man on the street? You do not even have 3,000 people, Mr. Speaker—

[Inaudible interjections and ongoing crosstalk]

Hon. Zane J. S. De Silva: You have 3,000 people on FutureCare and you have 2,500 from HIP. So, Mr. Speaker, let us not put out a little misinformation; let us be a little bit more economic with the truth.

[Inaudible interjection and general uproar]

Hon. Zane J. S. De Silva: Mr. Speaker, I can tell I am hitting a nerve because they are all jumping out of their seats, but that is good. I am going to hit a few more before I am done.

Now, Mr. Speaker, the Honourable Member said that there were no advertisements. I have said in this House, Mr. Speaker . . . in fact, in a Ministerial Statement read out on ⁴[2 December 2011], I reminded this House and the people of Bermuda that there were significant Town Hall meetings—in fact, 22 Town Hall meetings in all. And that Honourable Member, Mrs. Jackson, did not attend one.

An Hon. Member: Oooh.

Hon. Zane J. S. De Silva: She did not attend one of those meetings, Mr. Speaker. So, for a lady that is so caring about our seniors—22 public meetings, and that Honourable Member did not attend one! Okay, Mr. Speaker? It is no wonder she doesn't know the facts about FutureCare and the benefits and the dates, Mr. Speaker.

[Inaudible interjections and general uproar]

Hon. Zane J. S. De Silva: So, Mr. Speaker, had the Honourable Member attended maybe a few of those Town Hall public meetings, maybe the Honourable Member would know a little bit more information.

Mr. Speaker, with your indulgence, our Honourable Member, Mr. Nelson Bascome, who is no longer with us . . . On March 19, 2009, he read for all of Bermuda to hear—

[pause]

The Speaker: Lost your place?

Hon. Zane J. S. De Silva: Just thinking, Mr. Speaker. I got a little . . . just give me a second, Mr. Speaker.

⁴ *Official Hansard Report* 2 December 2011, pp 320-322

[Inaudible interjections]

Dr. the Hon. E. Grant Gibbons: Guilty conscience?

Hon. Zane J. S. De Silva: No!

The Honourable Member, Mr. Gibbons, says, "Guilty conscience." No, Mr. Speaker! When we talk about one of our Honourable Members that has now passed away, Mr. Speaker, and I have to read something that he wrote and presented to the people of this country in 2009, Mr. Speaker—prior to the launch of FutureCare . . . You know, Mr. Speaker, I will say no more. But now they, on the other side, want to laugh and crack jokes about something as serious as that, Mr. Speaker.

Mr. Speaker, the Honourable Member read out to the Bermudian people. "The goal of FutureCare is to be prevention oriented to improve the health status of Bermudian seniors and to reduce their healthcare costs in the long term. Those in need will have access to affordable care with lower overall costs" (Listen carefully, Mr. Speaker) "75 per cent of which will be paid by the Government."

An Hon. Member: Wow!

Hon. Zane J. S. De Silva: Okay? By Nelson Bascome in 2009 for all of Bermuda to hear—"75 per cent of which be paid by Government." Okay?

Now, Mr. Speaker, let me put my hand up for a moment. Here is the brochure from 2009. And, as we stated in this House last year, we said the brochure did not state in 2009 . . . I do not know why we are having this conversation about 2009, Mr. Speaker, so this is what makes me think this is all a political football.

You see, prior to FutureCare, Mr. Speaker, if our seniors went away for an operation and it cost \$100,000, do you know how much they paid? They paid \$100,000, Mr. Speaker. And if they were on HIP, they got a \$2,000 discount. So, prior to FutureCare, a \$100,000 operation, Mr. Speaker, our people had to pay \$98,000. Now, Mr. Speaker, a \$100,000 operation, they pay \$75[,000]. Is this not a huge improvement, Mr. Speaker?

An Hon. Member: That is not the point.

[Inaudible interjections and crosstalk]

Hon. Zane J. S. De Silva: Mr. Speaker, maybe what the Opposition wants us to do is just get rid of FutureCare and let all of our seniors pay 100 per cent?

[Inaudible interjection]

[Gavel]

Hon. Zane J. S. De Silva: That is what we are not about, Mr. Speaker. We will continue to look after our seniors. We will continue to look after them, Mr. Speaker. I do not know how many times the Opposition wants us—

An Hon. Member: Just apologise.

[Inaudible interjections and general uproar]

An Hon. Member: That is what you want? An apology?

An Hon. Member: Yes.

An Hon. Member: I apologise.

An Hon. Member: You're not the Minister.

[Inaudible interjections and ongoing crosstalk]

Hon. Zane J. S. De Silva: Mr. Speaker, the Honourable Members opposite are asking for an apology. See? That is why, they do not listen. Mr. Speaker, the apologies have been forthcoming in this House.

An Hon. Member: I am sorry.

An Hon. Member: You are not the Minister.

An Hon. Member: I am sorry.

An Hon. Member: You are not the Minister. Your brother says he would apologise.

Hon. Zane J. S. De Silva: I do not want to interfere with the chatter, Mr. Speaker.

The Speaker: Carry on, Minister.

[Gavel]

[Inaudible interjections and ongoing crosstalk]

Hon. Zane J. S. De Silva: Mr. Speaker, I would just like to—

[Inaudible interjections and ongoing crosstalk]

[Gavel]

The Speaker: Well, let us be courteous. Minister, you wish to continue?

Hon. Zane J. S. De Silva: It is amazing, Mr. Speaker, when you point out things like our seniors used to pay 100 per cent, or \$100,000, for an operation and now

they only pay 25 [per cent] and they try to drown it. They try to drown it, Mr. Speaker.

The fact of the matter is, Mr. Speaker, FutureCare is here. It is taking care of our people. And this Government, Mr. Speaker . . . outside of FutureCare—for our seniors we have things like TCD, Land Tax Exemption, National Office, Age Subsidy, Geriatric Subsidy. We have the War Vets, Mr. Speaker. We have Financial Assistance for our seniors, Mr. Speaker. You know what that totals up to really quickly—Lefroy House and Sylvia Richardson, Mr. Speaker? One hundred and twenty-two million dollars per year.

An Hon. Member: For our seniors.

Hon. Zane J. S. De Silva: For our seniors, Mr. Speaker—\$122 million that this Government gives to our seniors additional to a FutureCare package which was non-existent pre-1998, Mr. Speaker.

Thank you very much.

The Speaker: Thank you, Minister.

I am sorry. The House stands adjourned until Friday next at 10:00 am.

[Gavel]

[Laughter and general uproar]

Mrs. Patricia J. Gordon-Pamplin: I am on my feet, Mr. Speaker.

[Gavel]

Mrs. Patricia J. Gordon-Pamplin: That is totally inappropriate.

[Gavel]

The Speaker: Do we want to try that again?

Some Hon. Members: Yes!

[Gavel]

An Hon. Member: Good stuff.

The Speaker: People who do not respect the authority of the Chair are going to be tossed out of this Chamber!

Members, you are invited inside.

[At 10:14 pm the House stood adjourned until 10:00 am, Friday, 10 February 2012.]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****10 FEBRUARY 2012****10:03 AM***Sitting Number 8 of the 2011/12 Session*

[Hon. Stanley Lowe, Speaker, in the Chair]

PRAYERS

[Prayers read by Hon. Stanley Lowe, Speaker]

MOMENT OF SILENCE**ON THE PASSING OF DR. P. DE LA CHEVOTIERE**

The Speaker: Will Honourable Members, please, join me in a moment of silence for the former Member Dr. P. de la Chevotiere, who has recently passed.

[Pause]

The Speaker: Thank you, Honourable Members.

CONFIRMATION OF MINUTES**3 FEBRUARY 2012**

The Speaker: Is there any objection to the confirmation of the Minutes of the 3rd of February? The Minutes have been circulated. They have been sent electronically. Any objection?

Agreed to.

[Gavel]

The Speaker: The Minutes stand confirmed.

[Motion carried: Minutes of 3 February 2012 confirmed.]

MESSAGES FROM THE GOVERNOR

The Speaker: There are none.

**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APPOINTMENTS TO COMMITTEES**

The Speaker: I just wish to make the following appointments: Members' Interests Committee, I am going to put the Honourable Member, Mr. S. Crockwell on that committee. That is the Members' Interests Committee.

On the PAC, Public Accounts Committee, I am going to put the Honourable Member, Mr. T. E. Lister.

The Honourable Member, Mr. T. E. Lister, to the Public Accounts Committee, and the Honourable Member, Mr. S. Crockwell, to the Members' Interests Committee.

**SPECIAL REPORT OF OMBUDSMAN FOR
BERMUDA'S SYSTEMIC INVESTIGATION INTO
THE PROCESS AND SCOPE OF ANALYSIS FOR
SPECIAL DEVELOPMENT ORDERS**

The Speaker: I have the Special Report of the Ombudsman for Bermuda's Systemic Investigation into the Process and Scope of Analysis for Special Development Orders. This report is being made under the Ombudsman Act—section 24(2)(a) and section (3) of the Ombudsman Act 2004. Copies of this will be tabled momentarily. Members may find it of some particular or special interest in that it relates to a matter which we dealt with in the last session of the House.

MESSAGES FROM THE SENATE

The Speaker: There are none.

**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE**

The Speaker: I believe the Honourable Minister, Mr. W. Perinchief, do you have Papers? Police Complaints Authority? Yes.

The Minister of National Security, Honourable Member, Mr. W. Perinchief, from Pembroke Central, has the floor.

**POLICE COMPLAINTS AUTHORITY
CONSOLIDATED ANNUAL REPORT FOR 2008,
2009 AND 2010**

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker. I have the honour to attach and submit for the information of the Honourable House of Assembly the Police Complaints Authority Consolidated Annual Report for 2008 through 2010. Mr. Speaker, I also have a small speech to make. I can do the Statement later, Mr. Speaker.

The Speaker: Yes.

Hon. Wayne N. M. Perinchief: Thank you.

The Speaker: Any more communications to the House? We will move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS

The Speaker: I am going to take the Honourable Member, Dame Jennifer.

The Honourable Member, Dame Jennifer, from St. George's North, Minister of Education, has the floor.

FIRST ADMISSION POLICY CHANGES

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

Mr. Speaker, today is the last day for parents to register children for public school. I thought, therefore, that it was an opportune time for me to share with Members of this Honourable House and the listening public several important changes to our Policy and Procedures for First Admission to Primary School.

In addition, I also want to inform Members of a significant change pertaining to students transferring from private school to a public school and the attendant responsibility of private schools.

Members will know that I have been reporting regularly to this House and the public on the modernisation activities being employed by the Ministry of Education in schools. You will probably not be surprised to learn that the modernisation of the Policy and Procedures for First Admission represents the first change in some 15 years.

Administrators reported that the current practice resulted in a mixture of inconsistency, confusion and a lack of transparency for parents and guardians of children entering primary school. The old policy was examined with an eye to ensuring that it was up to date and compliant with the Education Act 1996 and the Education Rules 2006.

Mr. Speaker, the revised Policy and Procedures for First Admission sets out the registration requirements for all students entering public primary schools.

The policy impacts students who will be five years old during the registration year. For example, this year children born in the year 2007 are affected. I should add that the birth rate in 2007 was a little higher than the previous year, with an additional 61 births. Therefore, we anticipate a slight increase in P1 enrolment for this coming school year. The policy changes are consistent with the governing

legislation and do not result in any unfair preference for any particular parents.

I must admit that there were some practices that have been changed because they were not in compliance with the legislation. One such change resulted in a clarification of what was known as the "sibling rule." Over the years, custom and practice has resulted in principals being mandated to set aside places for siblings of children already attending primary school, even if those siblings did not live in the same school zone. Most certainly, in consideration of families, legislators saw fit to allow principals to give preference to a sibling, but these same legislators were very specific in making this option discretionary, and the Education Rules 2006 are even clearer: The siblings must reside in the same zone. For the avoidance of doubt, reference to siblings does include step or adopted siblings, but they must live in the same school zone.

Another practice put in place by the Ministry allowed teachers preference for their children to obtain spaces in primary school. Although well meaning, this practice was inconsistent with the legislation, and communication has been made to all primary school principals that, while we value our teachers, they should be treated in the same way as all other parents.

Mr. Speaker, the Education Act 1996 requires that all students be bona fide residents of Bermuda; therefore, parents of non-Bermudian students must demonstrate that said children are bona fide residents. They may do this simply by presenting a copy of the child's entry/re-entry permit or the presentation of a letter from the Department of Immigration. In order for any child to register, a photocopy of his/her identification must also be submitted to ensure that the child's name is spelled correctly. This documentation also demonstrates proof of Bermudian status for Bermudian children.

Mr. Speaker, the Ministry of Education continues to invest in early intervention; therefore, the policy also makes reference to special needs students. Parents of a child who may have mobility, vision, hearing, medical, social-emotional, developmental or any other special needs are asked to contact the Student Services Early Childhood Education Officer at the Ministry prior to the submission of an application for primary school. This requirement is in place to provide assistance to parents in selecting the school most appropriate for their child's needs.

In addition, the policy refers to the opportunity for both "early" and "delayed" entry into primary school. In both instances, parents are requested to make an application to the Minister with supporting documentation. After formal and informal observations, interviews and assessments, a recommendation will be made to the Minister, who makes the final determination. While some students may be suitable for

early entry, I have to note that preference will be given to students who are of the prescribed age.

Mr. Speaker, parents have the right to appeal the decision when a child is not admitted to their particular school of choice. The legislation requires that such an appeal be made in writing to the Chair of the Appeals Committee. The decision being appealed will stand until a decision is made by the Appeals Committee, which is final. These procedures emanate from the Education Act 1996 and the Education Rules 2006.

Mr. Speaker, it is my understanding that it has been several decades since there has been a change to the existing boundaries that make up the three school zones of East, Central and West. This year, I saw fit to amend the boundaries to bring parity to each school zone so that each zone now consists of six primary schools. The boundary change sees Paget Primary School and Gilbert Institute (both located in Paget) move from the western zone into the central zone. Students will have the same choice of middle schools.

In closing, Mr. Speaker, I would like to share one last, but salient, change to existing practice, this one related to the admission of students from private schools into public schools. On January 24th and February 3rd, the Ministry of Education gazetted an official notice outlining the procedures for enrolment for the 2012/2013 school year. Those notices included the following statement (and I quote): "The manager or principal of a private school must, on request from the Ministry of Education, submit the official transcript of any student who has applied to be admitted to a maintained or aided school."

This provision is to ensure that persons in charge of private schools provide the information necessary to meet the educational needs of students transferring to public schools. While there has, so far, been only one impediment to date, the change is to clarify for everyone what is expected. We believe that it is important that children not be educationally disadvantaged because of the policies and/or actions of adults.

Mr. Speaker, thank you for your indulgence, and I look forward to reporting the results of school registration once it has been completed.

Mr. Speaker, I have another Statement, if I might read it.

The Speaker: The Minister has a further Statement. Dame Jennifer?

EXEMPTION ORDER

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

Mr. Speaker, this Honourable House will recall that last November—on the 18th, in fact—I informed Members that I had gazetted an Exemption Order to allow unlicensed teachers to teach under specific

conditions and for a specified period of time. Members will recall that Section 6 of the Bermuda Educators Council Act 2002 establishes an Exemption Committee which advises the Minister on exemptions.

Mr. Speaker, the Exemption Committee has put forward additional exemption requests in response to various vacancies in the public school system—vacancies caused by the non-arrival of teachers, unfilled positions and unexpected teacher absence. The 17 exemptions which they have recommended are to fill posts in social studies, motor mechanics, English, French, Spanish, music, learning support, mathematics, physical education, and science.

Mr. Speaker, as required, these exemptions will be gazetted so that the public will be aware of who has been exempted and under what conditions. Gazetting this information lessens the possibility of these persons being used outside of the area for which they are approved and/or qualified.

Mr. Speaker, it may appear from the date of these exemptions that 12 of them are retroactive. The fact is that there was some confusion as to whether or not Cabinet approval was required for each exemption. This matter has now been resolved, and in the future the process will allow us to issue exemptions on a more timely basis.

Once again, I thank the Exemption Committee for ensuring that we have qualified staff in our schools to deliver the curriculum.

Thank you.

The Speaker: Thank you, Dame Jennifer, the Honourable Member from St. George's North, Minister of Education.

Just before I recognise the next Minister, it is with delight that I recognise some young people from Port Royal Primary, P4. They are with Mrs. Zonique James, their teacher.

Young people, please, stand so your Representatives can see you.

[Desk thumping]

The Speaker: Thank you. We hope that you enjoy what you hear your Members of Parliament say this morning.

Any further speakers?

I now recognise the Honourable Member, Minister W. Perinchief, from Pembroke Central.

Minister Perinchief has the floor.

POLICE COMPLAINTS AUTHORITY CONSOLIDATED ANNUAL REPORT 2008–2010

Hon. Wayne N. M. Perinchief: Thank you, Mr. Speaker.

I just recently tabled a copy of the Police Complaints Authority [Consolidated Annual] Report 2008 through 2010. Mr. Speaker, in a Statement to

this Honourable House on the 13th of May 2011, I indicated to Honourable Members that contrary to section 27 of the Police Complaints Authority Act 1998, the reports of the Authority had not been submitted to the Minister responsible since 2008.

Mr. Speaker, as I undertook to do at that time, I am pleased to advise this Honourable House that a Consolidated Annual Report for the years 2008 through 2010 has been prepared and is now tabled in this Honourable House. Mr. Speaker, I wish to thank the former Chairman of the Police Complaints Authority, Ms. Michelle St. Jane, for her service and for the completion of this Consolidated Annual Report.

Mr. Speaker, the report cites the challenges with a backlog of complaints, and I am pleased to advise Honourable Members that the backlog has been cleared and the Police Complaints Authority attends to complaints now speedily.

Mr. Speaker, there is a delicate balance to be struck between the need in these times for strong enforcement and the fair treatment of those who come into contact with the Bermuda Police Service. I am satisfied that the balance is appropriately struck and that both agencies' aims and objectives fulfil important and congruous models in our democracy.

Mr. Speaker, those areas of police administration highlighted by the report have been ascribed the required priority by the Commissioner and the Minister. The work to devise a system that provides for the finality of complaints is ongoing. Honourable Members and the public can take confidence in the work of the Police Complaints Authority as a vital check and balance on the activities of a powerful arm of the state charged with maintaining law and good order.

Thank you, Mr. Speaker. Mr. Speaker, with your indulgence, may I?

The Speaker: The Minister has a further Statement. Yes?

COMMUNITY ACTION IN GANG PREVENTION

Hon. Wayne N. M. Perinchief: Mr. Speaker, momentum on all fronts in the effort to seize the initiative from any attraction luring our young people to the gang lifestyle is critical. Therefore, further to my Statement last week in this Honourable House, I am pleased to advise Honourable Members of two key initiatives in support of this Government's anti-gang strategy.

Firstly, Mr. Speaker, in a public assembly on the 22nd of February, I will convene a broad cross-section of front-line public officers, volunteers, community workers and ordinary citizens engaged in grassroots efforts to combat the challenge of the gang culture. It is important that people know just what is being done and by whom. Sharing experiences is an important first step in aligning services in the community and eliminating gaps in that service.

Mr. Speaker, I expect to hear real people sharing the strategies they have employed in this effort, and the team from the Ministry of National Security will carefully record best practises and note what is required to supplement their efforts.

Mr. Speaker, in the weeks since I outlined the six-point strategy in this Honourable House, I have met with Ministerial colleagues, the Bermuda Police Services' senior command and the leadership of one of the Island's national sport. Mr. Speaker, a common thread has emerged from these discussions: The need for action on a variety of fronts and the need to equip ordinary citizens with the knowledge required to individually and collectively play a part in reversing the destructive trend towards the gang lifestyle.

Therefore, Mr. Speaker, also on the 22nd of February, I will unveil a comprehensive user-friendly manual setting out clear information on gang mentality, their signs and symbols, along with intervention strategies for families and other members of the community. Mr. Speaker, this handy reference guide will eliminate the mystery that surrounds the gang culture, detail why it is attractive to some of our young people and empower ordinary citizens with the knowledge required to reclaim their families, loved ones and communities.

Mr. Speaker, Bermuda cannot afford complacency in the challenge we face, nor can we rely on others to meet the issue which defines the times in which we live. This Government's commitment is seen in the constant attention devoted to this issue. Our aim is to restore that sense of community and to empower citizens as equal partners in this important work.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Perinchief.

I now recognise the Honourable Member, Minister Minors.

Minister Minors, from Smith's North, has the floor.

Minister?

YOUTH LITERACY PROGRAMME

Hon. Patrice K. Minors: Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning to inform Members of this Honourable House and the people of Bermuda about the valuable literacy-based events that have been taking place at the Youth Library on Church Street.

Mr. Speaker, the purpose of library programmes is to promote the love of reading to children, both educational and recreational, and to impress upon parents the importance of reading to their children every day and from an early age. The Youth Library staff continues to strive to offer literacy-based activities for all children from birth to 18 years of age.

Mr. Speaker, in the last three months, the library has offered 73 programs for our young people, with 1,822 people attending. In October they held "Read for the Record," as well as Haunted Library programmes. The Read for the Record programme encourages preschools and nurseries all around the world to read the same book to children in order to break the record. The Youth Library coordinated the event and had seven preschools (231 students) participate, as well as hosting a reading session at the library hosted by Minister Michael Weeks. Bermuda's participation was counted for the world record.

For the Haunted Library programme, there were over 80 people that came out to see the transformed library haunted by storybook characters. The children were treated to a Haunted Library story written by staff member Clintel Jones, before they headed in through the spooky library maze. This was such a success that it will become an annual event.

Mr. Speaker, also in November the library held a Family Story Night to promote family literacy. Twenty-seven people came with their picnic blankets and dinner for an evening of stories, singing, poetry and magic. It gave parents the opportunity to sit together as a family and enjoy dinner and to hear wonderful stories being read to them. In this way parents were exposed to some of the great books available at the library.

Mr. Speaker, the library was busy in December. They held a Library Sleepover run by the Teen Advisory Board, Winter Crafts during the Christmas school break and a Kwanzaa celebration. Mr. Speaker, the sleepover at the library offered an evening of dinner, games, stories and the opportunity for the children to work as teams. The purpose of the event was to expose the 32 children to the services and materials that are available at the library through a fun and educational programme.

Mr. Speaker, during the school year the library runs a Teen Advisory Board, which is made up of approximately 10–12 teenagers from the middle and high schools. The aim of the board is to promote literacy to teens, and the teens to assist the library with programmes for young people throughout the community.

Mr. Speaker, the Youth Library offered these programmes in addition to regular weekly programs that consist of a Book Babies reading programme, Tiny Tunes music programme, Saturday Storytimes, Boys' Clubs, Girls' Clubs, Chess Club and monthly movie days. They have seen a steady increase in usage in attendance of these programs year over year.

Mr. Speaker, as the Minister responsible for the Bermuda National Library, I want to once again thank the library staff for their dedication to the people of Bermuda. I particularly want to commend the Youth Library staff on their ability to continuously and consistently develop programs to entertain, educate and foster the love of reading and learning to our children.

Mr. Speaker, I have another Statement that I would like to make.

The Speaker: Thank you, Minister.

Minister Minors has a further Statement.

Go right ahead, Minister.

HANDS-UP EMPOWERMENT PROGRAMME

Hon. Patrice K. Minors: Thank you, sir.

Mr. Speaker, I rise this morning to report on the progress that the Bermuda Economic Development Corporation (BEDC) is making through its Small Business Construction Incubator and Hands-Up Empowerment Programmes to get Bermudians back to work.

Mr. Speaker, BEDC is helping to address unemployment by working with small businesses. We believe one of the keys to economic recovery lies with small business owners and entrepreneurs with the imagination and drive to innovate and start small businesses.

Mr. Speaker, one of the BEDC's initiatives is to provide help to companies looking to establish themselves with secure start-up funding. The Corporation also provides a catalyst to establish a greater array of services in Bermuda that, in turn, are attractive to both international businesses establishing themselves here and tourists visiting the Island.

Mr. Speaker, stimulating entrepreneurship drives job creation and empowers Bermudians to become part of the engine for economic sustainability. We will do all that we can to facilitate projects that will provide employment opportunities. You may recall, Mr. Speaker, that the Ministry of Economy, Trade and Industry has already announced the successful completion of three separate jobs that have been managed via BEDC's tendering process targeting small business operators. These included the renovation of Sea Song, the Southside painting project and most recently the completion of the Small Jobs Work programme that saw 23 people put back to work over a 12-week period.

Mr. Speaker, just yesterday I announced the award of another project that followed a successful tendering process managed by the BEDC. The Bermuda Economic Development Corporation again partnered with the Ministry of Government Estates and Information Services to manage the tendering process for a cleaning contract for the Dame Lois Browne Evans Building. In this regard, the Corporation undertook to identify prospective bidders from graduates of the Construction Incubator Programme and participants from the Small Jobs Work Programme, as well as private citizens. The objective of this partnering was to create entrepreneurial opportunities for unemployed Bermudians.

Mr. Speaker, I am pleased to share that Ms. Cathy-Ann Symons was selected as the vendor for

the cleaning contract. Ms. Symons has been unemployed for the last two years, and we were first introduced to her through the Small Jobs Work Programme. Ms. Symons submitted a successful bid for the cleaning contract and as a result of the contract award; Ms. Symons will be supported by the BEDC throughout the term of the agreement.

BEDC will provide training, business planning guidance, and administrative support to ensure the success of this new entrepreneurial endeavour. The employment pool for this new venture is being pulled from the Department of Labour and Training's unemployment database. Successful candidates will participate in a customised training programme to ensure that they are work-ready. It is anticipated that the cleaning of the facility by the new team will commence on April 1st, 2012.

I take this opportunity to thank the Ministry of Government Estates and Information Services for their continued partnership, and I look forward to continuing to develop new entrepreneurs through partnership with other Government Ministries and private businesses. Particular thanks goes to Lucrecia Ming, the Assistant General Manager of the BEDC, and Mr. Stephen Tucker of the Ministry of Government Estates and Information Services, for their commitment to moving this initiative forward.

Mr. Speaker, the Government is actively generating opportunities for Bermudians to expand their skills. As we go forward, some Government contracts will specifically urge vendors to hire unemployed Bermudians, and it is anticipated that this may be a condition of the award in other cases. Further, we will also explore opportunities to facilitate "public/private partnerships".

Mr. Speaker, Honourable Members will already be aware of the establishment of the two new EEZs in the east and west ends of the Island and will recall that an Economic Empowerment Zone is a geographical area that has been designated by law as such and one that is targeted for social, economic, physical and spiritual development. Vehicles to achieve such development include financial support for eligible EEZ property and business owners, and targeted real estate enhancement through defined development of the area.

Mr. Speaker, on Thursday, February 16, 2012, the residents of the West End will have an opportunity to participate in a public meeting to discuss their business ideas and the regeneration of the Somerset area. This event is the result of a unique partnering between the West End EEZ and the Somerset Parish Council. Collectively, the two organisations will explore all of the ingredients required for a Somerset renaissance—economic, social, physical and spiritual. Our goal is to help small businesses and necessity entrepreneurs to "turn their passion into profit." We will work to identify the self-employed and micro-

entrepreneurs as a distinct group and encourage their passion to succeed.

Mr. Speaker, in many cases, entrepreneurs do not need a lot of capital to get started, and we are committed to working with them and seeking innovative ways to support them. For instance, Honourable Members may recall that in December we launched the EEZy Shopping, Dining and Living Money Programme, which saw EEZ businesses get together to offer fantastic discounts to the entire community during the post-holiday season of January and February. That programme allowed the collective EEZ to be promoted and drove consumers into the zone.

More recently, I participated in the launch of the very first handy reference Business Directory and Map for the North East Hamilton Economic Empowerment Zone, which highlights the breadth and diversity of businesses located in this area of the city. These are but a few examples of the innovation that the team is bringing to bear as we work to provide much needed support.

Mr. Speaker, I plan to personally participate in the Somerset public meeting next week as we endeavour to breathe new economic life into the area and give hope to people who may be seeking employment. To this end, we endeavour to have representatives from the Department of Labour and Training at the meeting to allow any person that may be unemployed and seeking employment the opportunity to register right there in their own community.

Mr. Speaker, as I have said before, the Government is putting in place a network of initiatives, which include short-term stimulus programmes and medium- to long-term changes in policies, programmes and legislation to drive economic growth and job creation. In the short term, we are helping Bermudians to adjust to the changing labour market so that they can secure jobs and prepare themselves for better jobs in the future. This Ministry's primary goal is to continue to develop and build the local economy, which includes helping to put Bermudians back to work.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Minors, the Honourable Member from Smith's North.

Any further Ministerial Statements?

I now recognise the Honourable Member, Mr. Z. De Silva, from Southampton East Central.

Minister De Silva has the floor.
Minister?

FEBRUARY—ORAL HEALTH MONTH

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I would like to take a few minutes to remind Members of this Honourable House and the listening public that February is Oral Health Month. Bermudians can be proud of the oral health

status of our children. In 2010, the World Health Organization set a goal for the DMFT [Decayed, Missing, Filled Teeth] Index worldwide. This index refers to the average number of decayed, missing (that is, extracted) and filled teeth. The sentinel age for this index is 12 years old. The goal set by the World Health Organization was that by the year 2020 the average for the 12-year-old population will be less than one tooth affected by decay.

Mr. Speaker, I can proudly say that Bermuda have met that goal before it had even been set. In 2010, our 12-year-olds had an average of 0.54 decayed teeth. In large part, this exceptional performance can be attributed to work of the Department of Public Health. Our fluoride programme was started in 1978, and measurements taken over the last 30 years show that we have maintained one of the lowest decay levels in the world. We have promoted and provided sealants in the schools, which help to reduce the number of susceptible teeth that go on to have decay. We have partnered with the schools in support of a nutrition policy that reduces the number of sugar exposures our students experience. The reduction in sugar exposures leads to a reduction of acid in the mouth and helps reduce tooth decay.

However, maintaining this accomplishment requires continued effort, and the Ministry of Health thanks its partners, the Ministry of Education, the principals, the teachers and parents, for their continued vigilance in providing this service. We recognise just how easily and quickly we could lose the advances that we have achieved. Mr. Speaker, going a single generation without preventive care would put us right back to where we started.

As the rest of the world gradually catches up, we are continuing to investigate ways to further decrease the burden of decay and periodontal disease in our community. In recent years, research has supported looking at periodontal disease in a new way, and periodontal disease has been linked to increased risks of certain medical conditions.

Last year we talked about the needs of the pregnant woman. In high-risk pregnancies, a woman who also has periodontal disease is three times more likely to have a pre-term birth than a woman without periodontal disease. Guidelines for the oral health care of a pregnant woman were shared with the professional community and the Bermuda population at large. This year, Mr. Speaker, we are emphasising the effects of poor oral health on other conditions. Research has established links between periodontal disease and bacterial pneumonia, as well as heart attacks. More recently, they even found that periodontal disease may be one of the risk factors for some cancers.

Periodontal disease is like an infected open wound, and bacteria from the mouth are often breathed into the lungs, swallowed, or enter the bloodstream through bleeding gums. The chronic in-

flammation caused by periodontal disease has a detrimental effect on other organs and can cause inflammation and clotting. It is well established that diabetics are prone to developing periodontal disease. A person's diabetes tends to be out of control when the individual has periodontal disease, and the diabetic with periodontal disease is more likely to require insulin.

When we consider all of these factors, it is clear that decay and periodontal disease are very costly. They are not just costly to correct, but they add to the total cost of medical care and the health system. In fact, they have the potential to shorten life and to cause individuals to be debilitated. When we also consider that these problems can be minimised by simple daily preventative practises and regular dental visits, we have to wonder why so many of us start to lose our teeth to periodontal disease as we get older. All it takes is proper technique and about seven minutes a day, Mr. Speaker—two minutes to brush after breakfast in the morning, two minutes at night before you go to bed, one to two minutes of flossing per day, 15 to 30 seconds with a tongue scraper and 15 to 30 seconds twice a day with a mouth rinse.

Mr. Speaker, these preventive measures are critical, and we can all spare seven minutes a day, I am sure. But along with prevention, we need to keep up with our regular dental check-ups. See your dentist as often as recommended. Take care of your teeth, and they will last a lifetime.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister, Minister Z. De Silva, from Southampton East Central.

Any further Ministerial Statements?
We will move on.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: Dr. Gibbons indicated that he wishes to put questions to the Honourable Member, the Minister of Education, who is not in the Chamber.

Dr. the Hon. E. Grant Gibbons: I do, Mr. Speaker. How would you like me to proceed?

The Speaker: Do you want to . . .

[Inaudible interjection]

Dr. the Hon. E. Grant Gibbons: If Mr. Butler would like to answer the questions, that is fine.

The Speaker: The Minister has indicated that she will entertain the questions somewhat later during the proceedings. We will try to work it out.

The Honourable and Learned Member, Mr. Crockwell, indicated he wished to put questions to Minister Minors.

Mr. Crockwell?

QUESTION NO. 1 ON HANDS-UP EMPOWERMENT PROGRAMME

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker. Good morning.

Mr. Speaker, I would like to ask a question on the second Statement given by the Honourable Member, Minister Minors.

Page 1, the Minister was reporting on the new programme of the Bermuda Economic Development Corporation, and she was speaking about providing start-up funding. Can the Minister report whether or not the budget for this is already contained in the BEDC or if there is additional funding for this programme?

[Hon. K. H. Randolph Horton, Deputy Speaker, in the Chair]

The Deputy Speaker: Minister?

Hon. Patrice K. Minors: Yes, Mr. Deputy Speaker.

The original budget was \$300,000. The BEDC has provided a detailed accounting of funds that were disbursed on a weekly basis. Of the \$300,000 that came out of their budget, some \$247,541.16 were used, leaving a residual of some \$52,458.84.

The Deputy Speaker: Thank you, Minister.

Mr. Crockwell, another question or a supplementary?

SUPPLEMENTARY

Mr. Shawn G. Crockwell: A supplementary on the first question, Mr. Deputy Speaker.

The Deputy Speaker: Yes, yes.

Mr. Shawn G. Crockwell: So, is the Minister saying that the residual is what is being applied to this new programme? I just was not quite clear.

Hon. Patrice K. Minors: The "new programme" being the cleaning programme or the existing programmes that are . . .

[Inaudible interjection]

Hon. Patrice K. Minors: It is an existing programme.

The Deputy Speaker: Mr. Crockwell, do you have another question?

Mr. Shawn G. Crockwell: Yes, a second question.

The Deputy Speaker: Question two. Yes?

QUESTION NO. 2 ON HANDS-UP EMPOWERMENT PROGRAMME

Mr. Shawn G. Crockwell: Thank you, Mr. Deputy Speaker.

The Minister referred to the completion of three jobs in relation to this programme. Can the Minister report how many projects are ongoing?

The Deputy Speaker: Minister?

Hon. Patrice K. Minors: As of right now, none are ongoing.

The Deputy Speaker: Thank you, Minister.

Hon. Patrice K. Minors: That course ran for a 12-week period. So it is a matter of getting more jobs and further allocation being made to fulfil the employment of the persons during that length of time.

The Deputy Speaker: Thank you.

Mr. Shawn G. Crockwell: Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Are there any other Members with questions?

No further questions. No more questions.

Dr. Gibbons, we will go back to your question later, so that will be recorded.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Deputy Speaker: I recognise the Leader of the Opposition, Mr. Craig Cannonier.

Mr. Cannonier, you have the floor.

Mr. L. Craig Cannonier: Thank you, Mr. Deputy Speaker.

This week, Tuesday, we had the unfortunate news that a good friend of mine and many of you within these Chambers passed, Sean Pitcher, a long-time friend of many of us, a founding member of the OBA. There is a saying that says, *Good men die young*. I can confirm that this was a good man, and I can confirm also that he was young. I am going to also give my condolences to the Honourable Lovitta Foggo, who is a family member. The ties down within St. David's are very, very, very close, and that com-

munity is reeling from the loss of our good friend Mr. Pitcher.

I can say truly that Mr. Pitcher, we go back from birth—same age, growing up in St. David's and sliding off of the Dark Bottom hill on cardboard boxes. I can truly say that after having gone to university and lost contact with him for awhile, when we did meet back up, it was as if I had never lost a friend or we had lost time. He was the kind of gentleman that appeared very conservative, but you would know that he was a risk-taker, having done bold things like fly up in a plane and jump out of it. When I spoke with his mother of the travesty a few days ago, she mentioned that he had to have been wearing the pants that day because she did not think he was that bold as well.

But I want to go back to the significance of this man. He was an ambassador for Bermuda. He could go within any home, regardless of what affiliation you may be coming from politically, what socio-economic background you had. This was the kind of guy who gravitated towards people. He believed in people. It is with a saddened heart that the OBA recognises and give sympathies to the family. Again, as I said, are the Honourable Lovitta, as a family member . . . that we this morning grieve the loss of this beautiful young man. I am sure that many within these Chambers here will also want to be associated with this. But this was a young man that . . . We must continue on, and his life will continue on as we speak of the good that he has done in these short 49 years—a member of dozens of organisations and help groups and non-profit groups. He was truly an ambassador for Bermuda.

So, Mr. Deputy Speaker, I thank you for this time. Let us continue to remember our fallen comrade.

The Deputy Speaker: Thank you, Honourable Member.

I recognise now the Honourable Dale Butler, from Warwick.

Hon. Dale D. Butler: Thank you, Mr. Deputy Speaker, and good morning.

The Government is already on record with regards to giving its condolences to the family of Sean Pitcher, actually a look-alike to the Opposition Leader. I would agree with him that he was—

[Inaudible interjection and laughter]

Hon. Dale D. Butler: Oh, Sean was better looking? Okay. I do not know.

[Laughter]

Hon. Dale D. Butler: Jokes aside, I would agree with him, he was an ambassador to Bermuda. In fact, in talking to him on a regular basis, I thought he was like a Member of our Party. He was the nicest of all the

OBA Members, of all of them except for, of course, the Honourable Mrs. Louise Jackson.

Mr. Deputy Speaker, I would like for the House to also send its condolences—and we did this last week to an outstanding teacher at the Central School. Now the news has hit us again of the loss of a strict disciplinarian, someone who ensured that every child would learn—did not want labels attached to children—who served for 42 years at the Central School, Rhoda Rayner, from Spice Hill. I ask that the House send condolences to her family.

Her outstanding work in regards to art and craft, and in particular, she taught boys to sew (me), to embroider (me), along with the rest, and to knit. I will eternally be grateful for the skills that she imparted upon us young men at the Central School, and the fact that learning—she emphasised the importance of learning and the importance of standards. We were most grateful for having in our midst people like Rhoda Rayner, the late Mrs. Rhoda Rayner, as indeed we had remembered Enith King just last week. So I ask the House to send condolences to her family.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Butler.

I now recognise the Honourable and Learned Member, Shawn Crockwell.

Mr. Crockwell, you have the floor.

Mr. Shawn G. Crockwell: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I rise as I would like to be associated with the remarks of condolences given to the family of my late friend, Mr. Sean Pitcher. Mr. Deputy Speaker, I had the pleasure of knowing Sean for some time. We were good buddies, and we enjoyed playing golf quite often together. What was interesting was that when Sean first came to me and said, *Look, let's get together and play golf*, in fact, he encouraged me to join up at Ocean View Golf Club, and we joined together.

The type of enthusiasm he was showing towards golf, I just assumed that he was going to be really good. So I was going out and I was practising to make sure that I had my game, you know, at least to a certain level. To my surprise, when we got out there, he was not as sharp, Mr. Deputy Speaker.

[Laughter]

Mr. Shawn G. Crockwell: But what was interesting and what really spoke to his personality . . . You know, I am not that great, either, Deputy Speaker.

The Deputy Speaker: That is all right. No, I know you are a good golfer.

Mr. Shawn G. Crockwell: I have been known to make some pars in my day.

I would be on the green, Mr. Deputy Speaker, waiting for Sean to come, and he would be hacking all over the course. But Sean Pitcher never got upset. He never got frustrated. And he enjoyed every moment whilst we were out there. That was the type of person that Sean was. I cannot recall a time Sean being upset. I cannot recall a time Sean saying a disparaging word about anybody. He was just a good person.

It is funny. When we formed the Bermuda Democratic Alliance together, there were quite a few "Sean's" in that organisation. There was myself, there was Sean Collier, Sean Soares, and the beloved and departed Sean Pitcher. So, he and I used to have this little ongoing sort of joke, if you will. We would call ourselves the "Sean Club." We used to always joke around how the Seans were dominating and the Seans this and the Seans that.

Well, Mr. Deputy Speaker, it is without question that we have lost the best Sean. I will miss him, and he will never be replaced.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable and Learned Member.

I now recognise the Honourable Member from St. George's, Mr. Kim Swan.

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I would like to be associated with the condolences being offered to the family of Mr. Sean Pitcher by the past two speakers, who were very close friends with him. I certainly myself have known Mr. Sean Pitcher for quite a long time, Mr. Deputy Speaker. In Sandys South when Honourable Member, Mr. Walter Lister, gave me an introduction to politics I shall never forget, Mr. Sean Pitcher, was working at Lantana for the family of Paul and Penny Leseur, learning the trade of night audit and also learning the hotel trade as a young man. I was 25 years and four months; he must have been just about turning 21 at the time. He assisted us.

As life goes on, Mr. Deputy Speaker, when I came to St. George's, one of the people that I became very close with was a former member of the Board of Trustees of St. George's, a gentleman by the name of Romeo Mickey Pitcher. Romeo Mickey Pitcher was the father of Sean Pitcher. Certainly, Mr. Deputy Speaker, during my life in the East End, I have become very close to the Foggo and the Cannonier and the Pitcher families and the Fox family, which were all Sean Pitcher's family. So many times during Christmases, over a little libation, we would be together.

I know, Mr. Deputy Speaker, that the family is reeling. It is a blow for them. As the Honourable Member, the Opposition Leader said to the Honourable Whip, whose family is of that family, they are very devastated by the sudden loss of Sean.

Notwithstanding, Sean Pitcher was also the Chairman of the United Bermuda Party, which I still represent, Mr. Deputy Speaker. Whilst there were differences in the way in which Mr. Pitcher decided to leave, it did not affect our friendship. I hope people hear that, because that is the cornerstone of what being a human being is all about. Politics cannot come in between family. I believe Mr. Pitcher understood that because many of his family were green, as many of his family are my friends. They do not promise to vote for me.

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: I would like, Mr. Deputy Speaker, to have a . . . But they would not let me leave St. George's dressed and not matching. That is what a friend is to you.

Mr. Deputy Speaker, I would like a suitable letter sent to the family of the late Dr. Paul de la Chevotiere, who was the only Member of this Honourable House to have left the Progressive Labour Party to join the United Bermuda Party following the 1976 election. Certainly, his departing has caused me to touch base with a number of the players in that particular election, Mr. Deputy Speaker, many of whom I was very closely associated with—the late Honourable Gloria McPhee, Dr. John Stubbs, Mr. Arthur Hodgson, Mr. Calvin Smith, and the great Mr. Walter King, who had a great influence on my life, who put it greatly just two days [ago] on the phone and said that *Principle has no price*, and Dr. de la Chevotiere was a man of the people.

Thank you for affording me the time, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

I recognise now the Honourable Member, Minister Blakeney.

Hon. Glenn A. Blakeney: Thank you very much, Mr. Deputy Speaker, and good morning to everyone.

I would like to be associated with all of the condolences sent to the families of those that have sadly and untimely passed.

Mr. Deputy Speaker, I rise to request this Honourable House send a letter with congratulations to the Bermuda Gymnastics Team. The Bermuda Gymnastics Team travelled to New York City recently for their second appearance at the Manhattan Classic Invitational.

Thirteen girls participated in three levels of competition: Tabytha Hofheins participated in the Platinum level, which was the highest of the Bermuda squad. In the Gold level was Sadia Wilson, Sydney Mason, Zantae Dill, Danielle Wall, Clara James, Anna Francoeur, Zekiah Lewis and Samantha Soares. Bermuda also sent a team for the Silver level: Anah

Lightbourne, Tomei Talbot, Trinity Wilson and Maya Malpas. The girls were accompanied by head coach and programme director Duke Nelligan and assistant coach Mandi Baughman.

Bermuda had five gymnasts earn an all-around mark high enough to qualify for the USAIGC International Championships. They were, respectively, Tabytha Hofheins, Sadia Wilson, Sydney Mason, Danielle Wall and Anah Lightbourne. In the challenging Platinum level, Hofheins found the top of the medal podium many times, finishing first on the bars, beam, floor exercises and in the all-around competition. In the Gold level meet, Wilson led Bermuda to a first place finish, beating out eight other strong teams. Wilson also won the balance beam and all-around titles in her age group, which is Junior A. In the Silver level division, the top all-around finisher from Bermuda was Anah Lightbourne, who finished sixth, which was on the balance beam for a Bronze medal. Tomei Talbot had an outstanding performance on the bars and won the Gold medal as well.

The Bermuda team also won the Team Spirit award for the competition, voted on by the judges for the group displaying the most excitement, support and sportsmanship. So they already are true sports ambassadors at their tender ages. The Bermuda team also won the Team Spirit award, as I said, and the remaining gymnasts will have yet another chance to attain the score necessary, which is 33 points, and that will be on March 31st, when Bermuda hosts teams from the United States of America and Cayman Islands for the International Gymnastics Challenge, at the St. David's National Gymnastics Centre.

Thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Minister.

I now recognise the Honourable Member, Mr. Elvin James, from Warwick.

Hon. Elvin G. James: Thank you, Mr. Deputy Speaker.

Mr. Deputy Speaker, I rise on a sad note this morning as I ask the House to send condolences to the family of Ms. Alma Foggo York, a Bermudian who left us. The Leader of the Opposition would like to be associated with it. This is a lady who left the Island many, many years ago to study and to work overseas as a nurse, eventually. She taught nursing, eventually, in Massachusetts and Alabama. But whenever she returned to Bermuda, the Bailey's Bay young girl came out of her. She walked barefooted down there on the corner, looking for cockworms and always wanted to go fishing, no matter what or when she came back. I also want to associate Member of Parliament, Dennis Lister.

But in recent years, she made her home in Alabama where many Bermudians attend school and visit. Her doors were always open to all of the Bermudians. She made them welcome there. So she will

be sadly missed, not only by her family, but by the Adventist community in Huntsville, and all of her many, many young people that she takes in every weekend and during the week.

So, thank you, Mr. Deputy Speaker.

The Deputy Speaker: Thank you, Honourable Member.

I now recognise the Honourable Member, Mr. Walter Lister, from Sandys.

Mr. Lister, you have the floor.

Hon. Walter M. Lister: Thank you, Mr. Deputy Speaker, and good morning.

I would like to be associated with the remarks on the passing of Mr. Sean Pitcher, and also that of Mr. Paul de la Chevotiere. I had the opportunity to serve with Mr. de la Chevotiere here in this Parliament many years ago, and I was sorry to hear of his passing.

Mr. Deputy Speaker, on a lighter note, I would like to say congratulations to a former teacher on the West End, Mrs. Erlor Dean, who has written a book. A number of people asked to be associated; a number of Members have asked to be associated. Can I ask, Mr. Deputy Speaker, that all the Members of the Parliament be associated with me in these remarks?

Mrs. Dean taught in the public school system for 40 years. On her retirement, she took on a whole new life in that she made herself very useful. She had the educational skills and, of course, she continued to use these every day. By getting the information for this book, *Mother's Whispers*, she had to do lots of research. It also speaks to everyday life, but it also speaks to a number of historical events in this community. I think the book has been given to the Premier of this country. Another way the book is being used and looked at is in the educational system as a resource book.

Another thing that Mrs. Dean does is that she teaches in the prison with those skills, those teaching skills. She teaches there three days a week. It is always so important, you know, Mr. Deputy Speaker, when we have a person or persons who have skills and, once they retire, can recycle these skills and continue to be a force in this community. Mrs. Dean is one such person, and I ask this House to send congratulations to her for her efforts. I call her "Ms. Calendar Dean", but for the rest of the public, it is Mrs. Erlor Dean.

Thank you.

An Hon. Member: Aunt Erlor.

Hon. Walter M. Lister: Aunt Erlor? Yes. Thank you. Okay, fine.

The Speaker: Thank you, Mr. W. M. Lister, from Sandys South Central.

I am going to take the Honourable Member, Ms. N. Butterfield.

Ms. Butterfield, from Pembroke, has the floor.

Hon. D. Neletha I. Butterfield: Thank you, Mr. Speaker.

I would like for condolences to be sent to Dorothy Cecilia Baker (DeShields), nee Rawlins, who was funeralised yesterday afternoon, Mr. Speaker. One thing in her eulogy that I was very impressed with is that they stated that if there is one thing that the family and friends can take away from this celebration that they are having of their mother, or nana's life, it would be that you keep your faith in the love of Jesus. Be strong, stay positive, be there for love to each other unconditionally. So she will be sadly missed. She is that fibre that kept her family together. So she will be sadly missed by family and friends, and in particular her grandchildren. I ask for condolences to be especially mentioned to her daughter Sherleen De-Shields.

Thank you, Mr. Speaker.

The Speaker: Thank you, Ms. Butterfield, the Honourable Member from Pembroke West Central.

I am going to take the Honourable Member, Mr. D. Hunt.

The Honourable Member, Mr. D. Hunt, from St. George's South, has the floor.

Mr. Donte O. Hunt: Thank you, Mr. Speaker.

Mr. Speaker, I too would like to be added to the condolences to my good and dear friend, Mr. Pitcher. Mr. Pitcher had a very special place in my heart, and I will tell you why. He had a very, very special place in my kids' hearts. In fact, whenever they used to see Mr. Pitcher—and I used to see him quite a bit. To be honest, maybe a couple of times a week. He would be around while my kids were around me—they used to call him "Mr. Teddy Bear." That was because he exuded a beautiful, fatherly disposition and character, personality. He was kind and caring. One of the Members said he was slow to anger. And he loved kids. So, by extension, he has a very, very special place in my heart, notwithstanding his relationship with me personally that I cherish very much.

Mr. Speaker, I would like to provide or extend congratulations to, one, the Bermuda National Gallery. They are hosting the Ebony Patterson Exhibition. She is from Jamaica. But the Bermuda National Gallery is doing something that I think is important for Bermuda, putting Bermuda on the map from a cultural perspective and inviting facets of our Caribbean heritage to Bermuda, things that enhance Bermuda in itself with art representations.

Secondly, Mr. Speaker, I would like to provide congratulations to Tina Christina Hutchings. She has about 40 paintings that she has got at the Windjammer II Gallery. She lived in New York for about 25

years, and she is back and she is doing her thing. So, congratulations to Tina.

Masterworks Museum—25 years. They are celebrating 25 years, and they are having an exhibition there as we speak. They began in 1987.

Also, in line with cultural arts that we have that are bursting out of the seams in Bermuda, we have Charles Zuill. Many of us know Charles Zuill. He is a well-known art critic in Bermuda. He is having a solo exhibition in March in New Jersey. So he is representing the flag in Rutherford, New Jersey.

In sports tip, the Bermuda Bicycle Association awards—they had their awards the other day. I would like to give congratulations to Chequan Richardson, Ian Port, and Dominique Mayho, as well as Mark Hatherley. Mark Hatherley, particularly, got the Male Rider of the Year award. So, congratulations to these persons and particularly Mark Hatherley, who went away with the big, big prize.

I would like to be associated with the Bermuda Gymnastics Team congratulations as well; they did a great job.

The Speaker: Thank you, Mr. Hunt, the Honourable Member from St. George's South.

I now recognise the Honourable Member, Mr. D. Tucker.

The Honourable Member, Mr. D. Tucker, from Hamilton South, has the floor.

Mr. Darius D. M. Tucker: Thank you, Mr. Speaker, and good morning to you.

Mr. Speaker, I would also like to be associated with the condolences being sent to [the family of] Mr. Sean Pitcher. Mr. Sean Pitcher was indeed very close to me, Mr. Speaker, because our dads were very close. So that brought us very close together. I also had the pleasure of knowing Sean, Masonically, having served with him at our Masonic Lodge, where he did a wonderful job, and he carried those principles throughout his life, as he carried himself through the various different charities and organisations that he participated in. I was quite shocked when I got a BB that he had passed, and could not believe it. The next thing I know, my phone was just ringing from various different people that had called me about it. I mean, I was in complete awe. I even got a few messages from people who had been in the constituency who remembered that Sean and I even canvassed together. Sean even came to help canvass with me.

He will be missed. He was one of those very quiet, sincere and dear people that, if they stood beside you, they were right there. You did not have to worry about which way they went. If they were against you, they would just quietly tell you. They did not make a big fuss about it. But he was one of the good ones, Mr. Speaker, and he will be sadly missed amongst those who had the opportunity to know him and to love him as a person.

Mr. Speaker, I would also like to send a letter of congratulations to the company of Catlin for their sponsorship of the Bermuda Football Association's National Youth Programme in which they sponsored the training gear and outfits for 184 young people, male and female. It was a wonderful sight on Tuesday to be on the steps of City Hall to observe these young people to be receiving their gear from Catlin, and again last night up at the Ruth Seaton James [Centre]. It is good to know that we have corporate sponsors that are prepared to invest in our young people. Along with that, they also help with the educational side with the National Youth Programme that is being held by the Bermuda Football Association, and the coaches that are involved in the programme. I just want to say congratulations to the Bermuda Football Association for running the programme, and congratulations to Catlin for sponsoring it, and the CEO that was present was Mr. Graham Pewter.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Tucker, the Honourable Member from Hamilton South.

I am going to take the Honourable Member, Mrs. L. Foggo, from St. David's constituency.

Government Whip, Ms. Foggo, has the floor.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

Firstly, Mr. Speaker, I would like to congratulate Le Lanni Nesbeth, a student from St. David's Primary School, who participated in the East against the West soccer game last week. She was awarded the Most Valuable Player trophy. Her sports skills are quite outstanding, and I just wanted to acknowledge her in this House.

I would like to join the remarks regarding Sean Pitcher. Indeed, he was a family member. I remember Sean from he was very, very little. He was what you can call like "Inspector Gadget." He was a bookworm, a very erudite young man who was well-informed. His family . . . Ella, in particular, his mother Mrs. Ella Pitcher, is the matriarch, not just of his immediate nuclear family, but for the entire Fox clan. She is like the glue of the family, and so I just want to express my heartfelt condolences specifically to her.

Sean indeed was a community activist, and he was very, very loyal to his political party. As the Honourable Kim Swan pointed out, many of Sean's family do wear green. As much as we tried to convert Sean, he would not have it. In the last general election, Sean indeed went out canvassing against me with the Representative in [constituency] 3 at that time. I think Shawn Crockwell will remember when they did happen to encounter me on the trail, I did have to tell them that constituency 3 belonged to me.

[Laughter]

Ms. Lovitta F. Foggo: And that was right outside of Sean's house. I told him that they were wasting their time. In spite of both Seans' comments, they indeed did learn that their efforts were futile.

The Speaker: The other "Shawn" is the Honourable and Learned Member, in here.

[Laughter and inaudible interjection]

Ms. Lovitta F. Foggo: I do not think so.

But really, Sean, being a community activist, established a plaque at the St. David's Cricket Club in honour of his father. He, being very modest himself, would rather acknowledge others as opposed to himself. But he will be sadly missed by much of his family. Given much of what has already been said, I do not think that I need say anymore. He will be greatly missed by his siblings.

The Speaker: Yes. That is a good place to—

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

The Speaker: Thank you, Ms. Foggo, Government Whip.

I am going to take the Honourable and Learned Member, Mr. M. Pettingill, from Warwick West.

Mr. Pettingill has the floor.

Mr. Mark Pettingill: Thank you, Mr. Speaker. I rushed up the stairs from another place, Chamber, that I have been down below. (You can tell by my dress that I have been in the Supreme Court). I am lucky for the time to come up and maybe have just this one opportunity to publicly comment on my friend and the passing of his life, Mr. Sean Pitcher.

He was a quiet man of integrity and depth. We need more like him in this country, a man of conviction, a man not blinded by party politics for just sticking with where you are, a man of courage who was prepared to leave one political party and start another one, the Bermuda Democratic Alliance, in my kitchen, where we met for many, many hours—such was the depth of his commitment to Bermuda—a man who was truly about putting the country first and putting party politics to one side and endeavouring to do what was in the best interests of the people. That is the Sean Pitcher that I will always remember.

I watched him through those days, and the fun that we had, as well as the challenges in the steps that we had taken, how he was true to the cause, how he enjoyed the time that we spent together, a number of us, in what we call "the kitchen days," I guess, of the transition of politics in this country. Every now and then we got to crack a bottle of wine afterwards and enjoy a libation together, and we got to talk about the

other interesting things in our lives, like family, community, sports, and fun.

That name Pitcher carries a great, great historical history and significance down at the eastern end of the Island. He is a great ambassador to the name and a great ambassador to that constituency and a great ambassador to this country.

I always . . . I am a bit of a fountain pen man, Mr. Speaker. I am holding a Lamy pen in my hands right now. It was Mr. Pitcher that started me on that particular thing of having a Lamy fountain pen. A love that we shared together was for these types of pens, and I ended up going and collecting them. I was always putting them out of my pocket and showing him what pen I had now.

In recent years, we did a car swap, my wife and I having a young child, and he was single, foot-loose and fancy-free. He got my sporty Peugeot convertible, and I got his not-so-sporty Peugeot station wagon, which I am still driving.

[Laughter]

Mr. Mark Pettingill: It is a nice car, but I have to say every time I saw him driving by in my convertible, I still felt a little bit envious seeing the smile on his face.

I am going to miss him. We are all going to miss him. I am going to think of him every time I get in that car and every time . . . I am just being reminded across the floor of one of the other loves that we shared: He was a great cook. He loved to cook; he loved to eat. That was one of the passions we also shared. He will be missed. Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pettingill, the Honourable and Learned Member from Warwick West, Mr. Pettingill.

I am going to take the Honourable Member, Mr. K. Horton, from Southampton West.

Mr. Horton has the floor.

Hon. K. H. Randolph Horton: Thank you, Mr. Speaker.

First, Mr. Speaker, I would like to be associated with the condolences to the Sean Pitcher family.

Also, to be associated with the congratulations to Erlor Calendar [Dean] on the writing of her book, *Mother's Whispers*. Erlor actually has, since retiring as was indicated, remained a teacher. In fact, she is a teacher for life. She is now teaching at the Westgate Facility. Mr. Speaker, I certainly remember Erlor at West End School, at the Berkeley Institute. In fact, she was my prom date. Also, we worked at West End School; the first teaching job I had was at West End School, and we worked together there. So, congratulations, Erlor, and continue on.

Mr. Speaker, I would like to take this opportunity for us to congratulate one of our colleagues here in the House, the Honourable Dale Butler. Dale Butler

was this week inducted into the company of Honorary Fellows at Bermuda College. So, we want to congratulate him.

[Desk thumping]

Hon. K. H. Randolph Horton: Mr. Butler was placed there because of his significant contribution in education, development of community and indeed in his ability and drive to keep Bermudian culture alive.

Additionally, I would like for congratulations to be sent to the second inductee, Dr. Malcolm Brock—Dr. Malcolm Brock, of course, who has made significant contributions in the field of medicine not only in Bermuda, but in the world, where he is now at Johns Hopkins Hospital.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. K. Horton, the Deputy Speaker, from Southampton West.

I am going to take the Honourable Member, Mr. C. Swan, from Southampton West Central.

Mr. Swan, you have the floor.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker.

Yes, I would like to rise this morning to be associated with the condolences to the extended family of Sean Pitcher. I cannot say a whole lot more than what has been said before, except that I knew Sean through his affiliations with both the Anglican Church and the Sea Cadets, going back, spanning quite a number of years. Looking at his picture here on my laptop, I always found Sean to be what I would call a gentleman's gentleman, a pleasure to greet anywhere, always full of life and having a very considered opinion on just about anything you could ask him about. So I would like to be associated with the condolences to his family.

I would also like to be associated with the condolences to Dr. Paul de la Chevotiere. I only knew him briefly, having been invited to a party at a young age at the invitation of one of his daughters (I believe it was), way back in high school. I will never forget that it did not take long to basically talk to every one of us—not all of us, but some of us. He certainly spoke to me, and I do not remember it all vividly, but it was sort of scholarly advice for young people. We were at Warwick Academy at the time. My relationship with his daughter did not last a whole lot longer after that either, so I do not know if that had anything to do with it.

I would also like to be associated with the congratulations expressed for the Bermuda Gymnastics Association, a group of committed coaches and gymnasts there that do Bermuda proud, Mr. Speaker. Thank you.

The Speaker: Thank you, Mr. C. Swan, the Honourable Member from Southampton West Central.

I am now going to take the Honourable Member, Mrs. Gordon-Pamplin, from Paget West.

Mrs. Gordon-Pamplin has the floor.

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, I would like to simply rise to ask to be associated with the remarks of congratulations to Erlor Dean. Erlor is such a sweet individual, and it does not surprise me that she would continue her efforts in trying to enhance the betterment of our society by infusing herself into new writings and to continue teaching. So, congratulations to Erlor.

I would also like to join in the remarks of condolences to Sean Pitcher's family. Sean, as you know, as has been articulated today, apart from his political leanings, was an ambassador respecting tourism. You will recall, Mr. Speaker, around July of last year when we brought into this Honourable House a motion concerning tourism, and I was able to get from Sean, who actually worked as the night auditor at Tuckers at the time, his input. I do not believe that there were too many people who were more enthusiastic about tourism and the prospects of further tourism development than you would have found in Sean.

Some of the ideas that he shared with me in preparation for the motion that I brought to this Honourable House were things that I was unaware of in some instances. But just when I looked at the e-mail just two days after I heard of his passing, looked at the e-mail that he had sent to me, it was almost uncanny how the vision that he shared for tourism and for Bermuda were something that was unparalleled. I would just like to join in the remarks of condolences to his family. He will certainly be missed. He was a Bermudian treasure. Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Gordon-Pamplin, the Honourable Member from Paget West.

I am going to take the Honourable Member, Dr. Gibbons, from Paget East.

Dr. Gibbons has the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker, and good morning.

Mr. Speaker, I would also like to be associated with the condolences to the Opposition Leader and Lovitta Foggo and to the family of Sean Pitcher. As the Opposition Leader, the Honourable Member, has said, it is always a very sad occasion when someone is called before their time, and particularly in the case of somebody like Sean Pitcher, who had a lot left to give to this Island and to our community.

I certainly had the pleasure of working with Sean in two political parties, if I can put it that way, and I would simply echo the other Members in saying that Sean had an enthusiasm about him, and I would call it a graciousness about him. An Honourable Member just called him a gentleman. But there was a

graciousness about Sean that was in some respects infectious. He was certainly well read, and I was always impressed, actually, with the expanse of the number of subjects that he knew something about. So he will certainly be sadly missed.

While I am on my feet, Mr. Speaker, I would also like to be associated with the congratulations to the two new Honorary Fellows of Bermuda College, the Honourable Member, Mr. Butler, and certainly the very accomplished individual, Dr. Malcolm Brock. It is actually interesting in some respects because Dr. Brock joins his father, Mr. Mansfield "Jimmy" Brock, as a fellow of the college as well. So it is probably the first father/son combination we have up there. But obviously, both have contributed much to learning and knowledge, and I would like to essentially be associated with those congratulations.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

I now recognise the Honourable Member, Mr. D. Lister, from Sandys North Central.

Mr. Lister, you have the floor, sir.

Hon. Dennis P. Lister: Thank you, Mr. Speaker.

Mr. Speaker, I rise to be associated with the remarks, some remarks that were given earlier—namely, the condolences that were expressed to the family of Alma York. Mrs. York, much has been said about her already, Mr. Speaker. Mrs. York was what I call a mother to Bermudians overseas. She has been around the New England area, the Atlantic Union College, and then in later years in Huntsville, Alabama. Supposed to be retiring, so to speak, but she stayed active. She was involved with activities at the Oakwood College for a while.

But her span of contacts with the young people did not just stay within the Adventist community, but to all Bermudians who called that area home when they were overseas studying. I have a good friend of mine who has no association with the Adventist Church. In one conversation I was having with him many years ago he started talking about Mrs. York. I said, *Well, how do you know Mrs. York?* He said, *Well, that is the type of person she was. She took us all in as family, so to speak, when we were there in Huntsville.* I know that her passing is surely going to be not only felt by her family, but by the entire Bermudian community there in the area, Mr. Speaker. I just want to be associated with the remarks that have already been expressed in that regard.

Also, Mr. Speaker, I would like to be associated with the remarks of congratulations that have been expressed through our own Member, Mr. Butler, and to Dr. Brock, for both being recent honourees of the Fellows of the Bermuda College. Both individuals are well deserving and stand out in their own right, Mr. Speaker, and the selection was very much a great

selection to have them both appointed. Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. D. P. Lister, from Sandys North Central.

Any further speakers? I now recognise Madam Premier. Madam Premier, the Honourable and Learned Member from Devonshire North West, has the floor.

Madam Premier?

Hon. Paula A. Cox: Thank you, Mr. Speaker.

Mr. Speaker, a few comments. One, I would like to also be associated with the congratulations to the two new Fellows of the Bermuda College. Secondly, Mr. Speaker, I would also like to be associated with the condolences. Politics is not a spectator sport. It requires service. It requires commitment. It requires dedication. I think today we are honouring two men, one who was more in the twilight of his life, another who was a young man, Mr. Pitcher. I think certainly one's heart goes out and condolences go out to their respective families. It is never easy to say good-bye, especially when it is so unexpected, as in the case of Mr. Pitcher.

I had no personal knowledge of him, except that he was always such a kind [person] and had a wide smile whenever he saw me, usually in a church. But in any event, Mr. Speaker, I certainly want to join with those expressions of condolences to those two men, as well as their families, I should say, and also with regard to honouring our own who have been recognised here, the Honourable Dale Butler, with his indomitable source of energy, and also Dr. Malcolm Brock. Thank you, Mr. Speaker.

The Speaker: Thank you, Madam Premier.

Are there any further speakers?

No further speakers.

I just wish to say that congrats and obituary remarks are reported in Hansard, and the Clerk of the House is seeking any input as to how we can improve it. So, Honourable Members, you do get electronic copies of the Hansard, if you want to read what you have said, it is reported in detail. So, any suggestions that you may have, please convey those suggestions to Madam Clerk of the House. Thank you.

We will move on.

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

NOTICE OF MOTIONS FOR THE ADJOURNMENT OF THE HOUSE ON MATTERS OF URGENT PUBLIC IMPORTANCE

The Speaker: There are none.

INTRODUCTION OF BILLS

The Speaker: There are none.

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: That brings us to the Orders of the Day. The first Order is the Second Reading, the Revenue Amendment Act 2011, which is going to be corrected to 2012, in the name of the Minister of Finance, the Honourable and Learned Member from Devonshire North West, Madam Premier.

Madam Premier has the floor.

SECOND READING

REVENUE AMENDMENT ACT 2012

Hon. Paula A. Cox: Thank you, Mr. Speaker.

Mr. Speaker, I move that the Bill entitled the Revenue Amendment Act 2012 be now read the second time and committed.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: Carry on, Madam Premier.

Hon. Paula A. Cox: Thank you, Mr. Speaker.

Mr. Speaker, Honourable Members are requested now to give consideration to the Bill entitled the Revenue Amendment Act 2012. The primary purpose of the Bill is to replace obsolete law concerning goods imported for use by Her Majesty's Services with fresh provisions relating to the appointment of places for customs controls and the approval of customs area operators. It also has some interesting other measures with regard to seeking to remove some of the penalties that used to be in existence.

The Bill certainly has measures that enhance and modernise key sections of customs law that provide duty relief for goods back into Bermuda and that regulate search of suspected persons. The enforcement activities of the Customs Department are di-

rected at protecting our community by collecting and safeguarding the revenue and by interdiction aspects for the proceeds of crime, illicit drugs and other contraband.

In discharging its mandate, the Customs Department carries out operations in controlled areas known as “customs areas.” The collector of customs has the power to grant existing appointments of customs areas by notice published in the *Gazette* under the Revenue Act 1898. I will hereafter refer to this as the principal Act.

Now, it is within the so-called customs areas that arriving and departing travellers are controlled and processed. Customs areas are also places where imported goods are discharged and either stored under customs control prior to declaration or released for pre-declaration storage in customs-approved inland clear house warehouses. Customs border control powers to search suspected persons and to examine goods are restricted to customs areas.

Mr. Speaker, a review of customs-related law has identified a number of shortcomings of customs law in respect of the roles and responsibilities of warehouse keepers and operators of customs-controlled storage facilities within customs areas. Now, Mr. Speaker, the Bill before us today seeks to address these shortcomings by repealing the Sufferance Warehouse Act 1875 and the Ireland Island Freeport Act 1956. You can see, Mr. Speaker, that these go back quite some time.

This Bill also seeks to repeal Part III of the principle Act and also substitute a new Part III with provisions relating to the appointment of places for customs controls and the approval of customs area operators subject to conditions and also for a new framework of excise licence fees.

Mr. Speaker, Honourable Members may be aware that the Sufferance Warehouse Act 1875 currently makes provision for the appointment of sufferance wharfs and sufferance warehouses in the ports of Hamilton and St. George’s, where goods can be discharged and stored before entry and duty payment. This Sufferance Warehouse Act 1875 is more than 100 years old. So, in some aspects, Mr. Speaker, it is past its sell-by date. The provisions of this Act do not apply to the transport of goods by air. In any event, the antique sufferance provisions are too restrictive to accommodate modern approaches of pre-declaration customs supervision, such as inland clearance.

Honourable Members will also be aware, perhaps, that the Ireland Island Freeport Act 1956 makes provision for the creation of a free port area in the Ireland Island dockyard, where goods can be imported, exported, manufactured, assembled, processed, assembled, packaged or stored without payment of any taxes or duties whatsoever. The dockyard ceased to operate as a free port nearly three decades ago, and though never formally repealed, the Ireland Island

Freeport Act 1956 should safely and may be safely repealed now.

Mr. Speaker, Part III of the principal Act currently contains provisions concerning drawback of duty and exemption from duty in relation to goods imported by Her Majesty’s Services. Now, these provisions are redundant. Her Majesty’s naval and military no longer maintain a permanent presence in Bermuda, and in any event, these outdated relief and drawback provisions have been superseded by more modern immunities and privileges legislation. As a replacement for all of the archaic and obsolete sufferance and other provisions, the Bill introduces a full set of modern provisions in a new Part III to the principal Act that clarify the roles and responsibilities of warehouse keepers and operators of customs-controlled storage facilities.

This Bill, Mr. Speaker, also makes fresh provision for the appointment and regulation of customs areas, the offence of unauthorised holding or movement of uncustomed goods within a customs area, approval and regulation of customs area operators and holding of goods and customs areas, the movement of goods from one customs area to another customs area, the removal of goods from a customs area and for the provision for payment of a fixed annual excise licence fee.

Mr. Speaker, the Bill also makes a number of other amendments that are complementary to the new customs area provisions. One such change, Mr. Speaker, affects provisions relating to simplified customs procedures under Part IIA of the principal Act. Specifically, the Bill enhances the collector’s power to establish simplified procedures by including the ability to modify the application of law with respect to the timing of the importer’s entry. Currently, the importer is obliged to make due entry inwards of imported goods within three days after their arrival. However, under the new Part III, goods may be stored in an inland customs area for a maximum period of 30 days before entry of goods. It is therefore appropriate for the collector to have the power to authorise entry inwards of imported goods at any time up to the end of the 30-day period so as to harmonise, where appropriate, with the entry provisions of the new Part III.

Another such change is the modification of goods disposal provision to introduce the concept of goods being abandoned to the Government. The treatment of goods that have not been duly entered inwards as abandoned to the Government gives the Government broader discretion concerning the disposal of abandoned goods. Depending on the nature or condition of abandoned goods, sale may not always be the most appropriate means of disposal.

Finally, Mr. Speaker, in support of the new Part III customs area provisions, it has been deemed appropriate to amend customs stop-and-search powers. Currently, the staff of terminal operators and warehouse keepers in customs areas—such as, for

instance, Stevedoring Services or BAS/ASB [Bermuda Aviation Services Limited/Aircraft Services Bermuda Limited]—are not obliged to heed the directions of a customs officer unless it is in relation to a search of a person. Customs officers have no control over terminal operations staff in relation to cargo. So, accordingly, Mr. Speaker, the Bill makes appropriate amendments to provisions concerning search of suspected persons, to include search of suspected cargos. In this way, Mr. Speaker, a customs officer who suspects that any member of staff of a terminal operator has under his control any uncustomed goods, he or she will have authority to search those goods and give appropriate directions to effect or facilitate the inspection.

Mr. Speaker, the main thrust of these measures is directed at striking an appropriate balance between facilitating legitimate trade and actions to deal with illegal contraband and, of course, always to safeguard the revenue. This has never been and will never be an easy task. Too tight a net is trade restrictive; too loose, and our streets are flooded with illegal drugs and firearms, not to mention the risk to human health and the natural environment. In spite of this, as new challenges arise, we are dedicated to increase vigilance and improve methods of operation to keep apace with changing times.

Now, Mr. Speaker, I would like to turn now to the reform of provisions respecting duty relief for goods brought back into Bermuda. Honourable Members will be aware that there is a five-year limit on the time goods produced or manufactured in Bermuda can remain outside Bermuda without having to pay import duty on re-importation. Also, Mr. Speaker, there is a five-year limit on the time duty-paid goods can remain outside Bermuda without having to pay import duty on re-importation. These time limits are no longer deemed necessary and have been removed. Importers will not be asked to pay duty a second time based on the length of time their goods have been overseas.

Mr. Speaker, Honourable Members will also be aware that the provision regarding the duty-free importation of goods repaired or replaced under warranty is currently limited to manufacturers' warranties. This restriction is not reflective of modern commercial reality. There is no longer a need to limit the scope of the relief to goods repaired or replaced by the manufacturer. Accordingly, the scope of the relief has been widened to permit the duty-free importation of goods supplied or repaired under warranties given by manufacturers, consigners and vendors. The duty relief also now includes warranty replacement goods in circumstances where the original goods have been exported for repair or have been destroyed under customs supervision or have been abandoned to the Government. This is because, more often than not, it is inappropriate or too expensive or impractical to return the goods to the manufacturer.

Mr. Speaker, another area that has been earmarked for modernisation and reform relates to the search of persons. It has been very difficult operationally to arrange for suspected persons to be brought before the collector or other senior officer to exercise their right to appeal a search. That current requirement is no longer appropriate or necessary. Accordingly, the Bill removes this requirement, and instead the suspected person will be informed of his right to appeal to the collector or a senior officer. The suspected person will give notice of his appeal in writing by ticking a box on the Search of Suspect form. The customs officer will then notify the relevant senior officer, and the senior officer will determine what information he needs and in what form. The senior officer will make his decision, and that decision will be notified to the suspected person. The customs officer will not be able to continue the search until the suspected person has been notified of a decision upholding the decision to search.

Mr. Speaker, in a further measure, the Bill makes it clear that a customs officer may use reasonable force in order to carry out the search of a suspected person or any goods under their control. Current search provisions allow or empower a customs officer to arrest—and I use "arrest" not in the normal sense, but to arrest a noncompliant suspect in order to carry out the search.

Honourable Members should be aware that the Police and Criminal Evidence Act 2006 (or PACE) has repealed certain statutory powers of arrest. This has given rise to some slight uncertainty as to whether the customs power is affected. The Customs Department has taken the position in recent years that this is not, strictly speaking, an arrest in PACE terms, since there should be no requirement to arrest the person and subject him to the custody procedures contemplated by PACE. Indeed, if PACE were to apply, it would, for all practical purposes, cause chaos at airports and seaports. Whilst in customs detention, the person is deprived of his liberty and that, academically, amounts to an arrest, the person is only so deprived to enable the lawful search power to be exercised, which in most circumstances would be a matter of minutes, not hours. It is worth noting that the UK authorities have recognised that the customs power of search should be excluded from the PACE regime.

Mr. Speaker, whatever was the effect of PACE in Bermuda, it is not intended that PACE should apply to border controls, nor is it intended that PACE should apply to customs detention or to customs detention with the use of force. Accordingly, and for the practical reasons that I mentioned, the Bill removes the reference to arrest in the search of suspected person provisions of the principal Act and substitutes a power to use reasonable force.

Mr. Speaker, in the amending provision respecting both the search of suspected persons and goods brought back into Bermuda, the opportunity has

been taken to recast the whole of the amended provisions in modern language for ease of reading and comprehension. Mr. Speaker, the Bill also does a little housekeeping. The opportunity is being taken to clarify provisions respecting the time of importation of restricted or prohibited goods. The Bill also deletes redundant provisions in respect of searches authorised by warrant issued by a justice of the peace, and Honourable Members will recall that PACE removed the power of JP's to issue search warrants.

Mr. Speaker, also, I would indicate that there are some further amendments that we wish to make to the Revenue Act, and these will be made when we get into the heart of the budget session. I think it is important to note that the Revenue Act is something which is certainly one that is dynamic and that continues to evolve and to have amendments made. We will probably change and make an amendment with regard to the operative section of the Act, and when it comes into effect in certain areas as to after we have made some further amendments during the heart of the budget session.

So, Mr. Speaker, with those comments, I certainly look forward to comments of Honourable Members as they make their contributions to this debate. Thank you, sir.

The Speaker: Thank you, Madam Premier.

Any further speakers?

I now recognise the Honourable Member, Mr. E. Richards, from Devonshire East, Shadow Minister of Finance.

Mr. Richards, you have the floor, sir.

Mr. Everard T. (Bob) Richards: Thank you. Thank you very much, Mr. Speaker.

Yes, Mr. Speaker, this is a modernisation indeed. I took the opportunity to read at least some of the Revenue Act 1898. One of the aspects I found particularly interesting, where a lot of it referred to what to do about horses ridden by military officers. As you know, military officers have not ridden horses since the end of World War I. So it definitely was in need of modernisation.

[Laughter]

Mr. Everard T. (Bob) Richards: There is little that I can find . . . Actually, there is nothing I can find objectionable to the Bill we have in front of us. I might save some of my other comments for when we go into Committee. But a couple of things come to mind, that I thought, insofar as the three-day requirement for entries, as they say in the Long Room, for customs entries to be made. If the 30 days expires—

The Speaker: You have got three days, is it not?

Mr. Everard T. (Bob) Richards: Yes, there are three days. Then it can be extended to 30 days. I just wondered if there was any kind of redress. I mean, suppose . . . I am just imagining a scenario here, Mr. Speaker. Suppose something comes in, and the importer is off the Island on vacation. You know, by the time he comes back, the 30 days has expired. Is there any kind of redress? I mean, does it automatically become considered to be abandoned?

The Speaker: Abandoned to the Government.

Mr. Everard T. (Bob) Richards: Abandoned to the Government, yes. Is there any kind of appeals process or redress so that he might be able to get his goods? That occurred to me, and I do not know. I certainly would not mind having some response on that one.

Also, in the last part (maybe I will save this for Committee)—but the powers of search have changed. It is in the last part of the Act. The powers of search have changed considerably from the old Act. I agree with the Honourable Premier, that the era in which all of this was originally written has changed so dramatically, in addition to just the absence of the military, but also with the importance of customs to our society.

Once upon a time, Mr. Speaker, when I was a student, I worked for customs for three consecutive summers. As a summer student, I was a customs officer. The responsibility that customs officers had in (I guess it was) the 1960s compared to today, there is no comparison. It is a very serious business today in respect of contraband coming across the border and that sort of thing, guns, drugs, those sorts of things. It was not really that serious in the 1960s, and now it is very serious. So, I think that it is important for us to have legislation that reflects the times. I think that it is a good thing that the Government has brought this legislation forward. And with those words, I will make any more comments I have in Committee. Thank you.

The Speaker: Thank you, Mr. Richards, the Honourable Member from Devonshire East, Shadow Minister of Finance.

Any further speakers?

There are no further speakers.

Madam Premier has the right to reply.

Madam Premier?

Hon. Paula A. Cox: Mr. Speaker, I think, to be honest, I will reserve my comments for when we commit the Bill.

But I do think that it is important to note that, notwithstanding that it seems a very dry piece of legislation, what you wish to use your customs Act, your Revenue Act for is to try to do two things. Some people would say it is a horse with two heads that could be galloping in opposite directions. What do I mean by that? On the one hand, you want to increase the op-

portunity to get revenue for Government that helps pay for these service deliveries. At the same time, you also have to recognise that you want to get out of the way of business, where you can, so you can increase your opportunities for trade and generation of business and profit for businesses. So, there is always the competing balance and also the need to have proper controls.

I think, Mr. Speaker, what is interesting, it has not been called a “tourism-generating model.” But if you note the position taken . . . And you know it hurts the heart of any Minister of Finance to give up revenue. But that area where we are talking about allowing goods to come back in after they have been out for . . . And we are removing the limitation, that it is no longer that they have to come back within a five-year period. Now they can come back and still not be taxed again.

So, in other words, before, even when you wanted to . . . As you look at those who compete with Bermuda in terms of from an island jurisdiction and even those who are more in the Western Europe, you want to see Bermuda and its waterfront peppered with beautiful yachts. You want to see that Bermuda becomes a mecca and a magnet for that type of return. Well, before, Mr. Speaker, some would take their yachts from way south and take them up to Monaco because we had another whammy. We wanted to get a piece of the revenue when they brought these expensive yachts back into Bermuda. Well, Mr. Speaker, 100 per cent of nothing is still nothing. So, if you remove what is seen as an impediment and you say, *Okay. We are open. We are open*, you hope and anticipate that that will become a spur to people seeking to bring back these sort of high-net-worth ships, yachts, whatever you want to call them. (They are out of my range anyway, Mr. Speaker.)

[Laughter]

Hon. Paula A. Cox: But in any event, these are the things that you have to use, what seems to be broadly dry legislation. But it can have a consequential and positive impact on your community and on your community's economy. Because when people come in, they come in and they generally spend. And they are high net worth. So our restaurants can get filled. So our stores can get filled. People might even decide that they have had enough of being on this, they want to stay in terms of our hotels.

So, Mr. Speaker, when we have this legislation, it deals with a number of areas. It also protects the role of a customs officer by making it clear that they are not impeded in doing their job because of having to be bound by PACE. You do not use a sledgehammer to kill a fly. We are saying that there are some carve outs so that they can do their job at the same time and not be inconsistent or working in a way that is contra-productive to how PACE works.

So, Mr. Speaker, this is key. We talk a lot about law and good order. But I think, to be quite honest, part of law and good order connects on so many fronts, and it is multi-faceted. Everybody always wants to talk about our looseness in terms of making sure that things that are contraband do not get through our security net. Mr. Speaker, this legislation is helping us. I am so very glad and grateful for the graciousness on this occasion by the Opposition as they approach this, because it is sensible legislation. It is efficient legislation. And it is legislation that goes to helping us to safeguard our position on so many fronts.

So with those comments, Mr. Speaker, I would certainly move that this Bill be committed. Thank you.

The Speaker: Thank you, Madam Premier.
Any objection?
Agreed to.

[Gavel]

The Speaker: Would the Honourable Member, Mr. K. Horton, Deputy Speaker, from Southampton West, please take the Chair of Committee.

House in Committee at 12:01 pm

[Hon. K. H. Randolph Horton, Chairman]

COMMITTEE ON BILL

REVENUE AMENDMENT ACT 2012

The Chairman: Members, we are in Committee on the discussion on the Revenue Amendment Act 2012. First, I guess, Honourable Premier, we need to change the title. Maybe if you can just move that.

Hon. Paula A. Cox: Thank you, Mr. Chairman.

Mr. Chairman, as you have indicated, I will be moving the clauses. But obviously, since there is an amendment to be done, which is very simplistic, let us just move clause 1 at this stage. In clause 1, I certainly would like to start—in fact, even prior to clause 1—with deleting the title. Let us delete the title and substitute, instead of Revenue Amendment Act 2011, let us substitute Revenue Amendment Act 2012.

Then, Mr. Chairman, as we go to clause 1, again the same amendment we are making, we are deleting Revenue Amendment Act 2011 and substituting Revenue Amendment Act 2012.

The Chairman: Thank you, Honourable Premier.

We have two amendments from the Premier. Is there any Member who would like to speak to those amendments?

All those in favour of the amendments, say Aye. Those against, say Nay.

AYES.

The Chairman: The Ayes have it.

[Motion carried: Amendment to clause 1 passed.]

The Chairman: Honourable Premier, you may continue.

Hon. Paula A. Cox: Thank you, sir.

I would now like to move clauses 2 through 13, inclusive. What is helpful as we get through the Act, hopefully, is the fact that you will note that another amendment is to be made at the end. So that allows me a smooth sail, I hope, through 13.

The Chairman: Absolutely.

Is there anyone opposed to going through all clauses at this time?

There is no opposition, Madam Premier.

Hon. Paula A. Cox: Thank you, sir.

Clause 2 amends section 2 of the principal Act by introducing a number of new definitions in pursuance of the substitution of Part III by clause 6.

Now, what are we doing? In clause 2, we are substituting a new definition of “customs area,” and this expression “customs area” is currently defined in section 2 by reference to the definition of that expression in section 96. With the substitution of a new Part III concerning customs areas and excise licence fees by clause 6, it is appropriate to apply the section 96 definition to the whole of the Act.

Clause 2 also substitutes a new definition for “ship” and introduces new definitions for “boat” and “vessel.” Now, these changes are being done so that the terms “boat,” “vessel” and “ship” have a common definition, and it makes it clear that every provision in the Act that bears on boats, vessels or ships applies to every description of vessel used in navigation, from a punt to a Post-Panamax ship.

[Laughter]

Hon. Paula A. Cox: The opportunity is taken to define the term—

The Chairman: My punt?

Hon. Paula A. Cox: Well, you know, Mr. Chairman.

[Laughter]

Hon. Paula A. Cox: The opportunity is also being taken to define the title “Collector” to mean the Collector of Customs. Again, remember, we are trying to make . . . It is hard sometimes to get law written so that it is easily understood by everyone. Sometimes,

you want to get rid of those cumbersome terms. So instead of always saying “Collector of Customs,” let us make it just “Collector.” It is a part of making it easier to read and to enhance the readability.

Clause 2 also introduces new definitions for “customs area operator” and “port authority” in consequence of the substitution of the new Part III. Now, these expressions are used in the new provisions concerning customs areas and excise licence fees. Clause 2 also inserts a definition for “uncustomed goods.” Currently it is defined in section 96, and the expression occurs in a number of other places in the Act, including the new Part III. So, it is appropriate to apply the definition of “uncustomed goods” to the whole of the Act.

Mr. Chairman, when we look at clause 3, clause 3 is amending section 19 of the principal Act by repealing and substituting section 19(1). Under the new section 19(1), imported goods not entered within three days of importation, and in respect of which duties and charges have not been paid within thirty days, shall be treated as abandoned to the Government and may be sold. The treatment of goods that are not duly entered inwards as abandoned to the Government gives the Government broader discretion concerning the disposal of abandoned goods. Now, depending on the nature or condition of abandoned goods, sale may not always be the appropriate means of disposal.

Clause 4, Mr. Chairman, amends section 30A of the principal Act in the head note to make it clear that section 30A makes provision for the determination of time for the importation of restricted or prohibited goods. Clause 4 also removes all references in section 30A into the “territory of Bermuda,” in consequence of the definition of “Bermuda” introduced by clause 2, and it substitutes new clarified definitions for the expressions “prohibited goods” and “restricted goods.”

Clause 5, Mr. Chairman, amends section 35A(1) of the principal Act to give the Collector of Customs the power to modify the application of section 19 with respect to the timing of the importer’s entry. Now, Mr. Chairman, this change is made as a result of the new Part III. Currently, under section 19 of the Act, the importer is obliged to make due entry inwards of goods within three days after their arrival. However, under the new Part III, goods may be stored in an inland customs area for a maximum period of thirty days before entry of goods. It is therefore necessary for the Collector to have the power to modify the effect of section 19 to harmonise, where appropriate, with the entry provisions of the new Part III.

Clause 6 substitutes Part III of the principal Act by replacing the redundant provisions with respect to goods imported for use by Her Majesty’s Services with provisions that clarify the roles and the responsibilities of warehouse keepers and operators of customs-controlled storage facilities. So, provision is being made in this new section for the appointment and

regulation of customs areas, the offence of unauthorised holding or movement of uncustomed goods within a customs area, the approval and regulation of customs area operators and holding of goods in customs areas, the movement of goods from one customs area to another customs area, the removal of goods from a customs area and provision for payment of a fixed annual excise licence fee.

Now, the new section 36(1) makes provision for the appointment of customs areas to be made by the Collector of Customs. This existing power to appoint in the Revenue Act section 96(3)(a) has been made explicit and moved to the new section 36. Now, existing customs areas are preserved. The new section 36(2) provides that a person may apply to the Collector for the appointment of land they occupy as a customs area.

Under the new section 36(3) there is no statutory form of application for appointment; however, the Collector may require certain information and accompanying documents to be submitted with any application. Under the new section 36(4), the occupier must satisfy the Collector that he has satisfactory financial resources, equipment, systems, facilities, and records that comply that would enable him to comply with such conditions as may be imposed by the Collector under the new Part III, or by or under regulations, notices, appointments, approvals or decisions made under the new Part III. Now, with or without application, the Collector will appoint customs areas by notice published in the *Gazette* and maintain a record of customs areas on the Customs website.

Under the new section 36(5), the Collector will grant or refuse applications to approve customs areas in writing and give reasons or may appoint a place as a customs area subject to such conditions as she considers appropriate in order to protect the revenue. Under the new section 36(6), by notice in the *Gazette*, the Collector may revoke customs area appointments and vary conditions imposed under the new section 36(5) imposed under the new section 36(5) by notice published in the *Gazette*.

In clause 6 the new section 37 provides for the regulation of customs areas. Section 37(1) imposes an obligation on persons in customs areas to comply with the directions of a customs officer. Section 37(2) imposes an obligation on persons operating or in control of vehicles in a customs area to comply with the direction of a customs officer in relation to their vehicle. Section 37(3) gives customs officers the power to examine goods in a customs area for any customs purpose and to give directions in relation to vehicles, equipment and goods in order to facilitate such a customs inspection. Section 37(4) provides a civil penalty at the level 5 amount for failure to comply with the direction of a customs officer, under section 37.

What you are probably getting, Mr. Chairman, is the fact that . . . You know how they say in stores

that it is the client or the customer who is king? When you look at our ports of entry, it is the customs officer. I do not know if you are like me, but when you travel, and often they want to challenge whether a Bermudian needs a visa, and there are times when they have it so wrong and they say, *You need a visa to get in the States*. Even no matter how infuriating it is, you be nice. You smile, and you just listen and say, *Well, have you considered . . . ?* Because you know in that area, customs is king and you had better realise it. You cannot give attitude.

The Chairman: That is the smart way to go.

Hon. Paula A. Cox: Mr. Chairman, looking at clause 6, the new section 38 makes provision for the offence of unauthorised holding or movement of uncustomed goods within a customs area. Section 38(1) provides a civil penalty of the level 4 amount, up to \$12,000, for unauthorised handling uncustomed goods in a customs area. Section 38(2) defines the expression "authorised person" for the purposes of section 38 to include passengers, customs officers and approved customs area operators.

Now, when we get to the new section 39, that makes provision for the approval of customs area operators. Section 39(1) imposes an obligation on the occupier of a customs area to apply to the Collector to be a customs area operator. Section 39(2) provides a penalty of the level 4 amount for operating in a customs area without the Collector's approval. Section 39(3) gives the Collector the power to specify the form, time and manner of making an application. Section 39(4) sets out the preconditions of authorisation to be a customs area operator; and the preconditions relate to the applicant's physical presence, electronic and other systems, the resources and equipment and facilities.

Section 39(5) affords the Collector of Customs with discretion to approve or refuse applications to be a customs area operator and to approve applications subject to conditions. This is what we call due diligence. I assume the vetting. You know, you do not want to have someone who may have a chequered history to be given the keys to the kingdom, because then you are not helping in terms of border control. So, this is really where you have the border control, which is really now within the remit of the Minister of National Security. But because this deals with duty and revenue, it is still . . . some aspects of this are really Minister of Finance. But border control and customs in terms of their revenue functions and border control, this is key. You have got to be able to protect our borders. That means that you have got to make sure that people who are operating within what is supposed to be secure places are operating and are properly vetted.

The Chairman: Absolutely.

Hon. Paula A. Cox: If not, it has the effect of almost setting off a bomb in a crowded room.

Anyway, Mr. Chairman, as we go on, section 39(6) empowers the Collector to vary or revoke an approval or to withdraw or vary a condition of approval. Section 39(7) contains the Minister's power to exempt persons by order from applying to be approved as customs area operators. Section 39(8) applies the affirmative resolution procedure to orders made under section 39(7).

Now, what about section 40? That is a new section, and it makes provision for the regulation of customs area operators. Provision includes preconditions of approval relating to the provision of premises and the means of transport, identification of goods and means of transport, kinds, quantities and values of goods, security for duty, records, customs offices and inspection facilities.

Also, the new section 41 makes provision for the holding of goods in customs areas and movement of goods between customs areas. Section 41(1) permits goods to be moved between customs areas subject to the direction of the Collector. Section 41(2) derogates (or moves away, in other words) from the Revenue Act section 19(1) and permits the extension of the time for making entry of goods in customs areas from three to up to thirty days, subject to the directions of the Collector. Section 41(3) provides that the period for making entry of goods provided in section 41(2) shall begin upon unloading from the importing means of transport and end upon re-exportation release for home use or entry into bond. Section 41(5) authorises the Collector to gazette directions relating to the holding of goods in customs areas or the movement of goods between customs areas.

The new section 42 makes provision for the removal of goods from a customs area. Section 42(1) provides that customs duty shall be payable upon removal of goods from a customs area, except where the goods are being moved to another customs area. Section 42(1) also applies certain provisions of the Revenue Act relating to the release of goods and entry of goods and payment of duty and customs declaration. Section 42(2) provides that the responsible customs area operator is jointly and severally liable for the duty with the importer or exporter in the event of irregular removal of goods from a customs area. Section 42(3) provides that the responsible customs area operator is jointly and severally liable for the duty with the importer or exporter in the event of irregular removal of goods during a customs transit movement.

Section 42(4) provides that the Collector's affirmation, allegation or declaration of facts in relation to any unlawful removal of goods from a customs area or in customs transit shall be sufficient evidence until the contrary is proved. The onus of proof is placed on the customs area operator holding or sending the

goods. Section 42(5) defines the expression "customs transit" for the purposes of section 42.

Now, the new section 43 applies the provisions of the Revenue Act to excise licence fees as they apply to customs duties. The new section 44 requires a customs area operator to make fixed annual payments by way of an excise licence fee for the privilege of operating a customs area and for the services provided by customs officers. Payment of the fee is the responsibility and liability of the approved operator of the customs area, whether or not he is also the person who applied for the appointment. The level of the annual fee is to be prescribed in the Government Fees Regulation [1976]. You will see that in clause 10.

The new section 45 defines the term "equipment and occupier" for the purposes of this new Part III. Clause 7, Mr. Chairman, substitutes section 79 of the principal Act. Now, this substituted section 79 has the following changes: In the new section 79(1), the five-year limit on the time that goods produced or manufactured in Bermuda can remain outside Bermuda has been removed. It is no longer necessary to place a limit on the time such goods can remain outside Bermuda that triggers an obligation to pay duty again upon re-importation. The old proviso to section 79(1) has been recast in modern language as the new section 79(2) and provides for the re-importation and admission to entry of the produce or manufacturer of Bermuda subject to repayment of any drawback received.

In the new section 79(3), the five-year limit on the time that duty-paid goods can remain outside Bermuda has been removed. It is no longer necessary to place a limit on the time such goods can remain outside Bermuda that triggers an obligation to pay duty again upon re-importation. The old proviso (a) to section 79(2) has been recast in modern language as the new section 79(4) and provides for the re-importation and admission to entry of duty paid goods subject to repayment of any drawback received.

The old proviso (b) to section 79(2) has been recast in modern language as the new section 79(5) and provides for the payment of import duty on the cost of any repairs or improvements to any duty paid goods upon their re-importation into Bermuda. The old section 79(3) has been modernised and recast as the new section 79(6) and now permits the duty free importation of warranty replacement goods supplied under warranties given by manufacturers, consigners and vendors. The duty relief also now includes warranty replacement goods in circumstances where the original goods have been exported for repair or have been destroyed under customs supervision or have been abandoned to the Government.

The old section 79(4) has been updated and recast as the new section 79(7) and applies a new section 79(6) to goods under limited warranty so that the repaired goods or replacement goods may be imported duty free. It also provides for the duty free im-

portation within the scope of the relief. There is no need to limit the scope of the relief to repair by the manufacturer. The new section 79(8) clarifies what “to repair” goods entails for the purposes of the duty relief under the new subsections 79(6) and 79(7).

Clause 8, Mr. Chairman, substitutes section 96 of the principal Act to further clarify provisions in respect of the search of persons suspected of carrying or having under their control uncustomed goods. The substituted section 96 contains the following changes: The new section 96(1) has been amended so that customs officers may search not just goods that a person is carrying, but also goods that a suspected person has under their control.

The old proviso (a) to section 96(1) has been modernised as the new subsections (2), (3) and (4) to section 96. The new section 96(2) provides that a suspected person must be advised of their right to appeal a search of person to the Collector of Customs or other senior officers of customs. The new section 96(3) provides that a suspected person may ask the Collector or other senior officer of customs to rescind a decision to conduct a search of the person. The current, outdated requirement that a suspected person be physically brought before the Collector or other senior officer has been removed. The new section 96(4) provides that the Collector of Customs or other senior officer may oblige or refuse a suspected person’s request to rescind a decision to conduct a search of persons.

The old proviso (b) to section 96([5]) is modernised and provides that personal searches must not be carried out by a member of the opposite sex. I would think that is for obvious reasons.

The new section 96([6]) provides for the use of reasonable force to carry out a search of person or goods in circumstances where a person refuses to comply or attempts to evade a customs search. The new section 96(7) provides for forfeiture of uncustomed goods being carried or under the control of a suspect, and the new section 96(8) provides a summary offence of non-compliance with a customs officer’s direction for obstruction of a customs officer.

That is where we are in terms of section 96.

Clause 9 amends section 98 of the principal Act by deleting redundant provisions in respect of searches authorised by warrant issued by a Justice of the Peace. The power of Justices of the Peace to issue warrants of arrest has been removed under PACE legislation, so we obviously had to make the change here.

Now, clause 10 makes a consequential amendment to the Government Fees Regulations [1976] for a fee of \$500 to be paid for the granting of a customs area operator annual excise licence, and the charging provision for this fee is in the new Part III, section 44.

We have clause 11, which provides transitional provisions for all persons and entities operating

as customs area operators to be deemed to be exempted from the obligation to apply to be approved as customs area operators until the Minister makes an order under section 39(7) to prescribe persons and entities that are to be exempted from having to apply to be approved as customs area operators.

We are getting now to clause 12, which, as I said in the Committee of the whole House, we are getting rid of a number of the outdated Acts. So clause 12 repeals the Sufferance Warehouse Act 1875 and the Ireland Island Freeport Act 1956. These enactments are repealed in consequence of the introduction of the new provisions on customs areas and excise licences that are introduced by clause 6. The Sufferance Warehouse Act 1875 currently makes provision for the appointment of sufferance wharfs and sufferance warehouses in the ports of Hamilton and St. George’s, where goods can be discharged and stored before entry and duty payment. It is certainly, as I said, more than 100 years old, and it does not apply to the transport of goods by air. Also, the Act is too restrictive to accommodate modern practises of pre-declaration customs supervision such as inland clearance.

This also introduces a set of modern provisions that clarify the roles and responsibilities of warehouse keepers and operators of customs-controlled storage facilities as a replacement for the archaic Sufferance Warehouse Act of 1875.

Mr. Chairman, with regard to clause 13 (and I have shared with you and with Honourable Members the amendment), this is really dealing with the commencement and the operative date. So what we are doing in terms of the commencement date is we are deleting clause 13 as it is currently written and substituting the following (and you will see), that this Act shall come into operation on such day as the Minister may appoint by Notice published in the *Gazette*, and that is clause 13(1).

Clause 13(2) is a notice made under clause 13(1), may appoint different days for different provisions of the Act to come into operation. This really, Mr. Chairman, is what we call . . . it is not quite transitional, but it is almost like that for efficiency, to help as we institute a new set of measures. You are giving a prescriptive power in terms of . . . You are looking at the times and how long it will take to make certain things become effective. You are also taking note that there are some other changes to come in another few weeks. So you want to make sure that you have got everything lined up so that it works seamlessly, with minimum disruption to both the users, the passengers and the customs area operators. So that is the amendment with regard to the commencement date.

The Chairman: Right.

Hon. Paula A. Cox: Those are the clauses 1 through 13, Mr. Chairman.

The Chairman: Right. Thank you. Thank you very much, Honourable Premier.

We will actually get to the vote on that amendment after we have discussed the rest of the Bill.

Would any Honourable Member care to speak?

I recognise the Honourable Mr. Bob Richards. I also recognise that it is 12:28 [pm]. Honourable Member, I think you are going to take more than two minutes.

Mr. Everard T. (Bob) Richards: Actually, I am not.

The Chairman: You are not? Okay.

[Laughter]

The Chairman: Then carry on, Honourable Member.

Mr. Everard T. (Bob) Richards: Thank you, Mr. Chairman.

I have three questions for the Honourable Minister. The first one I alluded to before. It is, Does the Collector of Customs have any discretion if a person happens to have goods on the dock, so to speak, over 30 days? Does the Collector have discretion to sort of hold over the guillotine insofar as it dropping and becoming abandoned to Government? That is the first question.

The second question is that there is a lot of emphasis and a lot of discretion given to the Collector of Customs and a lot of power given to customs officers. In view of the drug problem, the gun problem in Bermuda, the question occurred to me, Who vets customs officers? What is the vetting process as relates to the choice of the people protecting our borders? I think that is something interesting for Bermudians to know.

My last question is on clause 9, where the powers of search . . . you used to be able to appeal it to a Justice of the Peace. You cannot anymore. My question is, Is there any appeal left after this? Is there any possibility of appeal for somebody who does not want to be searched?

Those are my three questions.

The Chairman: Thank you, Honourable Member.

Are you going to be long?

Mr. Charles F. B. Swan: I am not.

The Chairman: The Honourable Member, Mr. Charles Swan, I recognise.

Mr. Charles F. B. Swan: Thank you, Mr. Chairman.

I had two questions, but one has been posed by the Honourable Member who spoke before. My second question is on clause 6, new section 40.

The Chairman: Clause?

Mr. Charles F. B. Swan: [Clause 6, new section] 40, regulation of customs area operators. It is on page 6.

The Chairman: Carry on.

Mr. Charles F. B. Swan: Yes. I just wanted some clarification on what security for the duty is. It is item (d) in [new section] 40 there.

The Chairman: New section 40(d) on page 6. Yes.

Mr. Charles F. B. Swan: That is all. Thank you.

The Chairman: Honourable Premier, it is actually clause 6, [new] section 40(d).

Honourable Premier, would you care to respond? Would you rather do it after lunch, Honourable Premier?

You would rather do it after lunch?

Hon. Paula A. Cox: I think just in case there are others.

The Chairman: I think that is a good decision.

Hon. Paula A. Cox: So do you want to move to lunch?

The Chairman: Yes.

Hon. Paula A. Cox: I move that we adjourn for lunch.

The Chairman: Thank you, Honourable Premier.

We are going to now adjourn and return at 2:00 pm.

Proceedings suspended at 12:32 pm

Proceedings resumed at 2:02 pm

House in Committee

[Hon. K. H. Randolph Horton, Chairman]

COMMITTEE ON BILL

REVENUE AMENDMENT ACT 2012

[Continuation thereon]

The Chairman: Good afternoon Members. We will continue in Committee on the Revenue Amendment Act 2012, in the name of the Honourable Premier.

Premier Cox, you have the floor.

I think they had finished, Premier, and you were just going to respond to the questions. It did not have any . . . oh; you have a question, oh. Then Honourable Premier—

Hon. Paula A. Cox: Thank you, Mr. Chairman.

There were four questions asked—

The Chairman: Yes.

Hon. Paula A. Cox: —and the first question was about whether there was discretion with regard to . . . over the 30 days.

After the three days have elapsed, the goods may be moved to a Queen's Warehouse. Goods are not always put in the Queen's Warehouse, for instance containerised cargos too bulky to store in the current Queen's Warehouse. After a further 30 days, the goods can be disposed of by sale or otherwise. And once the goods are disposed of, obviously, there is no further redress. If the goods are sold, then part of the proceeds may be paid to the owner. The Collector, though, seldom disposes of goods immediately and the proprietor or owner of the goods may at any time may (until the goods are disposed of) make a customs declaration, pay the duty, any fees, and pick up the goods.

With the question of the process for vetting customs officers, the normal application is made and then the vetting is through HR and also through the police. That is how it is normally done, especially because of the particular, I suppose, aspects of the job.

The question of whether there is an appeal, there is the possibility of appeal to the senior officer or the Collector of Customs. But after that there is, certainly, once they have made the determination, no further appeal process. In fact, reasonable force can be used which can include using the provisions of section 96 to involve the police.

With regard to security of costs, security for duty, it can be in the form of a guarantee or letter or monies paid on deposit. Obviously, the security has to meet the needs of the goods that are being brought in. So it has to be sufficient for the purpose.

Those were the four questions that I had that have been raised so far.

The Chairman: Right. Those were the four.

Thank you, Madam Premier.

Is there any other Honourable Member who would care to speak?

I recognise the Honourable Dr. Grant Gibbons from Paget.

Dr. Gibbons, you have the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Chairman.

Mr. Chairman, I would like to ask a couple of questions about clause 6, and particularly the new section 36 underneath that.

The first question (this applies to the new customs areas): I am curious as to how many of those customs areas exist now. I think the Honourable Member mentioned when she was introducing the legislation that we are talking probably about the stevedoring servicing area on the Hamilton docks. I do not know whether there is still a customs area down in St. George's or not, but there are probably some other warehouses. And I am curious as to how many of those customs areas exist at the present time, and whether there is any speculation that there will be perhaps additional customs areas opening up as a consequence of this, although it is not much of a change.

The second part that I am interested in is this whole transition exercise.

The Chairman: Are you still on 36?

Dr. the Hon. E. Grant Gibbons: I am, yes. I am on 36(1) now and it says, "The Collector may after consultation with the relevant port authority, appoint any place in Bermuda to be a customs area by notice published in the Gazette."

When the Honourable Member, the Premier, introduced this, I recall the Member saying that existing customs areas would be grandfathered. And one of the questions I have is, in that sense, will they have to apply to be a customs area? Will there be a re-application at all, any sort of paperwork required, when this new legislation comes into effect on the commencement date? Or is it just the customs area operators who will have to apply under this last clause which is on page 10, it is clause 11, it says, "All persons and entities operating as customs area operators shall be deemed to be exempted from the obligation to apply for approval as customs area operators until the day of the coming into force of an Order made under section 39(7)"?

So I take that to read that anybody who may be operating a current customs area is going to have to go through some sort of a re-application process, but I would like some clarification there.

The next question I have relates again to this section 36 here on page 3 under clause 6. There are a number of things that the applicant must do—that is a new applicant for a customs area must do—to satisfy the Collector. And I am curious as to whether there are additional controls being put into place here, whether there are currently guidelines, or is it simply a question of the Collector looks at it, if the Collector is happy based on some of these provisions here then it is okay. Or are there other things that now need to be . . . in other words, are there additional requirements being put into place as a consequence of this section 36(4) here which did not exist before? I am trying to

get a sense of whether there are guidelines existing, whether they have been added to . . . so do we have additional requirements—some may say bureaucracy—being put in place here?

And then I would like to go back to the answer that the Premier just gave to Mr. Richards' question—the Honourable Member's question—about this 30 days. In reading clause 3 which talks about the three days and the 30 days, is it the sense now that after three days the goods will still go into the Queen's Warehouse, but the importer has 30 days in which to do that entry whereas before they really did not have 30 days, they only had three days to do the entry? In other words, will there still be—within that 30 days—Queen's Warehouse costs and charges applying?

Thank you, Mr. Chairman.

The Chairman: All right. Thank you very much, Honourable Member.

Premier, do you care to respond?

Hon. Paula A. Cox: You mean, will I respond?

[Laughter]

Hon. Paula A. Cox: Before it was three days and now it has been extended to the 30 plus. And, certainly, that is what it was—it was a much shorter period before. And, certainly, I think that the Collector seeks to work with people, but now, after three days have elapsed, it will then move. And yes, the charges will apply.

The issue with regard to . . . I have to make sure I can understand my writing . . . section 36(3), bureaucracy, new requirements or existing. It is really that we are allowing provision that the commencement . . . as I indicated when I dealt with it up front in the Committee stage, the time period has not yet kicked in for the trigger. But certainly there are not any new requirements. It is what I indicated under section 36(4) of what they have to provide in terms of satisfactory financial resources, equipment, systems, facilities, and records to comply. What we are doing is modernising it and streamlining it, but it is without the aim to add any additional requirements.

How many there exist now, I think [was] the question. There are five main ones—Ireland Island, St. George's docks, Hamilton docks, the Oil docks, the Airport, and existing customs areas clearly are preserved.

And will there be a re-application process for customs areas? You do have to apply. And I think . . . yes, that is it in terms of the numbers as to what there is now.

And I think that is it. Will they be grandfathered? Yes, they are preserved. Do they have to go through an application? Yes. But the application is not, as I indicated when we dealt with it in Committee earlier, an application form. It is providing the infor-

mation in proper . . . I suppose, just detailing the information that is required already in terms of what you had in terms of your ability to satisfy the financial resources, et cetera. New ones clearly have to be applied for, existing ones are grandfathered.

I do not know, I think that was basically it.

The Chairman: Yes, Premier, I think you covered all of the questions that were raised.

Does any other Member care to speak?

I recognise, again, Dr. Gibbons.

Dr. Gibbons, you have the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Chairman.

There was one other question I had intended to ask. And that was—

The Chairman: But you did not ask.

Dr. the Hon. E. Grant Gibbons: —but I did not ask.

The Chairman: All right. Okay, just wanted to make sure we had you covered.

Dr. the Hon. E. Grant Gibbons: You are doing a good job, Mr. Chairman, and the Premier did answer my questions in the last go-round.

So under clause 7 which deals with goods being brought back to Bermuda, obviously this is an improvement, particularly for those people who have exported goods that were here, that they paid duty on, that they have taken them out and it is over five years, they can now bring them back with certain provisos without having to pay duty. The question I have is, Did the Ministry or did Customs estimate how much duty might be lost as a consequence of that on an annual basis, of roughly how much it is now?

Thank you.

The Chairman: Thank you very much, Honourable Member.

Madam Premier, you have the floor.

Hon. Paula A. Cox: They were not able to provide that information. That was one that I wanted to see if we could actually quantify. And to be quite honest, it was a lost opportunity. People were not bringing goods back to Bermuda because of what they saw as a double penalty. Particularly on goods which were seen to be in the most part worth high value. So they were not able to provide that information as to the amount of duty that could be foregone.

The Chairman: Thank you, thank you, Premier.

Does any other Member care to speak?

No other Member cares to speak.

Madam Premier, you have the floor. Madam Premier, we had to do one thing. We had to—

Hon. Paula A. Cox: Ah, yes.

[Gavel]

The Chairman: —the amendment.

Hon. Paula A. Cox: Approve the amendment.

The Chairman: Yes. If I may, all those in favour of the amendment, which was deleting clause 13 that you have and replacing it with 13(1) and 13(2) as per . . . all Members should have the paper in front of them.

All those in favour of the amendment, say Aye. Those against, say Nay.

AYES.

The Chairman: The Ayes have it.

[Motion carried: Clauses 1 through 13 passed as amended in clause 13.]

The Chairman: Madam Premier, please.

Hon. Paula A. Cox: Thank you, Mr. Chairman.
Mr. Chairman, I would like to move the Preamble as amended.

The Chairman: The Premier would like to move the Preamble.
Those in favour, say Aye.

AYES.

[Motion carried: The Preamble, as amended, passed.]

Hon. Paula A. Cox: Thank you, sir.
I would like to move that the Bill be reported to the House.

The Chairman: The Bill will be reported to the House.
No objections?
The Bill will be reported back to the House.

[Motion carried: The Revenue Amendment Act 2012 was considered by a Committee of the whole House, passed with amendment, and will be reported to the House.]

House resumed at 2:15 pm

[Hon. Stanley W. Lowe, Speaker, in the Chair]

REPORT ON BILL

REVENUE AMENDMENT ACT 2012

The Speaker: Is there any objection to the Report of the Committee as amended?
Agreed to.

The Speaker: That brings us to the next Order. Orders 2 through 4, inclusive, are being carried over.

That brings us to Order No. 5. Motion to be moved by the Honourable Member, Mr. H. K. E. Swan, That this Honourable House take note of the Commonwealth Parliamentary Association “[Recommended] Benchmarks for the CPA Caribbean, Americas and Atlantic Region’s Democratic Legislatures” and consider modernising Parliament’s functional and organisational effectiveness.

I now call upon the Honourable Member, Mr. Swan, from St. George’s West.

The Honourable Member, Mr. Swan, has the floor.

MOTION TO TAKE NOTE

[RECOMMENDED] BENCHMARKS FOR THE CPA CARIBBEAN, AMERICAS AND ATLANTIC REGION AND CONSIDER MODERNISING PARLIAMENT’S FUNCTIONAL AND ORGANISATIONAL EFFECTIVENESS

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

Mr. Speaker, it is an honour for me to move this Motion here today, tabled in November: That this Honourable House take note of the Commonwealth Parliamentary Association “[Recommended] Benchmarks for Democratic Legislatures of the Caribbean, Americas and Atlantic Region” and consider modernising Parliament’s functional and organisational effectiveness.”

Mr. Speaker, following my attendance at the Caribbean, Americas and Atlantic Region of the Commonwealth Parliamentary Association’s conference and AGM in Grenada, July 2011, I felt it my duty to present these benchmarks today. And I am pleased that in the time that I took to have it on the Order Paper we have received, everyone has received in the Honourable House, a very fine brochure that spells out these benchmarks as they were ratified at that particular meeting. And I do believe that at the last sitting of this Honourable House, Mr. Speaker, indeed the press had also received these benchmarks as well.

The origins, Mr. Speaker, of these particular benchmarks that we are looking at today go back some time to 2006 and have their origins both in Zanzibar, Tanzania—

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: —2005 (thank you very much Honourable Member) in Zanzibar, and in 2006 in Bermuda, Mr. Speaker.

Indeed, in Bermuda the committee recommended that these benchmarks be taken on board and looked at very seriously. But, also, it was recognised, Mr. Speaker, that in doing so there was a significant amount of uniqueness that applied, that there was not a “one shoe fits all.”

If you would allow me, Mr. Speaker, I would refer to a document by a study group published by the Commonwealth Parliamentary Association, entitled “[Administration and Financing of Parliament](#).” Which, in fact, is the report from Zanzibar from the 25th to the 29th of May 2005 (as the Honourable Member so correctly pointed out), which also states that many Commonwealth Parliaments (with your permission, Mr. Speaker) are looking to organisations such as the Commonwealth Parliamentary Association and the World Bank Institute for advice on the establishment of corporate bodies or support in bridging greater efficacy to existing corporate governance arrangements.

It was against this backdrop that the CPA, in partnership with the World Bank Institute, organised a study group on the Financing and Administration of Parliament.

The objectives of the study group were to:

- identify best practices in corporate management structures across Commonwealth Parliaments;
- produce recommendations for the establishment of new corporate bodies;
- examine methods of increasing accountability for the use of public funds and services; and
- [to] develop the capacity of the CPA to assist branches with issues of corporate management.

Arising out of that, Mr. Speaker, I might add to that that ensuring the independence, effectiveness and accountability of Parliament, independent funding for Parliament and financial controls and the relationship between the Executive, the Speaker (your office, Mr. Speaker), the corporate body, the Clerk, accounting office, and the staff of Parliament, and levels of delegated authority granted by corporate body to Parliament services, human asset management and accountability.

Mr. Speaker, just in the intro, this study group that initiated the importance of this set out some very important parameters from which to look at what I might deem as modernising our Parliament, and indeed sister jurisdictions within the Commonwealth.

Mr. Speaker, your office and that of our Clerk, Mrs. Shernette Wolffe, together with Speakers, Presiding Officers, Clerks of Parliaments throughout our region, has collaborated to ratify and produce these recommended benchmarks outlined in the brochure tabled in this House and released to the press. Mr. Speaker, our Parliament is the oldest legislature outside of the United Kingdom. But in many ways with

regard to areas that can assist us, provide good governance, we still have some work to do.

Mr. Speaker, these benchmarks which were approved at the Annual General Meeting of the Commonwealth Parliamentary Association’s Caribbean, Americas and Atlantic Region’s meeting on June 29, 2011 at the CPA Regional Conference in Grenada can help us to better move forward. They respectfully outline and recommend ways to help us determine where we are and how we can improve ourselves. Mr. Speaker, the recommended benchmarks clearly illuminate areas where our Parliament has already modernised in recent years under your tenure, Mr. Speaker.

These areas are: The Register of Interests, led by the Honourable and Learned Member, Mr. Trevor Moniz. Mr. Speaker, Mr. Moniz toiled long in the vineyard to get this Motion through the joint select committee. And as a Member of that committee, I can attest that there was a fair amount of horse trading, political wrangling between parties; and I can attest probably a greater deal of internal wrangling took place in the caucus rooms as Members hammered out how, in fact, this particular Member’s interests would actually work.

In fact, I believe it is fair to say that the Honourable Member, Mr. Moniz, may have even written a paper about it that appeared in the *Parliamentarian*. At that particular time . . . in hindsight, Mr. Speaker, I can probably attest to the frustrations that he must have felt. But some of us looked at it a little differently at the time. But I certainly have great respect for the Member’s interest that was in . . . the register of Member’s interest that was introduced at that time and the stick-to-it-iveness that the Honourable and Learned Member put forward to ensure that it came to fruition.

Mr. Speaker, another area which was modernised under your watch since 1998 was the updating of the Standing Orders that govern the rules of this Honourable House, which was basically championed by Dame Jennifer Smith and the former Member, Mr. Barritt. Also recommendations to open committee meetings, to allow a Question Period, which was a mandate given also by the Rules and Privileges Committee, of which I was pleased to have been a Member at that particular time, as was the former Premier, Dr. Brown.

Also public access to information has arisen over the last so many years, Mr. Speaker, under much being said about its need. It was something that fits in the parameters of benchmarks that jurisdictions are encouraged to embrace and we now have that legislation.

Recent legislation introduced by the Honourable Premier, Madam Premier, Ms. Paula Cox, to address financial indiscipline. We hear a lot about financial irregularities, it is ongoing, Mr. Speaker, at this particular time. But as the recommendations of these benchmarks also touch on this it is important to rec-

ognise that some of these measures have been put in place. And we are grateful and obliged that they are now in effect.

Mr. Speaker, if I could just make mention of an Act that when . . . there is an Act that exists that deals with Parliament—the Parliament Act—Mr. Speaker, which deals with our premises here, I believe the House and Grounds Committee would be more familiar with the Parliament Act than those of us who come here on a weekly basis and deal with Parliamentary matters. But there are matters that deal with good governance that exist in the Parliament Act, Mr. Speaker. It not only looks out for the—

The Speaker: Is it the Parliament Act of 1957 you are referring to?

Hon. Hubert (Kim) E. Swan: Yes, Mr. Speaker, a wonderful year I might add—1957 being the year of my birth.

But also it deals with the controls of the precincts being these grounds and, as was mentioned in another meeting that we held recently, there are concerns as to how the grounds are used, Mr. Speaker. And I think it is important that this Act, dated 1957, should be also explored to see how in fact this Act could be modernised. As I mentioned, Mr. Speaker, there are things in here that deal with good governance issues as well. If I could just ever so briefly . . . there is a section that deals with interference with the Legislature. There is also a section that deals with acceptance of a bribe by a Member as an offence, Mr. Speaker. These are matters that persons have all along called for being part and included in codes of conduct and documents such as that. But as we look there are certainly contained the parameters in Acts already where amendments could, in fact, bring about some of the legislative mechanisms that persons are calling for to tie into these benchmarks that have been brought about here today that we are considering.

Mr. Speaker, the report identifies areas which the Bermuda Parliament must address to keep pace with sister jurisdictions which are more modern. And, Mr. Speaker, the benchmarks illuminate areas where Bermuda lags behind and is in need of modernising.

Mr. Speaker, it is worth noting that we are one of the most sophisticated jurisdictions in the world, especially in financial services and reinsurance, in particular. Yet, when compared to other jurisdictions, our Parliament lacks the autonomy, resources, and manpower to adequately keep our Parliament in step with more modern jurisdictions. And, certainly, Mr. Speaker, I would say when we talk about resources (and this will get mentioned again) that I just want to take this opportunity to say thank you to your office, you, the Deputy Speaker, and Deputy Speakers that have served since I have been in the Legislature, and also the former Clerk, Mrs. Roach, who served and

indeed the current Clerk to the Legislature, Mrs. Wolffe, and the entire staff of the Legislature.

I believe per capita, Mr. Speaker, when you look at the scope of the budget that we have in our midst today in this country, notwithstanding persons who also focus on the debt, but the sophistication of our Island, I believe our Parliament—with less than eight full-time persons working in this Parliament—is by far . . . has the least amount of staffing resources of most Parliaments that we are comparing ourselves against, be they in the Channel Islands, be they in the Caribbean, or be they certainly in Samoa and other places around the Commonwealth, Mr. Speaker. And I think it is important to certainly make mention of that at this time.

Mr. Speaker, this Motion is really an effort to support your good office as Speaker and that of the Clerk of the Legislature. It is indeed the role of [the] Speaker and that of the Clerk whose duties are critical in ensuring that the functions of our Parliament are carried out judiciously and separately from the functions of the Executive branch of Government.

Mr. Speaker, my former role as Leader of the Opposition, and previously that of Opposition Senate Leader, has enabled me to have an excellent vantage point to view the workings of our Parliament. My years in the political wilderness working for a party with 30 years in Government experience afforded me an understanding from both a Government and an Opposition perspective.

Mr. Speaker, there are specific areas in this report that I will focus on, and hopefully with the contribution from other Members the recommended benchmarks will encourage comprehensive consideration and receive the necessary support to accelerate the modernisation of our Parliament.

And, Mr. Speaker, whilst we are on the modernisation, one of the key planks of the modernisation of our Parliament is the autonomy of Parliament. And, certainly, I believe that we in the United Bermuda Party support the independence, the autonomy of Parliament. I believe the other Opposition supports that as well, it formed part of a submission that they made recently. And, Mr. Speaker, the hope is that these benchmarks will illuminate how important it is for us to look at not only just saying Parliament needs to be autonomous, but putting the necessary mechanisms in place and resources in place to bring this into effect.

These recommended benchmarks in this booklet, which is a 20-page booklet, basically covered four essential areas—the general area, organisation of the Legislature was another area, functions of the Legislature was a third area, and values of the Legislature was the fourth area. And under these areas there were subheadings that fell underneath those particular areas, Mr. Speaker.

Mr. Speaker, the recommended benchmarks starts with section 1.1, Elections, which is found on

page 4 of the booklet that we have here before us. I am also using, Mr. Speaker, my electronic means as well, so just pardon me as I just slide my little scale up as I go.

Mr. Speaker, the recommended benchmarks start with section 1.1, Elections, which is logical as everything we do in our Parliamentary democracy revolves around democratically contested elections. And whilst our democracy has evolved to become more democratic today than it was prior to when the PLP and the UBP were first formed, prior to the 1968 Constitutional Order, notwithstanding that Bermuda's democracy is still evolving, and there are considerations we should consider if we truly want the fairest and most equitable system governing us.

Mr. Speaker, Bermuda meets the most important of the benchmarks outlined in this section 1.1. Certainly, Mr. Speaker, I could not say that without saying that the PLP, as I mentioned, Mr. Moniz was long-suffering, pushing for —

The Speaker: He is Honourable in this Chamber.

Hon. Hubert (Kim) E. Swan: —the Honourable and Learned Member was long-suffering, pushing for register of interests. The PLP was long-suffering in their consistent campaign for single-seat constituencies as in opposition with the clarion call for *one man, one vote; one vote of equal value* certainly bore fruit when they became Government, Mr. Speaker.

Section 1.1.2 ensures that Legislative elections shall meet international standards for free, fair and transparent elections. However, whilst we do have a competent office of the Parliamentary Registrar—and Mr. Scott and his office do a stellar job—concerns have been registered that the Parliamentary Registration Election Act still needs to be amended (and I am sure there are other Members who could speak to that as well if they so choose) to prevent constituency changes. And, certainly, one of my concerns and that of the United Bermuda Party has been where constituency changes and adjustments to the electoral role take place after a writ has been called.

Certainly, there are, Mr. Speaker, other jurisdictions, like in London, that once a writ has been dropped that is the roll you work from. And I think it is important to lay that marker down. Certainly, the Opposition has its say and we all know that the Government has its way most times. But there are times, Mr. Speaker, when the say of the Opposition is taken on board by the Government. So if you believe wholeheartedly in a good concept it does not stop you from advancement, notwithstanding that it may get ignored at some point in time. It may resonate or be the time when they best can take it on board.

Additionally, since "First Past the Post" has been introduced, Mr. Speaker, notwithstanding that the Government has been duly elected by the majority of the voters (and congratulations to them on doing it

on two occasions), but I am sure in the spirit of fairness and equity that they would certainly appreciate that had they been in Opposition they may have had some concern that 51 per cent of the popular vote can translate to nearly 65 per cent of the seats that they hold in Parliament. And it is in that spirit of fairness and the importance of balance and fairness that I feel duty bound to continue to advance that for two consecutive elections this particular result has taken place. And dealing with this, certainly under this particular section, Mr. Speaker, I felt it necessary to raise this issue.

And, certainly, Mr. Speaker, we note with great interest that section 1.1.3 calls for fixed-term elections—a familiar theme that we in the United Bermuda Party have also been advocating for quite some time. I certainly feel, Mr. Speaker, that whilst we have inherited the Westminster system that as we look at modernising our democracy it certainly does not prevent us from looking at ways that we can make our democracy better, fairer and more relevant to all concerned. And, certainly, fixed-term elections would allow Bermuda to concentrate more on the issues with a defined period for elections.

In the final three months prior to an established election day, for example, the first Tuesday in every November, every four years would certainly ensure two general elections per decade and permit greater ability to plan for forward planning, Mr. Speaker. Some may say that is pie in the sky, but certainly it is worth . . . there are ideals worth advancing when the opportunity comes where I could form the Government. It would not come as any surprise to any that these are the types of things that will be carried forward.

Mr. Speaker, section 1.1.4 calls for an independent electoral commission that shall be established for the management and conduct of election. And, certainly, this is also consistent with [the] Opposition and is a matter which I will delve into in greater detail when I debate a motion calling for [a] political ombudsman, Mr. Speaker. Certainly, when you start looking—and I am not reflecting on that debate, Mr. Speaker, I am not reflecting on it . . . I cannot anticipate, thank you—

The Speaker: I do not want you to anticipate—

Hon. Hubert (Kim) E. Swan: Thank you, thank you.

The Speaker: Yes, do not anticipate that motion.

Hon. Hubert (Kim) E. Swan: No, no, I am not going to anticipate. Yes.

The Speaker: Go right ahead.

Hon. Hubert (Kim) E. Swan: But certainly, Mr. Speaker, these are areas of good governance and

oversight that persons feel that are arising out of these benchmarks that are being raised for consideration as we go forward.

Mr. Speaker, section 1.5.1 of the report addresses remuneration and benefits, an interesting benchmark considering the current economic scene, Mr. Speaker. Section 1.5.2 states that “The remuneration arrangements for Legislative officeholders should sufficiently reflect their considerable role and responsibilities.” And section 1.5.4 states as follows: “In order to maintain a decent standard of living and to upkeep his/her family, a Member shall not be placed in the position of having to sacrifice parliamentary responsibilities in order to pursue a competing career.”

Certainly, Mr. Speaker, this particular section is of great relevance because we as politicians have become fair game—some of our own making and some of the making of certainly not adhering to these particular benchmarks which we have before us today because for many jurisdictions these benchmarks did not exist until more recently. And, as I said earlier, Mr. Speaker, some of these benchmarks we have taken on board already. The importance for this Legislature—certainly, Mr. Speaker, a Legislature that is 392 years old—for those of us looking to build a good foundation for those young people that are coming behind us in 10, 20, 30, 40 and 50 years it is important for us to make sure that we take the steps to modernise our Legislature as we can.

Mr. Speaker, section 1.5.5, which is on page 6, said “Members should not be required to place themselves under any financial or other obligation to outside individuals or organisations . . .” and, Mr. Speaker, this addresses an area in which progress is being made. I believe I mentioned this earlier as I introduced the importance of the Register of Interests, but certainly I am sure that other Members, that know this area better than I, can speak to whether or not there is still more work that needs to be done in this area.

I would think, Mr. Speaker, that with the staff of the Legislature certainly doing, as the saying is, “doing more with less”. . . it reminded me of this morning when we went to look at the doughnuts and the cupcakes. We are actually doing more with less out in the kitchen because when we used to have excess, one big doughnut and cupcake, they were cut up into squares. And it is not meant for those of us who were used to eating one to eat . . . maybe, you know, you can take less and the waistline will shrink in accordance. But, certainly, Mr. Speaker, to make the point, the Legislature has been functioning as such—doing more with less.

Mr. Speaker, the infrastructure comes under 1.7, which is on page 6. And the Act states that these grounds are for the purpose of Parliament, and to date Parliament continues to share these premises with the Judiciary. And whilst this was done many years ago, the constitutional delineation between the role of Par-

liament and the Judiciary is certainly outlined pretty clearly. And today our Parliament must preside over a country far more sophisticated than it ever was in '68, '88, '98, and indeed with far greater challenges than it had in 2008—with a 65,000-plus population and a billion dollar debt. These type of considerations take the best brainpower that we have on hand and we have to meet that by dealing with persons who are coming here from afar, dealing with jurisdictions that are competing for our business—not only international companies in the financial world, but also in tourism, Mr. Speaker.

So, the resources that we have at our disposal here in this Parliament are important, Mr. Speaker. And one need only make comparisons to other jurisdictions, and it is important to do so as it is important for Members to travel, to go to seminars, to see what is being done in other jurisdictions, Mr. Speaker. Any business on the cutting edge does not stay in Bermuda. Its executives go to other jurisdictions to see what they are doing. That is how people compete at the games—those in the industries that did well; and that is what we must do if we want to keep this Parliament and keep this country going forward and on the cutting edge, Mr. Speaker.

And, certainly, with computerisation, Mr. Speaker, there are Members today, thanks to some of the younger Members that work in their workplace and not so young Members that work with laptops on a daily basis . . . I am not a laptop man, Mr. Speaker, I am a *BlackBerry* person. And this latest piece allows me to scroll my speeches much easier, and keep pace. And this country must keep pace as well, and it cannot remain . . . it cannot be insular; it must know what is going on in the rest of the world and it must make sure that we keep ourselves abreast with what is taking place in the rest of the world.

Mr. Speaker, there was a meeting that we attended not too long ago where a former Leader of this country pointed out the state of the Library, the upgrading that is needed. Mr. Speaker, when I came to this Honourable House . . . not this Honourable House, but when I came to this Honourable Legislature in 1998 I used to camp out in that Library and look at some of the speeches by the late L. Frederick Wade and C. Eugene Cox and the late Dame Lois Browne-Evans to see how they used to tickle the UBP up at that particular time. I studied how an Opposition conducted itself in order to become Government. That is not available to young Members today because we do not have the resources to keep our Library in this state.

And, certainly, Mr. Speaker, Members should have the opportunity to have space where they can work and there should be consideration given to things such as constituency offices. I know these are things that people say, *Well, we don't have the money*. We might not have the money today, Mr. Speaker, but we certainly need to look and plan for the future

and how we are going to make this Parliament more modern and more relevant and have the equipment to be able to, at a fingertip or within a period of research, be able to have the resources available. Because gone are the days, Mr. Speaker, when the persons that stepped up into a constituency were automatically going to be your doctors and your lawyers or the high echelon out of society. There has been a shift in this country—and a good one at that—where country folk can certainly aspire to be leaders in their country and be Parliamentarians, Mr. Speaker.

And with keeping the highest and purest ideals of that particular office, it is not good enough to have them hamstrung because they cannot have the resources. And I mentioned, Mr. Speaker, certainly I have had an opportunity to run a constitutional office for three years—I am not in charge of that constitutional office—but having understood the challenges some of the independence and autonomy given to the Opposition Leader's office, Mr. Speaker, which came under the former Opposition Leader's tenure, I believe Mr. Furbert was the first Opposition Leader maybe to get a grant to run his office—

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: —former Opposition Leader, Mr. Furbert, had a grant. You came after “Grant,” but you had a grant—you had a grant to run the Opposition Leader's office. It was different from the times when the Opposition Leader's office and staff and came particularly from the office of the Legislature.

The point I am making, Mr. Speaker, and other Members could speak to it, is that I think there are enough Members who understand what I am saying—there is a system in place today where the Opposition Leader receives a grant to be able to determine how to carry out the business. He has to make sure that it is properly accounted for. In the case when I was Opposition Leader, there was a bookkeeping company that provided very good service for a very reasonable price and then semi-annually you had to submit a report to the Legislature to account for that. That is weaning the Leader of the Opposition's office to greater autonomy because it is more of a partisan office—similar to the office of the Premier—it is a partisan office. The office of the House of Parliament is a non-partisan office.

And so there are mechanisms in these benchmarks that speak to that as well—where the staff needs to be given the consideration, notwithstanding whatever political allegiance they might hold. That cannot be used against them. But in the functioning of the office they are non-partisan people. Different to what may take place . . . what could take place in a political office held other than the Opposition Leader's office or the Premier's office, notwithstanding to say that does not stop them from hiring someone

that is not of their political persuasion as well, Mr. Speaker.

But I think as we are looking at the consideration of the autonomy of Parliament and the independence of Parliament these are the ways in which we wean ourselves away from control by the Executive. And we have had, Mr. Speaker, some experiences. I certainly recall one such experience when a press release may have been released on behalf of this office which caused a bit of kerfuffle and brought into . . . and crystallised the fact that the Executive could knowingly or unknowingly cross the line and delve into the office of the Speaker. And that is the type of autonomy that we are speaking about.

Mr. Speaker, whilst we are on the rules, and they are covered on page 8, let me say that in another place (if I can, it comes under the Legislature) a former Member in that other place who sits in this place, the Honourable Member, Mr. Roban, myself, and Dr. Hughes, the retired Vice President of the Senate spent a great deal of time on a sub-committee looking at the rules of that place. It was not ratified. The work has been done. And I say that to provide the opportunity for anyone to look at that.

But, certainly, Mr. Speaker, we are very proud that that is not the case in this Honourable House and that the work that needed to be done by the Honourable Members, Dame Jennifer and Mr. Barritt, bore fruit and we certainly have different rules that we are operating under today. I think everyone in this House appreciates the fact that Ministerial Statements can be met with a Question Period—it makes it far more interesting and certainly—

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: Yes, you know, it falls under the gambit of transparency and we are appreciative.

Moving along, Mr. Speaker, because I believe I am on the hour?

The Speaker: You have got quite a bit of time.

Hon. Hubert (Kim) E. Swan: Okay, thank you, Mr. Speaker, I appreciate that. I am not going to take—

The Speaker: You started at 2:20 pm.

Hon. Hubert (Kim) E. Swan: Okay. Thank you.

The Speaker: You have got almost a half hour.

Hon. Hubert (Kim) E. Swan: Well, okay.

Records, Mr. Speaker, which is covered in 2.7, we have made progress with the introduction of a Hansard done electronically. I am sure it is a work in progress, Mr. Speaker. And hopefully . . . and I will say, I acknowledge Mr. Lamb, who first started here

as an intern and is here on a more permanent basis and the work that is being done on . . . there is a work in progress with the website. And, certainly, that will assist because I know, Mr. Speaker, Members sometimes get frustrated when they would go and do hours of prep work and get one or two column inches that may not bear any resemblance to what they said, but at least the website—

An Hon. Member: Or none at all.

Hon. Hubert (Kim) E. Swan: Or none at all.

And at least the website, Mr. Speaker, with the Hansard would be resource not only for the public looking to see what their Members of Parliament have been saying on a particular subject, but also the media, both here and externally, and persons looking at our jurisdiction. And it certainly, Mr. Speaker, in the area of transparency and raising the bar, it certainly will encourage us to raise the bar because we are far more susceptible to be scrutinised by anyone and everyone. And that is a good thing, Mr. Speaker.

Mr. Speaker, I spend a lot of Wednesdays here—I declare my interest, my daughter is a member of Youth Parliament—and we have a very talented group of young people in our Youth Parliament, as the Members would have seen on display not too long ago. They used these offices. We always try to impress upon them to respect the offices. They used the microphone system, and I was sitting there and maybe doing some prep work for Friday and listening to the debate. And certainly, that, Mr. Speaker, notwithstanding the Hansard and the like used for our benefit, but it also could be used as a tool to help advance our young people. Because the meet-and-greet they had not too long ago down in the Cabinet office was taped by *Bernews* and it was put there. And I suggested to my young daughter who is a member, that this was an opportunity for those young people to critique themselves, as they did prior to coming to that particular occasion.

That also speaks to recruitment that is listed here in these benchmarks. Recruitment and I will skip over it when I get to it, but it is a good segue into recruitment. Because we have so few people in the Legislature working in such an important area of this country we need to start asking ourselves, *Who is going to be the next generation of Clerks to the Legislature?* And let me say this, Mr. Speaker, the Clerks in jurisdictions are comparable to the highest officers in the Civil Service. It is Clerks of the Legislatures throughout the CPA that produced these benchmark documents. And I certainly had the opportunity to see them, and I believe I mentioned it at another meeting, in action debating these benchmarks against Parliamentarians. And I knew, being a little campaigner, Mr. Speaker, that there was a fair amount of caucusing that went on. And they are every much as political as any one of us could ever be on areas that they know

are necessary for the proper provision of good governance—because you cannot have good governance without the tools.

It is like taking a guy out there today, and here is as good a player as Tiger Woods on the PGA Tour, and giving him Persimmon Clubs and Balata Golf Balls—outdated equipment to compete with modern day players—that is what is happening in this Parliament today relying on Members to be able to make sure that they have their own resources to be able to do the people's business.

I work for the people, Mr. Speaker, as do all of us. Our job is to service the people of this country. Right? And there are 65,000 people in this country—we have got 65,000 bosses. And for the person out there that says, *Well, you know, there are not that many*—I can tell you, you come under far greater scrutiny with 1,100 people than some folks who may have a 20,000 or 15,000 voter base. Because underneath those persons that have MP beside their names in those jurisdictions, Mr. Speaker, there is local government, there is state government, and there are different tiers of governance to meet the need. In some respects, we have to look at the whole gambit, Mr. Speaker, so I felt it necessary to zero in on that at this particular time.

Here we go, Mr. Speaker.

The Speaker: Winding down are you, Mr. Swan?

Hon. Hubert (Kim) E. Swan: Well, Mr. Speaker, I believe I have 20 minutes.

The Speaker: Yes.

Hon. Hubert (Kim) E. Swan: And I have sufficient papers to take up the 20, but not enough to cause the 20 so much of a problem.

Mr. Speaker, section 4 deals with political parties. And the significance of section 4.1.1, “The right of freedom of association shall exist for members, as for all people.” has been clearly, exhaustively exercised during this House elected in 2007.

Mr. Speaker, section 5, Parliamentary Staff, clearly states that “the Legislature shall have adequate professional staff to support its operations including the operations of its committees but where applicable, Members are entitled to choose their own personal staff.”

Clause 5.1.2, “The Legislature shall control a Parliamentary Service, that is separate from the public service or any other state service, and determine the terms of employment.” That is speaking to if the Parliament was an autonomous body, Mr. Speaker, of the . . . in section 5.1 I had spoken to the first one already in my other presentation immediately before, I jumped a little bit forward.

And [section 5.1.3], "The Legislature shall draw and maintain a clear distinction between partisan and non-partisan staff" which I also covered earlier.

And [section 5.1.4], "Members and staff of the Legislature shall have access to sufficient research, library, and ICT facilities." And I think I have made that point as well, Mr. Speaker.

Mr. Speaker, section 5.4.1, "There shall be established a parliamentary corporate board by legislation that shall be responsible for the management of the Legislature." Certainly, Mr. Speaker, as I mentioned earlier, that ties into if there is sufficient buy-in at this junction for the Government to move forward with an autonomous, independent Parliament.

Mr. Speaker, the Bermuda Constitution Order 1968 makes provisions for much of what is outlined in section 6. Section 6 is more of the Legislative functions, [section 6.1.1], "The approval of the Legislature shall be required for the passage of all laws, including budgets." If one was to familiarise one's self with section 6, Mr. Speaker, they would see that the Bermuda Constitution makes provision, as it is known that we do enjoy—of all the British Overseas Territories—the most advanced Constitution at this particular time, notwithstanding some of the improvements that get recommended from time to time that one feels necessary. There are other British Overseas Dependent Territories where these particular benchmarks are far more applicable and need to be considered and enacted, Mr. Speaker.

Section 6.1.5, says, "A chamber where a majority of Members are not directly or indirectly elected may not indefinitely deny or reject a money bill." Those of us who sat in another place will appreciate that, frustrating as it may be, when you are sitting down there and you are saying, *Boy, I can only turn it back for a year*, but it is for good reason—that body is not elected. And there are those of us that feel that if an electoral commission were to come into being, looking at the possibility, looking at the possibility of an elected Senate, looking at the possibility of a unicameral Parliament, then there are considerations that you need to explore as you are looking at good governance going forward. And not just being wedded to the same old, same old in that regard, Mr. Speaker.

Mr. Speaker, section 7, financial and budget oversight—Oversight function—is most relevant to Bermuda today. Mr. Speaker, section 7.3 addresses No Confidence. Ironically a former Premier, Ewart Brown survived a no confidence motion placed against his administration although he later resigned—15 months later. And in contrast, Mr. Speaker, a former United Bermuda Party Premier, Dr. David Saul, had a censor motion by the PLP Opposition and the UBP Backbench punctuate his tenure—the censure of a Premier followed by other situations that took place at that particular time, Mr. Speaker. But, Mr. Speaker, these particular benchmarks are far clearer to no confidence and censure motions—no

confidence of a Government and censure of a Member—than is the Bermuda Constitution Order of 1968.

I think it is certainly worth us looking at and examining, Mr. Speaker, if I can, a tenure of office of Premier and other Ministers if (and this is from the Bermuda Constitution, Mr. Speaker, section 59(1)), which says "If the House of Assembly by the affirmative votes of a majority of all the members thereof passes a resolution that it has no confidence in the Government, the Governor shall, by instrument under the Public Seal, revoke the Premier's appointment . . ." And, Mr. Speaker, certainly that particular section was what was in the Bermuda Constitution that deals with no confidence. That is certainly far more ambiguous than the sections in these particular benchmarks that are far more . . . section 7.3.1 on page [17] says, "The Legislature shall have mechanisms to censure officials of the executive branch, or express no confidence in the government."

And then section 7.3.2 says, "If the Legislature expresses no confidence in the Head of Government, the Head of Government is obliged to offer his/her resignation. If the Head of State agrees that no other alternative government can be formed then a general election should be held." Now this is far clearer if included in a constitution than what was in our Constitution, Mr. Speaker.

I am not here to recommend that we need a constitutional amendment because it is certainly not something that takes place very often. But I can certainly speak, Mr. Speaker, to how confusing it could be when the time comes. And I can say, Mr. Speaker, that these benchmarks that are with us today are a lot clearer—a lot clearer—than, indeed, our Constitution is at this time. Certainly, a lot clearer than the circumstances were at those particular times, as well, which makes it . . .

You know, I remember coming up here and listening to the late Dame Lois Browne-Evans say how she would like legislation—*I want legislation that the country, the average person, can read*. And it is times like these when you have certain situations come about when legislation is written for lawyers and not for laymen when it can be interpreted, misconstrued, and the like. And if it is ever a time when these benchmarks are far clearer, this is a time when we need to look. And I felt it was my duty to point out some real life experiences that have happened that I have experienced, and that happened before my time in this Parliament that certainly reflect on these particular benchmarks, Mr. Speaker.

The Speaker: What benchmark?

Hon. Hubert (Kim) E. Swan: The benchmark as it relates to 7.3.1 on . . . I was speaking to 7.3.1, Mr. Speaker, which is on page 17. It deals with no confidence situations which we have experienced in this

Parliament where these benchmarks are far clearer than the Constitution we had to relate to.

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: Okay. Mr. Speaker, section 8 addresses Representational Function, and should get the attention of all 36 members of the Honourable House. Section 8.1 deals with Constituent Relations and states [at 8.1.1], “The Legislature shall provide each elected Member with adequate and appropriate resources within his/her constituency, to enable him/her to fulfil representational functions.”

Section 8.2.2 states that “Members and staff of Parliament shall have the authority to receive technical and advisory assistance from legitimate and reputable institutions or organization as well as to network and exchange experience with individuals from other Legislatures.” I certainly have touched on that already, Mr. Speaker, the importance of utilising the experience of other persons that exist in other jurisdictions that have necessary expertise at that particular time.

Mr. Speaker, section 9 deals with Accessibility which is the cornerstone of ensuring a more transparent Parliament, and in the fair and accurate reporting of proceedings. And certainly, Mr. Speaker, section 9 deals with citizens and the press because we in the Legislature have a responsibility to the citizens of this country. And the press have a responsibility to the citizens of this country in the proper reporting of matters.

Section 9.1.3 says, “The Legislature shall promote the Media’s understanding of the work of the Legislature and its rules of procedure.” I think that is important, Mr. Speaker. Anybody that works in PR knows—whether or not they are in marketing or the like—that they have to establish a good relationship with those persons that are either in media services or in advertisement. They establish a relationship. And I think it is important that this Parliament, with the right resources and tools, do the same thing, Mr. Speaker. And it is a two-way street. The media also have a responsibility and they have a media council right now, because I think we all, as Parliamentarians, have our pet peeves about the fair and accurate reporting by the media and some biases that we see and the like as it relates to other organisations—be they political or otherwise.

But we have benchmarks that tell us what our responsibility is to them. I felt duty bound to focus on that.

“The Legislature shall have a non-partisan media relations facility, independent of the Executive branch.” That is section 9.1.4. Now, Mr. Speaker, it has come to my attention, and I think all Members would look, that in the section which we provided for media to sit away from other folks—if we are here until five o’clock there are members of the media, not just

one, several members of the media that are on call and they do exchanges. And we have also security staff that are on call, some rotate and the like.

This is Parliament’s building and going forward, Mr. Speaker, we certainly need to respect the fact that those persons that are in security and the media certainly need a place within this building, as do Members in this building, so that they can do proper research and have the resources of computers and access to IT. So does the media and so do the officers that are called upon to protect us. And to be able to get a cup of coffee at two o’clock or three o’clock in the morning and not wait for a Member to say, *Look, can I bring you a little something here?* Because that service that they are providing us is extraordinary, Mr. Speaker, and it is tied to this Legislature. And it is included in these benchmarks for good reason because other jurisdictions have had some experience that they are sharing with us—the importance of these organisations, that sometimes when things do not go our way we will be quick to beat up on them, but yet we need to be able to do our part to establish good facilities for them to carry out their duties for this country.

Mr. Speaker, section 9.1.5 “The Legislature shall promote the public’s understanding of the work of the Legislature.” That is critical, that is critical, Mr. Speaker. And I think it is important with the website. I think it is important with the appreciation of the bright young people that are coming behind us in Youth Parliament. I think it is important upon us to look at ways in which we can communicate the importance of our offices here as well through the proper provision of resources for the office of the Legislature.

Mr. Speaker, finally section 10 speaks to Ethical Governance. And, certainly, Mr. Speaker, I recognise there is great relevance in ethical governance in Bermuda. And I believe in my opening remarks I made reference, Mr. Speaker, specifically to some of the measures that have already been put in place to ensure that Bermuda has better legislative instruments to combat some areas where persons that work in Government and otherwise and contract with Government have gone astray and not acted ethically, and in some instances we have seen illegality as well.

And so, Mr. Speaker, section 10, Ethical Governance, is certainly necessary and it is spoken to in these particular benchmarks.

Mr. Speaker, section 10.1.2 states that “The Legislature shall approve and enforce a code of conduct, including rules on conflicts of interest and the acceptance of gifts.” And further in [section] 10.1.3 “Legislatures shall require Members to fully disclose their financial assets and business interests.” And, certainly, as I mentioned earlier, the Member’s interests that the Honourable and Learned Member, Mr. Moniz, had introduced certainly speaks somewhat to that.

But, certainly, Mr. Speaker, on no less than two occasions in this Honourable House Members from the United Bermuda Party have come forward with motions on a code of conduct. And you would know, Mr. Speaker, not anticipating that debate, that there is also a motion on the floor about a code of conduct. And I am pleased that in these benchmarks here listed, Mr. Speaker, that a code of conduct and the significance and the importance of a code of conduct have been listed.

I would hope, Mr. Speaker, that when that time comes that maybe that particular aspect of that particular debate would not be necessary—that we may have someone call up and say, *Look, I think this code of conduct situation could be handled a little bit sooner rather than later*. Because it is the right thing to do and we have had experiences in the past that prompted Members—the 2003 election, the 2007 election—it is not Sunday school, things get very heated, but we are all honourable people, yes, and a code of conduct would go a long way.

Mr. Speaker, that concludes the benchmarks as listed here. And I want to thank you for the opportunity afforded me to present this Motion.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. H. Swan, the Honourable Member from St. George's West.

Any further speakers?

I now recognise the Honourable Member, Mrs. L. Foggo, from St. David's constituency.

Government Whip, Ms. Foggo, has the floor.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

Mr. Speaker, I am quite happy to engage in this debate. First let me just say in the book entitled *Democracy, Parliament and Electoral Systems*, which is put out by the Commonwealth Parliamentary Association, it states, "Parliamentary democracy may not be perfect, but something would be badly wrong if the people in the media were not openly and healthily skeptical about the democratic system and were not debating on how to improve it."

So, once again, I am glad we are here having this open and transparent debate. Hopefully, during the course of this debate, at least through my participation, I will be able to point out ways in which the Parliamentary process can be improved and where we have been successful in meeting some of the benchmarks that have been highlighted in this document—the recommended benchmarks.

My honourable colleague on the other side did go through a step-by-step approach. I may not be doing that, but I did want to begin my debate speaking just very briefly to the elections. And he mentioned something about moving to a unicameral system—

Hon. Hubert (Kim) E. Swan: Considering it.

Ms. Lovitta F. Foggo:—considering moving to a unicameral system. In this same book, it highlighted that of the 170-plus CPA countries, most of them, indeed, are unicameral. However, the arguments that were made regarding that were that in a unicameral system things can be done quicker and more efficiently. However, those who operate in a bicameral system countered that argument by saying with the bicameral system you have better checks and balances that are in place to ensure that the legislative process is carried out in a manner that is beneficial to all. So I just wanted to point that out.

He did speak briefly on "First Past the Post" as our form of elections, and indeed it has been our form of elections dating back to 1620 when Government first began, I guess you could say, in Bermuda. And it still, in Bermuda, because it has not been changed, I suppose I want to say it is still the preferred system. And, indeed, regardless of . . . since the beginning, inception, of the party systems here in Bermuda, it has been the mode of elections that we have and that we engage in.

The electoral commission organisation in Great Britain speak much on "First Past the Post" versus whatever variation of proportional representation that there is. And having looked at some of what is said about that, they find good points in both systems. So I just want to mention that—there is nothing wrong in having a system, "First Past the Post," which is highlighted and considered most outstanding for developing constituency links between the constituency and the Member of Parliament that the constituency chooses to elect. So I am just going to highlight that.

The Speaker: It is less complicated, is it not?

Ms. Lovitta F. Foggo: Well, it can be deemed less complicated, Mr. Speaker.

The Speaker: You do not have to respond.

Ms. Lovitta F. Foggo: Okay.

What I really wanted to point out in terms of elections is that in order to enhance democracy and to be more representative, in most jurisdictions they do say—and I think it has been highlighted in these benchmarks—that having appropriate representation for both sexes is deemed as best and optimal. And I can say that I, too, was in Grenada where we did vote and accept recommendations in the Region. Many ideas were floated, and one was to have a quota system that would encourage the participation of women in the Parliamentary process.

Mr. Speaker, other ways of doing that to try and get better representation—female representation—in order to be seen to be, I guess, more representative of the populace, is through launching various education campaigns which can encourage fe-

male participation. And a lot of this can be done and it probably should be done through the party level.

With respect to remuneration, which the Honourable Member did touch on, it is widely held that compensation should be at a level where Members are not compromised financially, and it is preferred that Members not be placed at odds because of employment and the like and that remuneration for such a body has to be carried out by an independent body that determines our compensation packets. And for the most part I think that in this jurisdiction that is indeed done. So I think in that sense we have met that criterion.

With respect to the infrastructure, what is considered of paramount importance is that the Legislature be an independent entity. And that . . . in the various CPA Conferences that I have participated in, in those jurisdictions where the Legislature is not seen as being separate and apart from governance—certainly Bermuda is not the only country where that is the case—it has always been advanced as a very important point to get Legislatures independent. Independent in which respect? Independent in the sense of at least being able to control their own budget, having the ability within that institution to hire and fire staff, following whatever the legislation is on employment, and in having some corporate body that oversees the workings of the Legislature. And in doing so, providing proper stewardship to maintain the integrity of such an institution.

If Parliament is to maintain currency, it has to be aligned with modern practices. And if here in Bermuda we wish to be seen as observing best practices for the advancement of democracy, we must move in a direction that enhances the integrity of this Legislature. What does that mean?

Well, in essence Mr. Speaker, one way in which this is done—and this is seen as crucial to the operations of the Legislature—is to put together a regularised Parliamentary schedule. This is seen as paramount to the enhancement of Member's performance. It is seen to be something that will encourage greater participation as an advanced schedule will allow Members to better coordinate their private responsibilities with their public duties.

It means, Mr. Speaker, that Members of Parliament themselves should have at their avail officers that will allow them to better be able to deal with their constituency and community issues. And, of course, such funding will obviously fall under the remit of the Legislative office. And in that way making sure that proper oversight is in place so that Members cannot . . . or move away from whatever monies they receive for their constituency purposes.

Also it means (and the Honourable Member did highlight this several times) having appropriate staffing needs being met. This is critical to ensuring that Parliament is able to carry out its responsibilities in a timely manner. And, certainly, the legislative body

always wants to be seen as meeting the community needs. So by having adequate staffing in place that allows the staff to be able to cater, I suppose (for want of a better word), to the needs of this legislative body. They can do that if they have all the resources that are needed in place.

The CPA—both regional and worldwide—believes that inadequate staffing is counterproductive to the promotion of democracy as it impedes the ability of the legislative entity to operate both effectively and efficiently. I thought I would point that out. And in reference to this I would like to just quote a couple of things in here, Mr. Speaker. It does say [in "[Administration and Financing of Parliament](#)"] under [item 3] "Independent funding for Parliament: The principle that Parliament should have freedom to determine its budget, as being formally recognized . . ."

It says, "An all-party committee of Members of Parliament should review and administer Parliament's budget which should not be subject to amendment by the executive." So that is one way of trying to help Parliament itself establish independence.

It says ". . . in two thirds of the cases the Assemblies drew up their own budget without government intervention." So it is just pointing out that many jurisdictions already have that in place.

It also speaks about your office, Mr. Speaker, in terms of trying to meet our benchmarks. And when I quote [item 4], I think that Bermuda has achieved this, "The neutrality of the Speaker is pivotal in maintaining the integrity of Parliament. The Speaker presides over all procedural business, in most cases is chair of the corporate body and provides leadership and direction to the parliamentary staff."

So if we were able to establish an independent Legislature, the Speaker's involvement in that is seen as having that corporate body that the conference in 2005 in Zanzibar spoke to and they saw that as being important. They also said that the Clerk should be as the chief advisor to the Speaker and other Parliamentary staff should have a central role in ensuring the Parliament is adequately served. And, as I pointed out, I did say that in order to do that the Clerk would need proper staffing and other resources in order to do that. The Clerk is to act with integrity, professionalism, et cetera. And I think that we can certainly speak to the staff that we do have here that they do try their utmost and best to provide all Members with whatever needs they have in order to carry out their legislative responsibilities.

I am not going to read through this, I am going to move on and say that in particular when it comes to staffing, the appropriate resources definitely need to be made available. I think that especially when we operate in the committee level sometimes we see firsthand where the staff is challenged in terms of trying to meet our needs as we go about trying to do our committee work. And so through proper staffing you can have things like the necessary research in which

[we are] charged with carrying out a particular role and it requires that we engage in much research to meet commitments. If we have a proper full staff—proper staff—and other resources like a Library that is up and operational, then it would certainly help us to carry out our legislative duties.

Without such things in place, I do have to point out that it does present an undue burden on the overall operations and on the employees of the Legislature. For instance, when you have the Clerk of the Senate who then has to serve as a secretary to the various committees, oft times that person becomes challenged with trying to serve our needs while trying to serve the needs of the Senate and the needs of the Legislative office. And so it really underscores the need to have adequate staffing so that the daily operations of the Legislative office are never halted and so that Committees, when they are tasked with doing certain works by this House, do not have to likewise be impeded in their performance and can tend to the task at hand in a timely manner.

The ability of the Legislature to deal with issues efficiently and effectively is seen as encouraging transparency because when you deal with everything, I guess you can say in a timely manner and everything remains current, whatever issues are out there are seen to be dealt with immediately and that bodes well for the overall performance of the Legislature. Because I think if there are some committees when they set about to do their work sometimes they find that they are having to deal with issues that are two and three years old and, certainly, regardless of what the findings may be and the recommendations may be of that committee, it is seen as being already too late. So if work can be done and remain current it certainly enhances, I guess, democracy overall.

In trying to make sure that we meet the benchmarks that have been set before us, the role of committees has been highlighted and seen as an invaluable tool for legislators to get their work done. In fact, in certain jurisdictions, committees are tasked with carrying out in-depth research and they work side by side, or I guess they work in a complementary manner with certain Ministers and provide them with in-depth research in terms of that Minister being able to implement legislation that, I guess, responds to the community's needs.

By involving Members through committee work everybody is engaged in the process—they all become more informed about the issues and they have a far more in-depth understanding of the issues before them. And so those types of works are considered very important in terms of the enhancement of democracy.

In looking through the literature what was highlighted was that when parliamentarians from all sides are seen as being fully engaged—both in the parliamentary process and in other legislative processes—it promotes confidence in the public sector.

And when it comes to actually debating on the issues, it raises the level of debate because all Members who are involved in the workings of whatever the committee issues are they have an in-depth, intimate knowledge of that particular issue. And when they debate it, they can stand to their feet and speak from a very informed point of view.

Included in trying to enhance the integrity and function of the Legislature, I have to highlight that here in Bermuda that the implementation of Hansard and the establishment of the public meetings bodes well for our quest to meet both the international standards for modernisation and for transparency. And I do not think that anybody can argue otherwise on that point.

And specifically in terms of transparency, the Public Accounts Committee moved to open session. And of all the committees when reading through the literature— and there is tons of literature out there—that is the one committee where it is always suggested that it should be a publicly held meeting so that civil society hears first-hand what is going on in terms of that committee carrying out its legislative role.

Mr. Speaker, in pointing that out I just want to say that Bermuda served as a glowing example of how a small Public Accounts Committee can work and work efficiently. So exemplary was our performance when we were invited to participate in ParlAmericas—they had a seminar that invited the Caribbean and various provinces in Canada—to come together to try and establish again, if you will, a template for how the Public Accounts Committee should work and could work in terms of its role in the Legislature.

Also in terms of bringing about unity and awareness and in terms of trying to educate all jurisdictions on the function of such a committee because it, more than any other committee, is seen as a committee that shall operate in a non-partisan way. That is both internally—because Members are human, we are operating in a party system and things do become partisan—but when you can establish a tightly, closely knit committee, the Members within that committee serve as stewards to ensure that each side does not become partisan in its role as best we can . . . As well as to ensure that when we operate as a whole we are operating for the benefit of the Legislature and the public as well.

Let me go on to say, because of our performance in Halifax (the representatives of the Public Accounts Committee here in Bermuda), Ms. Pat Gordon-Pamplin and I were invited to participate in a follow-up session in Antigua, again, where you had various jurisdictions participating from many places throughout the Caribbean as well as Canada. And let me just say that the CPA was there to oversee it as well as World Bank. And again, Bermuda was seen as taking a lead role in showing other jurisdictions how small Public Accounts Committees can work efficiently and well. And I just think that that is an example of us as a jurisdiction doing, I think, an exemplary job meet-

ing many of the benchmarks that have been highlighted that we are now debating today.

Mr. Speaker, with your indulgence I would like to just make brief comments about parliamentary committees. One of the suggestions for all committees is that they be small. And, again, this book is written by the CPA and it says that a small committee will be more apt to become less politically partisan and better able to find common ground that can be achieved through working together. More will get done faster with fewer people to speak on every issue.

The Speaker: You are probably right about *that*.

Ms. Lovitta F. Foggo: Right. So I just wanted to highlight that it is not just Lovitta speaking, but it has been pointed out after much research that having small committees is seen as crucial to them being productive. And I think many of us may have served on other committees where you have 15 members and you cannot even get a meeting going. And when you do, you cannot come to any sort of agreement, so this speaks to the importance of having committees with an optimal size—which means numbers not going . . . not having real large committees that do become counterproductive.

The Speaker: Lost your place?

Ms. Lovitta F. Foggo: No, I just wondered whether or not I wanted to refer to something else from this document, but I think I did that well enough.

The Speaker: Carry on.

Ms. Lovitta F. Foggo: Mr. Speaker, I do not think there is really any need to stay on my feet for any great extended period of time because, again, I think that when we look at the benchmarks . . . and I know the Honourable Member talked about elections, but I wanted to point out that I think that when we think of the introduction of . . . once a person has registered to be able to vote that that is for a lifetime. I think that that bodes well for enhancing democracy because I think what was in place before where people, if a snap election was called—

[Inaudible interjection]

Ms. Lovitta F. Foggo: I know, I did. I said you raised that.

When a snap election is called with people for whatever reason—they may have been hospitalised, they may have been off the Island—if they could not register that particular year in time, they found themselves in a situation where they could not carry out their civic duty and they were not able to participate in a general election. And no one should be denied that.

Mr. Speaker, I guess I just want to highlight some things over again as sort of a basic overall—

Hon. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

The Speaker: What is your point of order, Mr. Swan?

POINT OF ORDER

[Misrepresenting]

Hon. Hubert (Kim) E. Swan: I think the Honourable Member may have misrepresented what I said.

The point I made, Mr. Speaker, was registration, once the writ is dropped, that is the point I raised. I did not raise the point about re-registering, I raised the point of once the writ is dropped there is a 30-day window. That is the period that I respectfully feel that registration . . . once the writ is dropped, registration should cease.

The Speaker: Yes.

Hon. Hubert (Kim) E. Swan: I concur that . . . I agree that the fact that people can register right up to that point is a good thing.

The Speaker: Yes.

Carry on, Madam Whip.

Ms. Lovitta F. Foggo: I need not respond to that.

The Speaker: He clarified what he said.

Ms. Lovitta F. Foggo: Yes, yes.

[Inaudible interjection]

Ms. Lovitta F. Foggo: So I would like to highlight, again, some of the things that in recent times have been implemented that has . . . in our quest to be more democratic and to be seen as being more democratic that have been implemented. And that is as has been highlighted—public access to information, the establishment of the Ombudsman's office, the establishment of the procurement office, within this institution the updating of the Standing Orders. The establishment of open committee meetings, which Mr. Speaker, again, speaks volumes in moving towards operating in a transparent and collaborative manner. And specifically on the Joint Select Committees for Education and Guns and Violent Crimes, those committees also included submissions from various interest groups and from civil society at large. And so in that way we encouraged, we invited and encouraged, the participation from the public.

And when you see things like that happening who can argue about transparency because those people, in whichever way, were allowed to have a say

in the operations—not the operations of that committee—but with the issue that was being reviewed in that committee. They got to have their say and their say was included in the report and also drove some of the discussions that took place when trying to seek information for what would be the best actions to take in terms of trying to address those public issues.

Mr. Speaker, education of our Members is paramount and this . . . Bermuda does provide that through the CPA conferences that we ensure that our members do participate. And unlike some other jurisdictions, since I did serve on the Executive branch here in Bermuda, one of the things that we tried to ensure is that when people are selected—first of all, they are allowed to put their names forward, and we always look at, and we still do look at, who has travelled and we try to ensure that every Member from both this House and the Upper House gets an opportunity to participate in CPA conferences—especially so that they can engage in the events and learn from other jurisdictions how they do things and so that they can bring that back, share with us, and in so doing help us to make improvements in how we operate here in Bermuda.

In doing that we have satisfied the benchmark that says that we should first try and make certain that our Members do receive education and are made aware of the Parliamentary processes that take place on an international level, so that we can ensure that we are engaged in best practices, that we are current, and that we operate in a similar manner.

Again, with the Public Accounts Committee, we within that committee, because we are committed to trying to ensure best practices for that committee, try to establish an infrastructure for ourselves where we set a calendar because we just do not want to decide we are going to meet on this day and then try to make phone calls. For each issue that we have to deal with, we first set a calendar. We try and allow our members sufficient time to become well versed with whatever issue is before us so that when we do engage in our works, we advance the right type of questions and, therefore, can formulate appropriate recommendations to the House so that in doing, again, we are meeting our legislative responsibilities.

Again, as I highlighted before, even within that committee, so that we are informed and can feel assured that we are doing things as we should, we were invited to participate in conferences overseas and to our surprise and delight we were evaluated as having performed exemplary.

As another point based on education, we engaged the youth of our country on the Parliamentary process through our Youth Parliament. And, indeed, to ensure that they are well versed in the Parliamentary process and how the Legislature should work and does work, they too are financed to participate in conferences overseas and in so doing get exposure at an international level. I had the pleasure of being able to

witness our Youth Parliamentarians in Grenada, and their performance was stellar, to say the least. They acquitted themselves extremely well and, in so doing, highlighted Bermuda.

To increase and enhance public awareness, again, by having open committee meetings, we are educating our public on how the Legislature does work.

Mr. Speaker, when I went through all of these benchmarks and, certainly, I felt that if I tried to deal with every single point that we might be here until tomorrow sometime—

An Hon. Member: No, you won't.

The Speaker: Well, I hope not.

Ms. Lovitta F. Foggo: I thought that I would point out those areas where I felt we need to do more work—and that is in terms of staffing and putting together . . . and I really do believe that if we are able to have an established calendar that it will allow this body—both the staff of the Legislature as well as the Parliamentarians—to work far more efficiently. I think when you have a legislative body that works efficiently and effectively that bodes well for the enhancement of democracy.

And on that note, Mr. Speaker, I think that I can take my seat.

Thank you.

The Speaker: Thank you, Ms. Foggo, the Government Whip from St. David's.

Are there any further speakers?

No further speakers?

I now recognise the Honourable and Learned Member, Mr. Moniz.

Mr. T. Moniz, from Smith's West, has the floor.

Hon. Trevor G. Moniz: Thank you, Mr. Speaker.

I lead off with the official Opposition on this Motion by the Honourable Member, Mr. Kim Swan, and he was kind enough to mention my efforts in (times, I guess, originally long past) 1996, where we changed the rules of the House to create a Members' Register of Interests Committee as one of the joint select committees which we have in the House.

This is a vexed issue for me because to me you always have to look at the larger picture. And what you want to look at with respect to these benchmarks is not institutions, but what effect it has on people. So you can have a checklist and you can say, *Here is my checklist. Do you have this committee? Do you have that committee? Do you have this person, that person? Do they have independent offices, and expenditure and staff? et cetera.* But that is not really the result you really look for. The result you really look

for is what is happening in terms of justice and the rule of law at the end of the day.

And these, I think, have been issues which have been coming into line, if I might get a bit intellectual for a minute, for the last couple of years. Recently, there was a book written by one of the most senior retired English judges, Tom Bingham, on *The Rule of Law*. And it talks about the rule of law which really speaks to fairness. And there has been a book by the great Indian intellectual Amartya Sen, the economist and public policy activist, to speak to justice. And the thesis he has in that book . . . to see how advanced a civilisation is or a country is, you do not look at the institutions, you look at the results that that society has had on its people. So at the end of the day I am always results oriented. And that is the important thing we need to look at here.

There have been large advances made in Bermuda in the past. For example, the Honourable Member who spoke before me, Lovitta Foggo, spoke to the Public Accounts Committee and how they are now meeting in public for some of their meetings. And I think that is a great success and that committee has been working well and the Opposition and Government Members have been working very well and looking at the Auditor General's Reports. But at the end of the day what I am looking at is what comes out of that. What advances are achieved in society as a result of open meetings of the Public Accounts Committee?

I mean, generally, it is a very good measure in the sense that everyone gets to debate things in public, witnesses come and give evidence. But at the end of the day are situations dealt with? For example, today we received on our desks a Report of the Ombudsman dealing with one of the processes in Government—Special Development Orders. It is entitled "Today's Choices—Tomorrow's Costs." But you know me, I quickly flipped through the Report to see well what is the result here and the Ombudsman at the end of the day apologised—

The Speaker: That Report is not under debate at this point.

Hon. Trevor G. Moniz: No, no, no. What I am saying is I am talking about being results oriented, so I am only going to dwell on this very shortly.

But what she says is that she usually names and shames in her Reports. In this Report she named no names. The blame for what happened here in her view can be spread very broadly throughout the civil service. So I am saying, as a result of that, where do we go? And I tire myself seeing reports that at the end of them say, *We will attempt to ensure this never happens again*. And I am saying if you have not dealt with the instant situation, have you really improved the working of our society?

You know, in Bermuda we are known as a small and friendly society and we have liked in the

past to do . . . you know, I look at these benchmarks and it speaks about having support for Opposition Members and having staff and everything else. For one, I would be happier if the lights in this place were brighter and it was not so gloomy. But you know in the 18-plus years I have been up here, we have not been able to get brighter light bulbs. We have produced a lamp . . . I see a lamp there and a lamp there and a lamp there . . . a couple of lamps, but that is it. You know there are some really fundamental issues . . . I mean this building probably has mould up here. I am sure the Honourable Member, Charlie Swan, could provide us with some very nice and bright LED lamps up here; he is an expert in that.

But you know we have some fundamental problems. In the Opposition room the computer never works, the printer never works, and you ask a hundred times, *Can this printer print?* And, *Oh, yes, we will look into that*. And it has not worked yet, it does not work. So I make that point just to say that *there is plenty of slip twixt cup and lip*—you can have books and books of rules and fancy committees and appointments, but if things do not work, they do not work. It does not matter. It looks great on paper, but that is not the real situation on the ground. And that is . . . so I do not think we can divorce benchmarks from what actually happens. You might have a committee, but if it does not really work then you have a problem.

Again, I do not want to be guilty of anticipation, but the Honourable Member who moved this Motion, the Honourable Kim Swan, talked about my efforts with respect to the Members' Register of Interests. And when we did that committee back in '96 and we had support on that from the then Opposition Members, the Progressive Labour Party, and there was strong support for that, and when we put that in place here in Bermuda, we knew we were already behind the times. In the UK they had had the Nolan Report and it had superseded their old committee system, which is what we have here. We have a committee—or Register of Members' Interests Committee—which is old fashioned.

What they did in the UK was they moved forward and they created a Parliamentary Ombudsman, which is the subject of another Motion (and I do not want to anticipate that), but, in fact, in the UK I think they have even gotten to the point that most people are satisfied that that system does not work.

If you remember the MP's expenses controversy they had over there which ended up with, I think some three members of Parliament being imprisoned at the end of it—that was largely done by outside people. One of them was the famed reporter Heather Brooke. I understand that we may be so lucky as to get Heather Brooke to come to Bermuda and be part of a forum on justice by the Centre for Justice that Ms. Venous Memari is involved with (who was here in the public Gallery last week). Heather Brooke was a reporter. I think she was a freelance reporter, although

she did a lot of work with the *Guardian* newspaper in the UK. But what they had to do over there was they had to end up going through the court system. The Parliamentary Committee system ended up hiding stuff rather than revealing it. In order to get it revealed she had to go to court and get a variety of court orders before the expenses stuff was revealed. So that is the point that concerns me here. You can have these committees, if they do not work, they do not work.

Even here in Bermuda, for example, we have a situation where there is no transparency or accountability for, say, Ministerial expenses. You know they have a book down in the Cabinet office. That book is not shared with anyone. The media have tried to get a hold of that book, get some balances, nothing is being produced. And up here, I guess, we may have to go the route of Parliamentary questions to get that information shared with the public. So, you know, we are very behind.

On the other balance of that I am aware that these systems can be expensive. And I guess where I come from . . . I was in college in the 1970s and then the big book was, *Small is beautiful*. And for a place like Bermuda that is not necessarily a matter of choice, we really are small, and you really do have to streamline things. If you try to copy what they have in larger jurisdictions you are just going to bankrupt yourself even more quickly than we already are bankrupting ourselves. We know here that this Government has run us into enormous national debt, it is spiralling out of control, and here we are talking about adjusting the deck chairs on the *Titanic* when the whole ship may go down.

So that is the problem that we face, that is the problem we face.

[Inaudible interjection]

Hon. Trevor G. Moniz: So, you know . . . but Government . . . I live in hope. The Premier is in her seat, she is listening closely and she is making notes, and she has made—

[Laughter]

Hon. Trevor G. Moniz: —the Honourable Premier has made moves in the direction of good governance, and she has to deal with some of her ministerial Members. And what we all in Bermuda—not only on this side of the House, but throughout Bermuda—want to see is good governance. We do not want to come up here and talk about it each week, but of course it is open to the Premier to give undertakings in this House about what steps we will be making. We know that she has been under pressure to sack the Deputy Premier from Cabinet, et cetera, the whole controversy going on because of behaviour that some would see as going against basic benchmarks that are laid

out—not only for Bermuda but, for the Commonwealth and for democratic Legislatures wherever.

There are three important things that we in the One Bermuda Alliance believe in government. One is transparency; you should be able to see what your politicians are doing. Two, accountability, when they make mistakes they should take responsibility for them, whether it is as simple a thing as issuing an apology when you misstate the facts of a case—just issue a simple apology. Do not get a civil servant to do it for you, do it yourself. Stand up and you make the apology. The third thing is trust—trust and credibility. And that third thing largely comes out of the first two. If you can produce transparency and accountability, then you will get that trust and credibility from people of the country.

But it is not . . . the institutions are a part of that bigger picture. It is no good setting up institutions if they do not function, if they do not work, if they do not produce justice at the end of the day; if they do not produce fairness, they do not produce transparency, accountability and trust from your people that you are attempting to serve. And that is the real issue that we, on this side of the House are concerned about and we would like to see action from the Government not only in terms of the dire financial state this country is in, but also from all of the problems with respect to poor ethical behaviour—whether it be SDOs (as we had the Report today from the Ombudsman), whether it be—

The Speaker: Well, we do not want to debate that.

Hon. Trevor G. Moniz: Right.

Whether it be the recent controversy—

The Speaker: Let us stick to this—

Hon. Trevor G. Moniz: Well you see where my ambit is going, Mr. Speaker. You see where my ambit is going.

By your actions shall ye be judged. Not by your words, but by your actions. So we on this side of the House would like to see some actions to produce a fairness, a transparency, and an accountability—and we say that on behalf of the people of Bermuda.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Moniz, the Honourable and Learned Member from Smith's West.

Any further speakers?

I now recognise the Honourable Member, Mr. W. Roban, from Pembroke East.

Mr. Roban has the floor.

Mr. Walter H. Roban: Thank you, Mr. Speaker.

I must say, Mr. Speaker, that I did not realise that this Motion was caught up with such dire and doom-ridden consequences as has seen to have been articulated by the Member just before me. I, frankly,

thought that this seemed to be quite a positive and optimistic discussion we could have about some achievements that we as a Parliament have made and can make. But it seems to me the Honourable and Learned Member prior to me seems like not only was he talking about deck chairs on the *Titanic*, but he was talking like we are already sunk. And there is no redemption, there is no recovery, and there is no ability to achieve some of these outlined recommendations that are in these benchmarks.

Well, I, frankly, have a much more positive view, Mr. Speaker, around these issues and I am thankful that the Honourable Member, Mr. Swan, has brought this to our attention for at least a small bit of discussion because I think that, as has been articulated at least by himself and even by the Honourable Member, Madam Whip, there are things that we have achieved that are outlined in these benchmarks.

We have over recent years created more transparency as a legislative body. Since we are talking about benchmarks that impact the legislature and the operations and the duties that legislators have and how we can have standards as legislators that can ensure [that we], and those who are involved with the legislature, can better achieve these things for the betterment of the community.

I did not notice that by what the Honourable Member before me said. It was like, you know, this country is going to hell in a hand-basket and there does not seem to be much more we can do and these benchmarks are not going to make much difference.

But I have a much more positive attitude, Mr. Speaker, because I appreciate these benchmarks. I appreciate the goals and objectives that they have set for us and we as a Parliament and as a body and as all Members should seek to see that we can reach them as best we can. That is my view, Mr. Speaker. So I do hope that the rest of the discussion around this is a little bit more optimistic about the direction that we as the legislature and the legislative body and the responsibilities that we have can go. I do hope it can be in that vein because I am proud to be a Member of the legislature. I am proud to work with those people who are here overseeing the legislature. I am proud to be working under you, Mr. Speaker. I am proud to be working with everyone in this House to see that we do the best work for this country that we can irrespective of some of the obstacles that we are presented with.

Now, Mr. Speaker, I have given a read of this document and I do think that it is well done. I do appreciate much of what has been said because some of these issues I have certainly thought about quite a bit during my involvement with the legislative process of this country which spans—prior to me coming to this House, but also began in another place where I did do a little work with the Honourable Member, Mr. Swan, on some other issues related to another place—but I have always had a keen interest in the

legislature, even prior to being involved with politics and appreciated its place in the workings of our country.

I do think that these benchmarks provide us in our role with a very good guide. And I am most keen to see a number of things happen. I do hope that much of what has been outlined here, where we have not already met the standard that we continue to try and reach those standards. And I do think that our Parliament has a lot more room to grow in its development. Certainly, from a constitutional standpoint we have gone through a lot of change over the past 30 years, predating even these benchmarks. But I do also believe that there are things that we can do structurally and administratively that can ensure that we become a better legislator and a better legislature. I have always been interested in the infrastructure that we are here and we exist in. I am a firm believer in that a total renovation of this Parliamentary House is done at some point to ensure that, as is stated at the beginning of this document, and if you will give me some permission, Mr. Speaker, where it says “. . . knowledge-based and technology-driven societies have placed Legislatures under intense scrutiny in the areas of transparency, accountability, effectiveness and fairness and this Region is no exception.”

The evolution of our country over the past 30 years has put serious pressure on the legislature. We have certainly just in the period of time that I have been a Member, but also prior to me becoming a Member of this House, had to take on certain aspects and practices that have required more of us. The society, the citizens, require more of us as legislators. That requires us to have more resources. That requires us to be more accountable. And that accountability has meant us being more transparent in our practices as legislators.

Unfortunately, this House—and it is no fault of any individual—is somewhat an adherent to practices that are built on long-standing practices and ceremony and procedure. We have recently made it able for us to incorporate electronic technology into our workings in the House, but that was a challenge because the infrastructure of the House and this is an 1880—a building of the 19th century—trying to incorporate the tools and behaviours and work of the 21st century—difficult.

So the infrastructure of this legislature certainly needs to be worked if we are going to be able to reach some of the standards that are in here and so that the Members—all of us as Members—can best serve our citizens. And so I am one, and I have been quite vocal, I will be happy to see us renovate this building out so that so many of the tools that are required for us to be able to be more efficient and better working legislators to be done to this building. Even moving out the courts so that we can use the fullness of this structure for activities that will enhance not only the staff that are here—who I think need much more

resources and even more personnel to serve us and thus to serve the country—but us as well so that we can access information while we are here working so that we can work comfortably, so that we can have pride in this building and this institution that is the legislature. I am all for it.

I do know that there are great financial challenges to such a commitment. I know that the plans have been for quite some time, but I look forward to that day. Maybe it will not happen while I am a Member, I do not know, but I do hope to be able to benefit from those possible changes we can make because I am a firm believer that this House serves all the people, not only those of us who are here on a weekly basis, but all the people—our citizens should be able to come here, sit down, and take in and comfortably for as long as they like, take in the work that is being done here. Go and have a coffee or a doughnut or whatever they want somewhere in the building and come back, not feel they have to down the street from which they may not return to continue to take in the legislature.

An Hon. Member: Who is going to pay for this?

An Hon. Member: They will.

[Inaudible interjections]

Mr. Walter H. Roban: Mr. Speaker, I do believe that those are some of the qualities that this House should have because in every other legislature that I have been thus far I have seen those qualities in other jurisdictions that some might even argue are not as well equipped and have as much resources as our Island does.

I do believe that there should be additional staff, Mr. Speaker, here, appropriately trained, who can essentially assist us in our daily activities, [so] that the public can interact in order to get in contact with us as legislators. These are things . . . but it is going to take serious change to the infrastructure to actually take on these things. But guess what, Mr. Speaker? Unlike the doom and gloom I heard just before now, I believe these things are achievable. I do not believe that some of the things that we have experienced mean that we cannot get to that place.

I do believe that at some point our committee system can be further advanced. But I am of the firm belief, Mr. Speaker, as these benchmarks articulate should be a part of what happens with the operation of bodies like that, is that our infrastructure must be advanced so that we can encompass that.

I do not think it makes any sense, Mr. Speaker, us having a vast, more broadened system of committees if we cannot ourselves service them and maintain them right here in the legislature. We should have committee rooms in other parts of the building so that those committees can operate and deliberate and

carry on their business and have access to the public to the benefit of us all.

Right now the committees when they sit—if they are ever convened— have to share with the building down the street. I am actually a firm believer that that Chamber in another place should eventually be moved up here and we should be joined like in most modern Parliaments. Have the Upper House and the Lower House in the same hallowed building because that is the system of another time—a pre-Colonial time—which I think most of us know we have evolved far from.

So there are many things I think that in going to these benchmarks, Mr. Speaker, as we seek to achieve them and meet them we will see further evolution in our legislative system, in how it operates, becoming more efficient, we will have even better staff than we have now. And I commend the staff who are here under the operation of the Clerk and yourself and the work they have to do for us. I know it is not always easy, but I do commend the work that they do. I enjoy working with them because they are also servants of the people in what they do.

Mr. Speaker, again, I was very pleased to see these benchmarks be brought to us for some discussion because it is important. I think it is important, that the issues around us becoming a better legislature should be the subject of some wider discussion than just necessarily as a part of the CPA network.

Houses like this legislature serve everyone and I commend, again, the persons who continue to work in this legislature. I commend my colleagues (and when I say colleagues, I mean on this side of the House and that side of the House) for committing their time and energy for being here because this work is not always complementary to a healthy and sort of comfortable lifestyle. But we are here to serve.

But I do firmly believe, Mr. Speaker, that these benchmarks provide us with a good guide for moving forward in a positive and optimistic way to further develop our legislative structure in Bermuda, to better serve our people, to develop people—particularly those who will engage it, who will be working in it and to ensure that as a body we are . . . we continue to be of great value to our citizens. They will feel even more willing to engage with us as the legislature and that we will strengthen as an institution to the betterment of everybody who we swear with prayer every morning to serve.

I do hope that with time that there can be commitments made to fulfil more of the benchmarks that are outlined here in a way that allows us to move in that positive direction.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Mr. Roban.

Any further speakers?

I now recognise the Honourable Member, Dame Jennifer Smith, Minister of Education from St. George's North.

Dame Jennifer has the floor.

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

Mr. Speaker, let me begin by thanking the Honourable Opposition Member for bringing this matter forward for debate—the Recommended Benchmarks for the CPA Caribbean, Americas and Atlantic Region – which arise out of the CPAs work on the minimum benchmarks for democratic legislatures.

And, Mr. Speaker, you were aware and I believe a part of, that first meeting held here in Bermuda.

I think it has been a source of some shame that a Parliament that can trace its history back to 1620 in a country (current economic woes aside) that is listed as one of the richest countries in the world, neglects and underfunds its Parliament.

Mr. Speaker, I had to think about why that would be so. Because just as marketing specialists study why people buy and what they might buy and they focus on colours that might make you feel in a buying mood and music and other things, so that they know that there are things within you that will give you a predisposition to certain things. And I had to say that I think that the feeling goes to a much deeper place in each of us that is really a lack of appreciation for what this House stands for, or perhaps it is a true appreciation of what this House stands for.

On one side we all know that there was a point in time when the real business of this country was done not here, but [was done] in the offices and businesses of those who ran Bermuda for their benefit. And, Mr. Speaker, on the other side there were those of us who were not able to vote. And then after we were able to vote, we were not encouraged to vote by having to re-register every year.

And then, Mr. Speaker, we were discouraged from running with mortgages pulled and jobs lost. And then, Mr. Speaker, if you finally, after all those obstacles, made it here to the floor of the House, you were made fun of for even thinking that *you*—you on that side where we used to be—could actually run this country. And so, I think that for many people this place was not the seat of democracy. It was not, you know, the place you look up to. But it is. Regardless of how we feel about it individually and personally and we might have the story, it really is the place where legislation is made.

Mr. Speaker, beyond that I think that we have to look at this not the way we think of it, that is why we keep saying if we try and do one little thing for this House that you are doing it for yourself. But we have to understand that this building is part of the historic and political legacy of this country. And, as such, not just this building, but the Cabinet building and the official residence of Camden deserve to be kept up to the standards. If only one of the things that motivates us

is only because tourists go into them—then let us do it for tourism. Because if we say we are doing it for tourism's sake sometimes we can get away with it, Minister. So let us do it for tourism.

[Laughter and inaudible interjections]

Hon. Dame Jennifer Smith: But, Mr. Speaker, whenever we talked about doing something to improve the workings of this House, even the ability of Members as elected representatives of Parliament to represent their voters, it was painted that we were helping ourselves. And I believe it was painted that way for a reason. I believe that there were those who did not want us to be more effective representatives of the people. And I believe that was their reason for making sure that any move forward towards 21st century representation and the ability for your members to be able to reach you and to research and see what has been done and to look in the Internet and all of that, even in a country that prides itself on having the most computers and the most cell phones, I believe, Mr. Speaker, that that is a deliberate act.

So, Mr. Speaker, I think that we need to examine why we have these feelings about this House. We cannot fail to notice, Mr. Speaker, that the terracotta columns on the veranda and on the porch are cracked. And I fear that they are going to fall. And they were erected in honour of Princess Louise's visit and you have to get the terracotta from a particular place, but, Mr. Speaker, why do we just let it crumble when we can fix it before it is totally or irreparably broken and then will cost more?

I just do not understand because, Mr. Speaker, you are well aware that we produce fire reports about the amount of paper (some would say hot air, but we are going to talk about the paper) that is produced in this place. And paper and wood are tinder for fire, so we have had a fire report—that does not make people move. We have had a security report. We have had a safety report. And so, okay, we do not care about the Members, Mr. Speaker, at the very least we need to care about those people who work here every day. So let us not do it for us, let us do it for those people who are here every day and who have a right to feel safe and secure in their workplace. We do not give a thought to that. They are the ones that are here on a daily basis.

So stop thinking that because we do something for Parliament it is done for Members' privilege and Members are going to benefit—God forbid that we should benefit from something. But let us think of the people who serve us and who serve the people so wonderfully well. And it was one of the reasons, Mr. Speaker, that I had to get up.

In particular you want to speak about benchmarks, I have been working on benchmarks for a number of years, but I had to get up and say something on their behalf because they do a great job un-

der difficult circumstances. And they do not complain. You know there are some of us who would have been talking about it. We would have gone home with a backache and a foot ache or something and, you know, asked for some payment.

But, Mr. Speaker, no amount of reports has made us anxious about doing something to this place. And it is all seen as helping ourselves.

I think that we really need to tell the true story of this House. I mean, Mr. Speaker, part of why we may feel that way is the fact that our legislature is not all here. The Lower House is up here, down below is a different arm of Government—the Judiciary—and you know that is a situation that dates back to the 1800s. Mr. Speaker, it is the 21st century, could we change?

You know, the Upper House is located within another arm of Government—the Executive arm. I think that maybe if we had everything together and we were able to tell the story so that the public, and those people who may disparage spending money on what is their own legacy, would begin to understand that if we have the two Houses together . . . because, Mr. Speaker, it was here . . . and I do not remember the year, but it was here that Mr. Tucker arranged for the freedom of the slaves who came here on the ship *Enterprise*. That was the name: W. E. Tucker – and it was on the floor of this House. And we need to tell that story.

And, Mr. Speaker, it was here—yes, I remember because I was just graduating from high school—that segregation was finally ended in 1968. It was here! It was here, Mr. Speaker, that Universal Adult Suffrage was granted. It was here (and those of you who went through it will recall) that there was, I believe, a 29-hour debate when the age of maturity was lowered to 18—

An Hon. Member: Age of majority.

Hon. Dame Jennifer Smith: —age of majority was lowered to 18 so that you could vote at age 18.

Mr. Speaker, it was here that we got single seat constituencies. So there have been, and there are many more things (and other Ministers can speak to those areas) that have happened in this place that have had a profoundly beneficial impact on Bermudians. It is the seat of Government and we should take care of it and we should not be embarrassed because when we look at these benchmarks we do not meet all of them. Forget that, we do not meet many of them. In fact, we do not meet some of the most important of them, such as handling our own budget and allowing members to have cell phones and having access to a library, et cetera, for Members.

So we really need to not just consider this a document about the region, we need to examine why we do not think it is worthy to spend money on Parliament. That is what we need to do. And when I [say] spend money, I mean provide the necessary staff,

provide the tools, provide the infrastructure, and also the places that you need to be able to meet with constituents, for Members to even meet when we are here all night.

Why we do not think that it is worthy to do that—let us look within to see why we do not think that because I think when we understand why we feel that way, then we might be able to move forward.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dame Jennifer, the Honourable Member from St. George's North.

Any further speakers?

I now recognise the Honourable Member, Mr. N. Simons.

The Honourable Member, Mr. N. Simons, from Smith's South has the floor.

Mr. Nelson H. Cole Simons: Thank you, Mr. Speaker.

I would like to, again, thank the Honourable Kim Swan for bringing this to the House.

We heard quite a bit today, Mr. Speaker. But a Parliament is about putting the people's business first.

Mr. Speaker, Bermuda's Parliament is about putting Bermuda first. Mr. Speaker, I read through this document and I do have some issues that I would like to share and expand upon. But we have heard a lot about the history, about the buildings, about what has transpired, we have heard about operating the building.

But, Mr. Speaker, what is important to this country and this Parliament should be the people that occupy this Parliament. What is important to this Parliament is that this building and all the resources in this building should be here to support the people who are doing the people's business. Whatever we do here should enhance the quality of service that we provide to our people as representatives, as Members of Parliament, Mr. Speaker.

Mr. Speaker, I am not going to go down the path that the Dame took and I am respecting our history. I heard her talk about the Senate building. I heard her talk about the historic value of Camden. I heard her talk about possibly combining the Lower House and the Upper House, Mr. Speaker. But what is important to me, Mr. Speaker, is how we in this country can improve the calibre of the software that comes to this House.

At the end of the day people want value for money, good representation and the best representation that Bermuda can make available to our people. And for us to do that, Mr. Speaker, we all as individuals must raise the bar of performance as Members. If we put Bermuda first on every decision that we made in this House, we probably would not be where we are today. We probably would not have as many audit reports as we have today, and we would probably not

have the reputation that we have as Parliamentarians today.

Mr. Speaker, we as a group of people have the worst reputation of any profession because there is a lack of trust in this country for Parliamentarians. And why? Because we did not keep our eyes on Bermuda first. Mr. Speaker, we, if we kept our eyes on Bermuda first and the people of this country first we would make better sound decisions and better decisions that would sustain this country in a more positive light going forward.

Mr. Speaker, I believe that at the end of the day the most important asset in the Parliament are its Members. And we must do all that we can to improve the services provided by the Members and support the Members so Bermuda gets the best representation. Mr. Speaker—

[Inaudible interjection]

Mr. Nelson H. Cole Simons: I am coming to that. Mr. Speaker—

An Hon. Member: You are taking a long time.

Mr. Nelson H. Cole Simons: Now I am going to go towards . . . that was just my general overview, Mr. Speaker, because at the end of the day we need to provide Bermuda with best practices—whether you are a Cabinet Minister, whether you are a backbencher, whether you are Opposition—Bermuda deserves the best when it comes to Parliamentary practices.

This document here is a step in the right direction. The Parliament Act 1957 is a step in the right direction, but we have to move forward. We have to move forward and ensure that the best people come to this House so that Bermuda gets the best representation.

Mr. Speaker, now I would like to basically go through some of these issues. I am not going to be very long, but some of these issues really jumped out at me and I would like to go through them one by one and see where we go as far as interpretation.

Mr. Speaker, if you look at page 4, Candidate Eligibility, it says, “Restrictions on candidate eligibility shall not be based on religion, gender, ethnicity, race or disability.” I agree with all of that. But the question mark is what other restrictions are they talking about? If you have a criminal record, are you not eligible to run in a Parliament? If you are a sexual deviant that has been reformed, are you not eligible to run for Parliament? There are people that are reformed, are they eligible for Parliament? And so these restrictions that they are talking about I would like to have had more clarity on that. I understand religion, gender, ethnicity, race and disability. But they speak specifically about other restrictions that make candidates ineligible to run. So that was just an issue that I would like to raise, Mr. Speaker.

Another issue [is] Remuneration and Benefit. Now, Mr. Speaker, this struck me as very interesting, this is section 1.5.3 “A Member shall be provided with his/her salary and additional benefits adequate to require him/her to give priority to his/her parliamentary duties.” [Section] 1.5.4 goes on to state “In order to maintain a decent standard of living and to upkeep his/her family, a Member shall not be placed in the position of having to sacrifice parliamentary responsibilities in order to pursue a competing career.”

Mr. Speaker, I would venture to say that almost everyone in this House has had the challenge of balancing their careers with Parliament. They also have the challenge of saying, *What is taking priority? Am I compromising my job and am I producing the best Parliament? Am I producing the best for my job?* And I know I myself at times say, *Oh, I can't do both.* I cannot do both to the degree and to the standard of excellence that I would like because my job is taking care of my family. Because at the end of the day like everybody else in this room, almost, I have a mortgage, I have university fees to pay for; I have family to take care of. And, Mr. Speaker, for me to come here today I need to be sure that those family issues are addressed.

So, today, I got here at twelve o'clock, I knew that Parliament started at 10:00 [am], Mr. Speaker. But at the end of the day I had say, *Parliament, I know we have important national issues to address, but I must also address my occupation, my professional career.* And we all have had that challenge.

The Speaker: Yes.

Mr. Nelson H. Cole Simons: The Tourism Minister, she worked at a trust company. The Finance Minister, when she was Finance Minister, the Premier, she worked in an insurance company. And, again, I am certain that they felt that they could not give the best to Parliament and the best to their careers because they were (to say it clearly) a slave to two masters, Mr. Speaker.

The Speaker: I am sure you have empathy on that one.

Mr. Nelson H. Cole Simons: Yes, yes. And I am saying, Mr. Speaker, this issue . . . these two issues are real issues that face. I have been to the CPA conference a number of times. When they learn that the Cabinet Ministers and MPs have second jobs sometimes people just find it incredulous, they cannot believe it. *How can you do that? How can you do that?*

[Inaudible interjection]

Mr. Nelson H. Cole Simons: My colleague says get to the point. You know, if you read 1.5.4 you can see specifically what we are talking about.

And so at the end of the day we need to somehow review Parliament and its remuneration so that more people can make the decision to spend full time in Parliament and give Parliamentary service their full time attention and know at the end of the day that their families are taken care of, Mr. Speaker.

Mr. Speaker, that is one issue that I thought I would like to speak to because we all have that challenge.

Mr. Speaker, you know there are other much more talented people than us in industry that would love to make contributions to this House, to serve the people.

The Speaker: They would not though.

Mr. Nelson H. Cole Simons: But at the end of the day they would not because some of them say we cannot afford to make that decision. We make that decision because we, at the end of the day, are making a personal sacrifice for the betterment of this country.

Mr. Speaker, the other issue that caught my attention was the issue of the infrastructure. And I say the “infrastructure” only because at the CPA conference we spoke about the library. And I think Dame Jennifer brought it up—the issue on the library—and, in fact, Dame Pamela brought up the issue. We are deemed to be one of the wealthiest countries in the world, but our library is in a state of disrepair and it needs to be addressed. It is embarrassing and it should be a resource that is up to date with proper librarians so that we can look at some of the history, so that we can make better decisions for the future because most of the problems that we are going through today have occurred before. If we have access to a decent library we can go back and look at history and learn from the actions from the past to ensure that the decisions that we make are sound for today and sound for the future.

The other issue that I would like to address is the issue of 2.4.5 it says “The Legislature shall provide adequate resources for Private or Independent Members to draft legislation or amendments to legislation.”

Mr. Speaker, in 2011 the Opposition, the Backbenches and the Independents should be able to have resources available to them, be it the [AG’s] Chamber or a legislative drafting clerk that will help them craft legislation that they can bring to the House. And it should not be left just to the purview of Cabinet to have access to the AG’s Chamber for drafting of legislation. If we are to improve the level of service, Opposition benches should be able to bring legislation to the House and we should have resources—Independents should bring legislation to the House.

Right now we do not have the resources and we would not even know—some of us, because we have no resources—to go and say, *We want to bring*

this Bill to the House for consideration and examination. Well, we do not have that. We have to draft it ourselves. We have to hire a lawyer to do it.

So, Mr. Speaker, again, if we are to serve the people—be they Government or Opposition or Independents—and we feel that it is best that we bring new legislation to the House from the Opposition benches, then we should be able to have access to the drafting capabilities that are available to Cabinet.

Mr. Speaker, the other issue that I would like to speak to, and this really caught my attention.

An Hon. Member: You are running out of time you know.

Mr. Nelson H. Cole Simons: That is okay, that is okay. I am here.

Mr. Speaker, Organisation and Management, item 5.4.1, “There shall be established a parliamentary corporate board by legislation that shall be responsible for the management of the Legislature.”

Mr. Speaker, I believe that is crucial because it improves the level of governance in the legislature. It also provides accountability to your office, Mr. Speaker, and it could be a resource for you to work with to improve the decisions made (and I will say it and make it very clear) I am not questioning your decisions but everybody needs a resource. And if that can help you become a better Speaker, then—

The Speaker: I think I am pretty good now.

Mr. Nelson H. Cole Simons: —I think it would be the right thing. So I support the possibility of having an independent body that will oversee the legislature. That is all I will say on that for now, but I think it is something worth examining for Bermuda—it provides accountability, it provides guidance.

Let us continue on, Mr. Speaker, I know the time is ticking. So those are the issues that I wanted to speak to immediately.

Now, Mr. Speaker, the other thing that I would like to touch upon that was not raised, but it was raised at the CPA Whip’s network. And, again, it gets back to making sure that our Parliamentarians are taken care of. And when I heard this at the Whip’s conference in Australia, it like knocked me for a loop. They said pastoral care or employee assistance programmes for Parliamentarians, because at the end of the day we are a microcosm of Bermuda, Mr. Speaker. We have the same problems that everybody else in this country has and we would be lying to ourselves to say that we do not. We have problem children. We have problem wives. We have problem finances. We have problems when it comes to health issues, Mr. Speaker. And at the end of the day, if we—

An Hon. Member: It is life.

Mr. Nelson H. Cole Simons: It is life, as the Minister says.

And, Mr. Speaker, at the end of the day we should have constantly resources for MPs in the privacy of a private organization whereby we know it will be confidential and we can go to a safe haven and feel that we are getting the help that we need, as individuals—we need, Mr. Speaker.

[Inaudible interjection]

Mr. Nelson H. Cole Simons: The Minister says we want to cut staff. There are counsellors out there that we could contract with to have this addressed. We do not have to hire someone to come in as a full-time person. What we can do is have an agreement with counsellors that will help us, like EAP counsellors that will help us with confidentiality issues.

So, when I heard that in Australia, as I said, there were 40 representatives from around the Commonwealth, and everyone agreed that we are people too and we have the same problems. And as a consequence, I suggest that we perhaps have counselling services available for some Members of this House.

[Inaudible interjections]

[Gavel]

Mr. Nelson H. Cole Simons: The offer is to improve the quality of people that we have in this House, Mr. Speaker.

Mr. Speaker, the other issue that I would like to touch upon is the issue of training. Mr. Speaker, other jurisdictions—and I got this again from the Commonwealth Parliamentary Whip's network—is the issue of having proper training programmes for new Members. Now I know we have a training programme, but we need to have it more formalised. Some jurisdictions have a candidacy college to prepare candidates well in advance of elections, campaigning, [and] about parliamentary procedure. They also talk about ethics concentration, training, training and the use of entitlements. Again, these issues are very, very important if we are going to invite the trust of the people of this country when it comes to Parliamentarians, Mr. Speaker.

The other issue that I would like to address, Mr. Speaker, again, is training manuals for Members. We have had a number of recent cases where Government Orders have not been adhered to, but I think if we had the appropriate manuals, code of conduct documents in place, it would just give those Members involved with some type of malfeasance a second thought to say, *No, no, no, no. This is not expected of me as a Member of Parliament.* The code of conduct says—

The Speaker: Well, that is on the Order Paper, sir. Let us—

Mr. Nelson H. Cole Simons: Mr. Speaker, I am speaking to the code of conduct.

The Speaker: Yes, that is a Motion on the Order Paper.

Mr. Nelson H. Cole Simons: But it is on the benchmarks, Mr. Speaker. If you look on page—

The Speaker: Well, do not enlarge upon it.

Mr. Nelson H. Cole Simons: Okay, I am not going to—

The Speaker: Do not enlarge upon it.

Mr. Nelson H. Cole Simons: Okay, but—

The Speaker: You will take all of the Honourable Member's thunder if you do.

[Inaudible interjection]

Mr. Nelson H. Cole Simons: So, Mr. Speaker, I was just speaking to the Ethical Governance, Section 10.1.2 says, "The Legislature shall approve and enforce a code of conduct, including rules on conflicts of interest and the acceptance of gifts." And I will just speak to that.

The Speaker: Fair enough.

Mr. Nelson H. Cole Simons: And so I think that it is important, that at the end of the day, Mr. Speaker, it is about providing quality leadership, it is about providing ethical governance, and it is about providing leadership by example.

Mr. Speaker, you will be very, very surprised to see and hear what the young people are saying about their Parliamentarians. A lot of them just cannot be . . . they are not interested, they think we are self-serving and [self-]righteous, Mr. Speaker. And that issue only results because those young people do not see us putting Bermuda first.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Simons, the Honourable Member from Smith's South.

Any further speakers?

I recognise the Honourable Member, Mr. C. Swan, from Southampton West Central.

Mr. Swan, you have the floor.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker.

I was just giving the opportunity for someone on the other side to perhaps take a stab at this Motion, Mr. Speaker, and I will be brief.

Part of what I am going to say . . . I am trying to speak to . . . I imagine many people listening in to what goes on in here do not always know what we are talking about, and when I saw the title of what we are debating here today, the Recommended Benchmarks for the CPA [Commonwealth Parliamentary Association] Caribbean, Americas and Atlantic Region Democratic Legislatures, I thought, *Let me look up what 'legislature' means*, for starters.

I was looking on *Wikipedia*, and if you will indulge me, I am not going to read it, but I will sort of summarise it. I believe the legislature includes every last one of the elected people that sits in this House. Not only that, it includes the support staff who are charged with providing us with the services that we desire within this House.

I would like to commend my colleague and also the Honourable Member from the other side, Ms. Foggo. I believe they both attended the conference from which this document came. I would also, obviously, like to commend the staff that support the elected body who work in this House of Assembly day in and day out, sometimes long before we get here and many times long after we [leave] here, and even when we are not here when we are out of session. I would like to commend them all.

I have listened to what has been said by various other Members speaking, Mr. Speaker, and there are a few things that I believe need to be said in regard to recommended benchmarks for our region for our democratic legislatures. I have heard talk about integrity, courage and conviction, and also talk about negativity and, *Let's not dwell on the past*, and that type of thing, and optimism. I know that it is very easy for groups to sort of bask in their glory, or dwell on the things that have been accomplished. And a lot has been done within our group here, within our Legislature, to make it more democratically effective. I am not going to dwell on those, Mr. Speaker, at all.

I believe that within our system of government there is a group that has more power than other groups. We are the Opposition; I am on the Opposition side. The group that is in power is responsible for bringing forward change. I hope it is usually for the better. All of us hope it is usually for the better—the better operation of ourselves, the better operation and provision of services for the people who we represent. So, in a nutshell, Mr. Speaker . . . I believe, yes, great, what has been done is fine. I happen to believe that more should have and can be done. So this booklet here sets out some examples of where we can go.

We are in an economic downturn now, so that is going to breed a little bit of (let us call it) negativity anyway, Mr. Speaker, but I am an optimistic person. I have to be an optimistic person, otherwise I would not be here, I think. The people are looking for anything

optimistic. When they see things happening that are negative in their minds that makes them a lot less optimistic.

The Honourable Member, Mr. Moniz, who sits next to me here, talked about integrity, and I am going to use one example. I believe a Member on the other side took it upon himself to resign his particular post because of something that could have been considered (let us call it) unethical or illegal, and he resigned. Well, that type of action, Mr. Speaker, would breed some optimism, okay? That is the type of behaviour that one looks for, I would think, in a democratic legislature on the part of the people who sit here.

We have had lots of other instances of unethical or illegal behaviour, Mr. Speaker, where perhaps the person who is under discussion has not done anything, or nothing has happened. Well, that type of behaviour, Mr. Speaker, will breed less optimism and it is possibly not the behaviour we would like to see from the people who sit in this House. I believe it is incumbent on all of us, especially those who have the power, to address things like that in the most efficient method possible and as quickly as possible.

This document, I believe, is so broad ranging that one could speak for hours. I would like to see . . . well, I am going to just give a few suggestions, Mr. Speaker, and then I am going to probably sit down. Talk has been made of a code of conduct.

The Speaker: Very briefly, mind you; very briefly. This is a Motion.

Mr. Charles F. B. Swan: Yes, I know. It was touched on in here. The Member who sat down before me touched on it. I am going to support that. I would like to see the group that has the power—

The Speaker: And you cannot wait for the debate to come.

Mr. Charles F. B. Swan:—bring it forth.

An Hon. Member: They might bring it forth before they debate it, Mr. Speaker.

Mr. Charles F. B. Swan: They might. They just might.

We have heard talk of a Parliamentary Ombudsman. I believe that is something that might be called for as well.

The Speaker: Well, let us—

Mr. Charles F. B. Swan: I know, I know.

Mr. Speaker, I believe you have the power to do some things. From my—

The Speaker: I am trying to keep you on track. That is what I am doing right now.

[Laughter]

Mr. Charles F. B. Swan: Mr. Speaker, I believe the person who is made the Speaker of the House in our system of Government is supposed to renounce any kind of party affiliation and what have you and be basically impartial.

The Speaker: Well, you heard me do that. I am sure you did.

Mr. Charles F. B. Swan: Here is a suggestion, Mr. Speaker.

The Speaker: You heard the Speaker do that. I am sure you did.

Carry on, Mr. Swan.

Mr. Charles F. B. Swan: Here is a suggestion. If you believe, and a large number of the Members of this House believe, that there is a Member here who has perhaps been guilty of some unethical or illegal behaviour, perhaps you could sentence them to six weeks of courses in how to be a bit more ethical, Mr. Speaker. How about that?

[Laughter]

Mr. Charles F. B. Swan: How about that, Mr. Speaker?

[Inaudible interjections]

Mr. Charles F. B. Swan: Mr. Speaker, I would like to see a lot more use of the committee system. You know our system here in Bermuda is modelled on the UK system, and they make great use of committees. I happened to be at a course and the adjudicator of that course was an MP from the Liberal Democrats. He happened to be the chair of the committee that advised their department for international development, which basically vetted projects all over the world that were seeking British Government donations and what have you. I mean millions and millions of dollars. That committee was chaired by someone other than the governing party, and I would like to see more use of that in Bermuda. I think that might breed a little bit of optimism, Mr. Speaker.

That is basically what I wanted to see. The issues with the infrastructure of the buildings that we sit in, this is the oldest one, second oldest probably, outside of the United Kingdom. Our buildings are old, yes they are, and they need money. Well, we do not have any money, probably. I would like to see a bit more independence for the Legislature to hire and fire and what have you.

The things that we as elected MPs could use in the House are not necessarily all there, and I would

like to see that happen. Someone mentioned Dame Pamela, I believe, during the CPA Annual General Meeting, mentioned the deplorable state of the library. I know it is on the agenda for some work, but it should be a first-class library, given we are a first-class jurisdiction.

So, Mr. Speaker, I am going to stop there. I just wanted to say a few words about that. I would like to see those who have the power, who have the mandate, take up some of the recommendations or benchmarks that are in this booklet and bring them forth forthwith.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Swan.

Any further speakers?

I now recognise Madam Premier.

Madam Premier has the floor.

Hon. Paula A. Cox: Thank you, Mr. Speaker.

Mr. Speaker, this debate is too important not to speak on, and I think that it is important, if I had to summarise what the Motion said, brought by the Honourable Mr. Kim Swan, former Opposition Leader, it really is about getting things right.

Mr. Speaker, as I turn and look to my right, it is almost as if it is *déjà vu*. I remember when I was a little girl (maybe not so little, but a high school student) coming up to this place to sit and watch the men and women of Parliament and to see people like the Honourable Dame Lois Browne-Evans (she was not a Dame then), and to see people who were the stalwarts, even of the former UBP party, and to see them at work, supposedly doing work for the benefit of the people of Bermuda. It certainly was an allurements for me.

I was watching people like the Honourable Dame Lois Browne-Evans and my father and wondering, *What does it feel like to sit inside these corridors, this hallowed place?* Because this was the place, Mr. Speaker, where one was able to effect change; this was how you were able to change how your community acted. You were able to provide an opportunity for those people who were seen to be hard done by, how you were able to help to make things better for them.

I always remember my father saying that despite the persecution sometimes for Members of the PLP, serving in this place was worth it because you were trying to make change for the benefit of the people of Bermuda. He always would say, when he was asked, that his job was to work so that his children and his children's children should have a better life.

So, Mr. Speaker, I do not want to underestimate the importance and the value of being in what I consider to be the people's Parliament. Part of the people's Parliament and part of empowerment of the people means also making sure that representative democracy means that people who want to serve in this place do not have to have a silver spoon in their

mouth. That is the issue. Little Mr. and Ms. Bermuda should feel that they can run to represent their country and they do not have an opportunity to be outside of that because they cannot afford to serve. Part of what I read when I see these benchmarks is that it is about levelling the playing field, Mr. Speaker. It is really about levelling the playing field so that ordinary Bermudians feel that they have a right, a responsibility, and have the ability to serve in this place.

So as we look at benchmarks, we all know, Mr. Speaker, that Bermuda is going through some testing times. So you do not focus on what your wants are; you focus on the needs. However, Mr. Speaker, it is important to note that if we want to truly empower those who wish to serve in the people's Parliament, we do have to provide access and opportunity. Access and opportunity.

Ministers, Members of Parliament, when you come here you have a constituency that you have to represent. Let us face it, people think that Members of Parliament are born and automatically are the *no-blesse oblige*, the elite. Far from it. They are ordinary men and women who have a calling to serve, and they have to serve and represent their constituency. That means that you send out letters, you send out cards, and it does help if you have some basic administrative structure that can support you.

You cannot always do it. As we look at these testing times, you have to look and phase in those benefits that you can provide and that the country's purse can afford to provide. I think it is important that we note what the ideal is, and I think as we look at these benchmarks we have to make a tick and we have to say these things should be done in an orderly, phased manner.

Mr. Speaker, as I look at these benchmarks, I think it is important because I have listened very carefully to some more than others and I note the gibes, I note the comments which are meant to try and find a smooth way that will meet your test, Mr. Speaker, of talking about things which really ought to go through due process, whether through the Public Accounts Committee or whether when we talk about another Motion. But just let me set the record straight, Mr. Speaker. Let me set the record straight in terms of what this Government and what this Parliament has passed as a result of the leadership of this Government.

Mr. Speaker, you may recall (because it has not been that long ago) that we passed last year the Good Governance legislation. We passed the Good Governance Act, phase one. What did that seek to do, Mr. Speaker? It sought to draw a line in the sand, to make clear what things were non-negotiable and what things were. You see, the only thing you can do really when you have a moment of decision, the best thing you can do is the right thing, and the worst thing you can do is to do nothing. We opted to do the right thing, and that was to build on what was and to improve, to

enhance, and to raise standards, Mr. Speaker. Raise standards.

So the Good Governance legislation talked, Mr. Speaker, about the introduction of procurement legislation. It established the Office of Project Management and Procurement as the authority to have oversight of all procurement functions in Government. It established regulations which will define a code of practice for procurement. It also established penalties, Mr. Speaker, for non-compliance. It certainly sought to satisfy the key principles of transparency, consistency, objectivity and promoting equal treatment to all participants in the tendering processes, Mr. Speaker.

You know, Mr. Speaker, when that was passed it was ushered in a couple of weeks earlier with a Ministerial Statement signposting that it was to come. Once it was passed, it was clear that it did not end there. In fact, Mr. Speaker, one talked about what was to come in terms of conflict of interests, and it talked about also how we were going to make clear (as I indicated in recent comments) about the update on the Office of Project Management and Procurement.

I indicated that there would be the second phase of Good Governance legislation that will be tabled in this session of Parliament, which will extend and expand on conflict of interest defences when awarding contracts that would create an offence of collusion by contractors and vendors bidding for contracts, attempting to gain an advantage in the tender process. I also spoke at that time about the need to extend whistleblower protection and to enhance the processes.

And, Mr. Speaker, it did not just start in 2011, because you would be well aware that in this Honourable House, in fact with its legacy there are many pieces of legislation that already are in place. You have the Criminal Code that goes back to 1907, which deals with official corruption, re employees in public service, judicial corruption—not judicial but relating to offences, the offence of corrupting jurors. So I say that, Mr. Speaker, because sometimes for partisan warfare you sometimes have comments made which would almost seem to indicate that there is untrammelled abuse of power with no checks and balances. Not at all.

Mr. Speaker, one thing that I like and have always admired about the constitutional birthplace in many ways of this Parliament, when you look at the UK Parliament, and you will see it is referenced and referred to in these benchmarks, is about the need to have a National Audit Office. It talks about how that would make timely reports. If you look at some of the reports that have been tabled by the National Audit Office, they get into some real substantive matters—substantive matters as opposed to “gotcha” matters. Substantive matters like looking at ministries, departments (whether it is education, transport, or whatever), and looking at what they are seeking to do in the

UK Parliament in terms of getting student outputs and getting student achievements and looking at benchmarking for success of our students, they are really drilling down and getting into some qualitative, objective assessments with a view to improving what they have. So I look at that and I think that is something that is certainly one of the stars we need to shoot for.

I think it also talks about, Mr. Speaker, the issue of ensuring that we provide for not just remuneration. That is probably the least of one's concerns. What is the more important concern is how we seek, in our delivery of public service to the people of Bermuda, to provide value in terms of substantive issues that they are interested in. How do we look at what we do here in terms of raising the bar, in terms of legislative procedure, and the issue of making sure that there are the necessary oversight committees?

Oversight committees, Mr. Speaker, are not necessarily just to look at the Government, but it is really to look at how the process of governing can be improved. So I think that the idea of 7.2.5, an independent (let me emphasise the next two words, hyphenated) non-partisan Supreme or National Audit Office . . . in other words, no agendas that are being set and that they can operate whose reports are tabled by the legislature in a timely manner.

It also talks about the fact that as we look at parliamentary democracy and as we look at those whom we are entrusted to serve, particularly, Mr. Speaker, as you look at 8.1.1, Constituent Relations, "The Legislature shall provide each elected Member with adequate and appropriate resources within his/her constituency, to enable him/her to fulfil representational functions." Mr. Speaker, that is important. That is important.

Do you remember, Mr. Speaker? I remember when I first came here as a little girl we did not have that press bar there. Do you remember when there was some discussion as to also how we could provide access to the press that would allow them to be able to properly record? The days when I used to come up to the House I remember Marian Robb. You have seen the changing, panoramic . . . number, really, of different faces.

I remember not too long ago, probably last year, being asked by a reporter, *Who is that person? Who is the other person?* A big change from the Marian Robbs. Here they do not know the difference sometimes between . . . I remember somebody calling me, and you know I look at little as Renee Webb as you can find, but they did not have a clue at the time. They do not have a clue sometimes. And it is important because you need to have people who are not going to be biased, but who at least understand who represents whom. Because it colours sometimes how you even do your reporting if you do not know who you are talking about.

I think, Mr. Speaker, we really need to make sure that as we work within the precincts of your Hon-

ourable House, as we do what is said to be the people's business, that we make sure that we really keep in mind, when we are speaking, who we represent. Because the people, as some have said, the young people do not want to hear all this bickering and palaver. What they want to [know] is, *What are you doing, really, to improve this country for us and for our children's children?* We sometimes seem to forget that. We get up here and we want to just bicker. It is not worth it. That is not what we are here for.

You, Mr. Speaker, have seen it all. You have seen it all. It is one thing, I must say, sitting on that side of the bar and being here. I think that the grass is always greener in many cases when you are on the other side. But, you know, Mr. Speaker, my hope, my dream, and my belief is that any young person who sits now on that bar, on that side, will look here and still be spurred to want to serve because it is a noble calling. It is a noble calling to stand here and know that you are a voice for the people. There can be no more noble a calling than that, to know that people trust you. They elect you because they trust you to represent them. That is what we must remember and we must not let them down. That is why it is so very important that we pass here good, solid, credible legislation.

Some people say it is too risk averse when you talk about good governance, when you talk about procurement, but that is important because it is the issue of the social contract with the people, and that is based on trust, integrity and credibility. Long may that live and long may we continue to seek to uphold those benchmarks which should be setting the standard for political performance in this country.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Madam Premier.

Any further speakers?

The debate is concluded on the Recommended Benchmarks for the CPA, Caribbean, Americas and Atlantic Region Democratic Legislatures. It has been a very useful debate.

Orders 6 and 7 are being carried over, the motions in the name of the Honourable Member, H. K. Swan, from St. George's West.

Madam Premier, there are no further matters before the House.

Hon. Paula A. Cox: Do you want to do the questions first or can I pass my Bill? Does it matter?

The Speaker: Let us do the Bill first, I think.

SUSPENSION OF STANDING ORDER 21

Hon. Paula A. Cox: Okay, good.

Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Revenue Amendment Act 2012 be now read the third time by its title only.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: Standing Order 21 suspended.]

THIRD READING

REVENUE AMENDMENT ACT 2012

Hon. Paula A. Cox: Mr. Speaker, I move that the Revenue Amendment Act 2012 do now pass.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: The Revenue Amendment Act 2012 read a third time and passed.]

Hon. Paula A. Cox: Thank you.

The Speaker: The Honourable Member, Dame Jennifer Smith, from St. George's North gave an undertaking to answer a question.

Dr. Gibbons, do you want to put that question up or shall we leave it for the next meeting?

Dr. the Hon. E. Grant Gibbons: I will put it up, Mr. Speaker. I will do it now.

The Speaker: Is the Minister prepared though?

Hon. Dame Jennifer Smith: I have no idea.

The Speaker: We do not like to be doing this, but we are going to make an exception since an undertaking was given this morning.

Dr. Gibbons wishes to put a question to the Honourable Member, Dame Jennifer Smith, Minister of Education.

QUESTION PERIOD

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker.

I think it is important for Ministers to be able to answer questions when they make a Statement. I appreciate your—

The Speaker: It was an Exemption Committee?

QUESTION NO. 1 ON EXEMPTION ORDER

Dr. the Hon. E. Grant Gibbons: Yes that is exactly right, Mr. Speaker. It was the Minister's second Statement on the Exemption Order.

In the Minister's Statement she said the Exemption Committee had put forth additional exemption requests for the various vacancies. The first question I have is, Would the Minister please tell the House what the total number of exemption requests has been this year to date?

The Speaker: The Minister is going to reply.

Hon. Dame Jennifer Smith: Mr. Speaker, since I do not recall offhand, I shall ask the Member to add the ones from my Statement on November 18, 2011, to the 17 given today. That would be the total.

The Speaker: Dr. Gibbons, further question?

QUESTION NO. 2 ON EXEMPTION ORDER

Dr. the Hon. E. Grant Gibbons: Yes, Mr. Speaker.

The second question: Were all of the exemptions given to Bermudian teachers?

The Speaker: The Minister is going to respond.

Hon. Dame Jennifer Smith: I will undertake to come back with that reply.

The Speaker: Further questions, Dr. Gibbons?

Dr. the Hon. E. Grant Gibbons: Yes, I have one. We have done two at this point, so this would be a further supplementary.

The Speaker: Supplementary on number two.

SUPPLEMENTARY

Dr. the Hon. E. Grant Gibbons: The supplementary I have is: In the Statement, the Minister refers to some confusion as to whether or not Cabinet approval was required for each exemption. Would the Minister, please, tell the House whether the decision was that Cabinet approval was or was not required?

The Speaker: The Minister is going to respond.

Hon. Dame Jennifer Smith: Cabinet approval was required, but what happened was we had thought that having given the exemptions in general, we would just then gazette them. So while these were prepared last year and should have been gazetted last year, at the last minute we found out that we had to go back for full approval and we went through the full process, which is why they are late.

The Speaker: Thank you, Dame Jennifer Smith.

That concludes that.

I believe the Honourable Member, Mr. C. Swan, from Southampton West Central is trying to catch my eye.

SUSPENSION OF STANDING ORDER 14

Mr. Charles F. B. Swan: I was. Thank you, Mr. Speaker.

I would like to ask if you could suspend Standing Order 14 so that I can table a Take Note Motion, please.

The Speaker: Any objection?
Agreed to.

[Gavel]

[Motion carried: Standing Order 14 suspended.]

TAKE NOTE MOTION

THAT THIS HONOURABLE HOUSE TAKE NOTE OF THE OMBUDSMAN'S REPORT ENTITLED TODAY'S CHOICES—TOMORROW'S COSTS

Mr. Charles F. B. Swan: I would like to table a Take Note Motion: that this Honourable House take note of the report by the Ombudsman entitled, Today's Choices—Tomorrow's Costs, and it is, The Ombudsman for Bermuda's Systemic Investigation into the Process and Scope of Analysis for Special Development Orders.

The Speaker: Any objection?

Hon. Paula A. Cox: Mr. Speaker, I think that the Ombudsman has given the Government May 1st as a timetable for a response. So I would suggest that even though you put down a Motion, it should have some rider. Because it is almost like it is not as structured as the Public Accounts Committee, but it would seem that as part of the response before you have a debate or a motion. This is not my area, but I think that is what is required, and it seems that in terms of due process that would seem a more appropriate mechanism.

The Speaker: I do uphold the objection of the Premier that it can be tabled, but we will not be able to debate it until the Governor has had an opportunity to respond.

Is that understood?

[Inaudible interjections]

The Speaker: Yes, whenever.

Any objection?
Agreed to.

[Gavel]

The Speaker: As long as that is understood. Is there another matter?

Hon. Dame Jennifer Smith: Yes, Mr. Speaker, I have been advised that all of the exemptions were Bermudian and I wanted to transmit that information to which Dr. Gibbons referred.

The Speaker: See the Honourable Member privately. We have dealt with that.
Madam Premier, there are no further matters.

ADJOURNMENT

Hon. Paula A. Cox: Mr. Speaker, I move that the House do now adjourn.

The Speaker: Any objection to that motion?
Agreed to.

[Gavel]

The Speaker: The House stands adjourned until Friday next at 10:00 am.

[Gavel]

[At 5:33 pm the House stood adjourned until 10:00 am, Friday, 17 February 2012.]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****17 FEBRUARY 2012****10:03 AM***Sitting Number 9 of the 2011/12 Session**[Hon. Stanley Lowe, Speaker, in the Chair]***PRAYERS***[Prayers read by Hon. Stanley Lowe, Speaker]***CONFIRMATION OF MINUTES****10 FEBRUARY 2012**

The Speaker: Is there any objection to the confirmation of the Minutes of the 10th of February? The Minutes have been circulated.

Any objection?

Agreed to.

*[Gavel]**[Motion carried: Minutes of 10 February 2012 confirmed.]***MESSAGES FROM THE GOVERNOR**

The Speaker: There are none.

**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****OFFICIAL HANSARD REPORT DECEMBER 2011**

The Speaker: We are in receipt of a hard copy of the *Official Hansard Report* for the month of December. It is here for Members who would wish to peruse it. That is a hard copy of *Hansard* for the month of December.

MESSAGES FROM THE SENATE

The Speaker: There are none.

**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE**

The Speaker: I recognise the Honourable Member, Mr. M. J. Scott, the Honourable and Learned Member from Sandys North.

Minister Scott has the floor.

**FINANCIAL INTELLIGENCE AGENCY BERMUDA
ANNUAL REPORT 2009/10**

Hon. Michael J. Scott: Mr. Speaker, certainly on behalf of the Attorney General and the Minister of Justice, I have the honour to attach and submit for the information of the Honourable House of Assembly the Financial Intelligence Agency [FIA] Bermuda Annual Report 2009/10.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North, who has tabled the FIA Report, I believe.

Are there any further communications?

I now recognise Madam Premier, the Honourable and Learned Member from Devonshire North West.

Madam Premier has the floor.

**CONSOLIDATED FUND FINANCIAL STATEMENTS
FOR YEAR ENDING 31 MARCH 2011**

Hon. Paula A. Cox: Thank you, Mr. Speaker.

Mr. Speaker, I have the honour to table for the information of the Honourable House of Assembly the Consolidated Fund Statements for the years 2010/11.

Thank you, sir.

The Speaker: Thank you, Madam Premier.

Are there any further communications?

We will move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS

The Speaker: I now recognise the Honourable Member, Mr. W. Perinchief.

Minister Perinchief, from Pembroke Central, has the floor.

Minister Perinchief?

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker. I have two Statements today.

The Speaker: Yes. Go right ahead, Minister Perinchief.

VISITING YACHTS AND THEIR CREWS

Hon. Wayne N. M. Perinchief: Mr. Speaker, Honourable Members, you will recall that in a Statement to this Honourable House on the 27th of May 2011, I announced that visiting yachts and their crews would be granted a maximum 90-day stay on arrival in Bermuda. Mr. Speaker, I indicated at that time that these yachts generated over \$10 million for the local economy in 2010 and that extending the permitted length of stay would only increase this contribution.

Mr. Speaker, we continue to listen and learn from the private sector partners who provide onshore services to these vessels. Early last month after correspondence and one meeting, Mr. Speaker, the Ministry devised a means by which to address the issue of visa controlled nationals arriving by sea and being unable to secure the required Bermuda entry visa. Those individuals are often unable to disembark, and the rigid application of the policy defeats the economic aims of Bermuda as a premium yachting port.

Therefore, Mr. Speaker, I am pleased to advise this Honourable House that provided crew manifests are supplied in advance to the Department of Border Control, visa waiver applications will be processed as the vessel is sailing to Bermuda.

Mr. Speaker, some of our cruise passengers are also visa controlled nationals and have encountered similar challenges, having cruised to Bermuda to enjoy our Island. Mr. Speaker, this policy change will also extend to them. We have created a specific e-mail address supplied to cruise agents and will receive visa waiver requests while the ship passes the Statue of Liberty—and other points, of course, Mr. Speaker.

Mr. Speaker, in this era of technology there is no reason why these processes cannot be streamlined. The economic benefit provided to Bermuda by visiting yachts and their crews, as well as cruise passengers, is considerable. And it is a form of tourism we must encourage.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Perinchief.
Minister Perinchief has a further Statement.
Go ahead, Minister.

REVISING LAND POLICY

Hon. Wayne N. M. Perinchief: Mr. Speaker and Honourable Members, you will recall that the Ministry of National Security set up a Land Policy Review Group to consider and to advise on specific areas of landholding policy. Submissions were sought from the general public and interested groups in the community. Forty-four submissions were recorded, and several meetings conducted by the review group. Mr. Speaker, the technical officers involved were drawn from various Ministries and, in some cases, had advised on the 2007 changes to the law in this area.

As might be expected, there was no universal agreement on the way forward, and the discussions mirrored the debate in the public domain. At the heart of the 2007 changes to the law and concurrent policy, has always been the protection of the rights of Bermudians. This Government's responsibility is to take note of trends in any area and to implement policies that will serve our people first.

Lest Honourable Members forget, Mr. Speaker, the 2007 changes to the law on land policy were implemented against the background of prevalent and illegal "fronting," which used available means to frustrate the laws on foreign ownership of land in Bermuda. Mr. Speaker, the rental and housing markets were simply white hot in terms of price, and when taken with the earning power of Bermudians and the housing subsidies provided to their expatriate counterparts, a perfect storm of market conditions made the struggle for home ownership too great for our people.

Mr. Speaker, long after we are gone the debate will rage on whether what was done was necessary or effective. Nevertheless, Mr. Speaker, we cannot be consumed by that debate when there is a clear need for action. Mr. Speaker, changes must be made. This economy demands that changes must be made. Our challenge is to effect change that stimulates the economy and continues to be beneficial to Bermudians. Mr. Speaker, the Ministry has consulted widely. We have taken full account of the advice that urges no change. We have considered the pleas for total lack of restrictions. We have ended up with a formula for change that will stimulate this important sector of the economy and allow Bermudians to leverage their main asset to their benefit.

Mr. Speaker, Honourable Members will recall that the result of section 17 of the 2007 Act restricts Bermudians from selling residential property to non-Bermudians.

Mr. Speaker, I can advise this Honourable House that amendments to that section and others will be made to permit the sale of land generally to non-Bermudians valued at or above a prescribed ARV [annual rental value] threshold. Mr. Speaker, Honourable Members should take note that the ARV threshold is set by the Minister responsible for Immigration and traditionally reviewed every five years. Historically, the policy has been to permit the top 250 homes for sale to non-Bermudians. During the five years between revaluations, property owners would modify their homes to get their ARV above this threshold.

Mr. Speaker, 2009 revaluation did not include a review of ARV thresholds. Therefore, the existing 2005 thresholds would make 396 homes available for purchase by non-Bermudians, or 58 per cent more than the traditional number of homes usually available. That was an increase.

Mr. Speaker, this is where striking the appropriate balance is vitally important. I have advised my

Cabinet colleagues and can now advise this Honourable House that the policy of having the top 250 homes available for sale to non-Bermudians will be maintained. To achieve this, the ARV threshold will be set at \$177,000, which in fact makes 249 properties available. That is one short of the 250. The new threshold will be set at 1st April 2012.

Mr. Speaker, the mechanics of sections 76, 77 and 78 of the Bermuda Immigration and Protection Act 1956 resulted in married couples in which one spouse was a non-Bermudian having to obtain a licence to purchase land in Bermuda and pay the prescribed application fee. Section 82 sets out exceptions to these provisions. They do not currently include such couples.

Mr. Speaker, the depth of feeling expressed on this state of affairs is real. All of us have been approached or lobbied to change this aspect of the law. The practical consequence for these couples has often been to unduly and adversely affect their ability to purchase a home. In some cases, vendors are reluctant to wait for the licence process to run its course to complete the transaction, while in others, complex applications have caused sales to simply not proceed.

Mr. Speaker, again a balance must be struck. I can therefore advise this Honourable House that Cabinet has approved amendments to the relevant legislation to include married couples where one spouse is a Bermudian in the list of those persons not requiring a licence for the purchase of property in Bermuda. (A round of applause.) This is provided the purchase is a first-time family home to be occupied by the purchasers. Subsequent investment homes will be subject to the licence requirement.

Mr. Speaker, these changes in policy recognise the economic realities of this present age. In a society where the most valuable asset is often real estate, a responsible government acts in ways to permit assets to work for those individuals who have invested in them. We believe these changes achieve that goal.

Mr. Speaker, encouraging economic growth in the current climate may require that all stakeholders feel a tightening of their belt straps before we see a market turnaround. To that end, I renew my call for the private sector to play its part in supporting these policy changes. To maximize on their economic impact, real estate agents should consider a temporary reduction in the traditional 5 per cent commission. (No applause.) Local lending institutions should reduce the required down payment to further stimulate the market, particularly for first-time purchasers.

The Speaker: How do you get paid?

Hon. Wayne N. M. Perinchief: (No applause.) The legal profession should reduce their conveyancing fees in such circumstances. (Also, no applause.)

Mr. Speaker, Honourable Members will also recall that the review group was asked to examine the policy related to the purchase of condominium units by permanent residency certificate (PRC) holders and the potential for a reduction in the applicable land-holding charge. Mr. Speaker, this is a unique demographic and an equally unique market share. We continue to gather data and consult on these proposals in advance of effecting any change in policy.

Mr. Speaker, stimulative prospects of these policy changes for the economy span small construction and contractors engaged to upgrade homes, market activity as some Bermudians sell large homes and downsize, fees to the related private sector parties, repayments of loans and mortgages increasing viable capital for further lending, and additional revenue to the Government. The Government is leading by example and stimulating the market. The action will only be fully successful if our private sector parties act with equal conscience.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Perinchief, the Honourable Member from Pembroke Central.

Any further Ministerial Statements?

I am going to take Minister De Silva, the Honourable Member from Southampton East Central, Mr. Z. De Silva.

Minister De Silva, you have the floor.

PATIENT SATISFACTION RESULTS

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, thank you for giving me the opportunity to direct my honourable colleagues' attention to the first ever release of patient satisfaction results by the Bermuda Hospitals Board. The results relate to services at the King Edward VII Memorial Hospital, and the good news is that they reveal an upward trend over the last three years. People have become more satisfied with services, and this can be directly linked to the investments made by the hospital.

Mr. Speaker, this survey is not conducted by the hospital staff. Instead, they have an independent company which is responsible for the survey. Patient names are picked randomly by an automated system within 30 days of the patient being discharged from the hospital, whether they have come for chemotherapy, dialysis, emergency treatment, surgery, or have been discharged from an inpatient unit. Patients (or rather, former patients) are called by telephone and asked a series of questions about their care, from how well they were treated by nurses or doctors, to their experience of food and the environment.

Three hundred people are called every month, Mr. Speaker. That is 3,600 surveys per year. For the three years being reported, that is well over 10,000 patient interviews that inform these results.

Mr. Speaker, there has never been a more exhaustive nor long-running review of patient satisfaction. With this number of patients being continuously surveyed, we can therefore be absolutely confident that these views reflect the views of patients at the King Edward VII Memorial Hospital.

Now, I know there is much debate and voiced concern about our hospitals. They are our only hospitals, and I understand. However, it is in the voices of the discontented that we hear from most often and most loudly. We tend not to hear from those who are satisfied with the services provided.

I will first of all stress that it is important for people with genuine concerns, issues and grievances to raise them with the hospitals so that the appropriate review, investigation and improvements can be conducted. It is also true to note that no health system is perfect. But neither should individual issues cloud the bigger picture. Mr. Speaker, the results from this huge and ongoing patient satisfaction survey tell us more clearly what the majority of people who actually use the services provided by our acute care hospital actually think about them. Are they satisfied? Do they think they are getting better?

At this point, I would like to congratulate the Bermuda Hospitals Board on making this a public reporting process, and I can confirm that they will update the community on the results each year.

I would also like to thank the patients for participating. Every voice counts, Mr. Speaker, and every patient who has spoken up has contributed and helped the hospital improve, especially those who have identified issues that need attention. For the past three years, the Board has been setting patient satisfaction targets for the staff and management, and the Board has held the staff and management accountable for the results.

Now the public will also be able to hold the Bermuda Hospitals Board to account over the results by having them reported each year. Since the survey started, staff members at the Bermuda Hospitals Board have used these results to make improvements on the front line. The senior management team also use the results to identify improvements, prioritise projects and then measure their impact.

For example, over 1,300 Bermuda Hospitals Board staff members have undergone service excellence training, and satisfaction has gone up every time a department has been through the process. The ward upgrades and the new food delivery systems have been major investments for the Bermuda Hospitals Board, and we have seen an average satisfaction with the inpatient ward environment rise from 63 per cent in 2009 to 75 per cent in 2011. The food delivery system was introduced last year, and the average annual satisfaction rose from 61.3 per cent in 2009 to 66 per cent in 2011. A detailed month-by-month analysis showed a jump in satisfaction in September when a new meal delivery system was implemented on the

wards. This led to the December 2011 satisfaction with food reaching 72.9 per cent.

Mr. Speaker, there is more that can be done, but the trend is in the right direction. Additionally, the implementation of hourly rounding by nurses and the introduction of a Fast Track service in Emergency was designed to deal with issues raised by patients about the care and the wait times. These projects have proven to have lasting and positive impacts on patient satisfaction, with inpatient nurses and also emergency wait times. Special mention should go out to our physicians and outpatient areas, who have consistently satisfied patients over the period since we started surveying.

Mr. Speaker, here is the top-line summary for the responses patients gave to questions about how they rate overall services in different areas of the hospital. By "satisfaction," we mean the patients rate the hospital 7 or higher on a scale from 1 to 10, where 10 is the highest level of satisfaction. These are annualised average results.

- The percentage of patients satisfied with their experience in the Emergency Department at the hospital has gone up from 66.4 per cent in 2009 to 84.5 per cent in 2011.
- The percentage of patients satisfied with their stay in an inpatient ward has gone up from 71.2 per cent in 2009 to 84.9 per cent in 2011.
- The percentage of patients satisfied with their experience accessing an outpatient service such as oncology, dialysis, or who attended the diabetes, asthma and cardiac care education sessions, rose from 89.8 per cent in 2009 to 94.5 per cent in 2011.
- The percentage of patients satisfied with the surgical outpatient service is the only one that slipped—but this was only by 1 per cent, Mr. Speaker, and it was from 95 per cent in 2009 compared to 94 per cent in 2011. This says a lot about the quality of this service. It also shows that there have been ongoing success stories in our hospitals, something people may not always realise, Mr. Speaker.

Mr. Speaker, the results I have just reported reflect responses to questions about the overall service. There are also important indicators around specific areas that I would like to touch on.

The Speaker: Yes?

Hon. Zane J. S. De Silva: In Emergency, Mr. Speaker,

- Patient satisfaction with the environment has risen from 69.1 per cent in 2009 to 75.6 per cent in 2011. Given the pressure on the space in the Emergency, it would likely take the move to the new facility in 2014 to improve significantly on this score. But small things,

like TV screens in the waiting areas, 24-hour dedicated housekeeping coverage and renovating bathrooms, have certainly helped.

- Satisfaction with the wait time is a challenge in emergency departments around the world, Mr. Speaker. But the introduction of Fast Track service last year and better communication to update patients on wait times have improved satisfaction from 63.4 per cent to 73.7 per cent over the three-year period.
- Emergency nurses are rated at 84.3 per cent in 2011 compared to 74 per cent in 2009. Emergency doctors have risen to 89.6 per cent compared to 81 per cent in that same time period.

On the inpatient units,

- Satisfaction with nurses rose from 72.7 per cent in 2009 to 81.4 per cent last year.
- And satisfaction with doctors—including hospitalists, who were introduced in 2007, and specialists such as surgeons—rose from 84.9 per cent in 2009 to 93.9 per cent in 2011.

Our surgical outpatient service has been highly rated with patients for many years.

- Satisfaction with the environment rose from 81.1 per cent to 82.5 per cent between 2009 and 2011.
- Satisfaction with the surgery outpatient nurses rose from 86.7 per cent in 2009 to 91.5 per cent, and satisfaction with the surgical outpatient doctors rose from 90.5 per cent, Mr. Speaker, to 95.8 per cent.

Finally, our wonderful outpatient services have maintained similar high levels. These services include dialysis, chemotherapy, as well as diabetes, asthma, and cardiac care education.

- Satisfaction with the different environments in outpatient areas rose from 79.2 per cent in 2009 to 88.4 per cent in 2011 as a direct result of renovations in dialysis and the new space for oncology and diabetes, asthma and cardiac care education.
- Satisfaction with outpatient nurses rose from 76 per cent to 92 per cent over this time period, and satisfaction with outpatient doctors rose from 77.7 per cent to 97.6 per cent.

Mr. Speaker, while the report is about levels of satisfaction, the results can only be improved by addressing the dissatisfaction. The results of these surveys show that the improvements are working. But it is just a measurement. The true work is striving to improve every day, embracing the feedback from patients so that we know what is working and, even more importantly, where work is needed.

The Bermuda Hospitals Board is finding as many ways as possible to find and work with dissatisfied patients and their families directly through the official complaints and feedback process. Answering the survey is just one way of providing feedback, and the Bermuda Hospitals Board is grateful for the patients who raised issues through the telephone survey. The Board would like to make a special mention of those who recently formed a focus group to talk through their issues. These are the ways that voices of dissatisfaction become a positive force. These people are great advocates and drivers for improving hospital services.

But, Mr. Speaker, the Bermuda Hospitals Board has established a number of other ways to capture feedback. The role of the new patient advocate is to give patients more opportunities to raise issues during their stay. A new internal system installed last year, called Quantros, mandates that staff report any patient issues. There is also the formal clinical complaints process.

All hospitals around the world receive complaints; not one is perfect. In total, at King Edward, there were 261 clinical and non-clinical complaints in 2011. If you think that number sounds high, Mr. Speaker, remember that well over 34,000 people go through just the Emergency Department each year. Over 6,000 people go through our inpatient units each year. There are over 7,000 outpatient surgical procedures, 1,500 chemotherapy treatments, and over 100 people in dialysis.

Mr. Speaker, it is not that these results are perfect. They clearly demonstrate areas that need to improve. But I hope my honourable colleagues and the community will support the hospital's journey of improvement. Everything cannot be turned around overnight, Mr. Speaker; it takes time. It takes people who are willing to work with the hospital, not just complain in public forums, where the improvement processes cannot be actioned. But these results demonstrate that the Board and their staff are on the right track. There are areas which are high flyers and areas that we need to improve.

While quality at the hospitals is measured through accreditation, the satisfaction of patients will continue to be another measure that drives improvements. It is a testament to the openness of the Bermuda Hospitals Board that it now makes its accreditation surveys and patient satisfaction survey results public so that the whole community can monitor its progress on both fronts.

I repeat, Mr. Speaker: The Bermuda Hospitals Board will continue to make these results public so that the people in Bermuda can work in partnership with the hospital and measure its progress. Thank you very much.

The Speaker: Thank you, Minister De Silva, the Honourable Member from Southampton East Central.

Any further Ministerial Statements?

I now recognise the Honourable Member, Mrs. P. Minors.
Minister Minors has the floor.

DEPARTMENT OF CONSUMER AFFAIRS 2011 COMPLAINT STATISTICS

Hon. Patrice K. Minors: Thank you, Mr. Speaker. I advise in advance, and seek your concurrence, that I [have] two Ministerial Statements.

Mr. Speaker and Members of this Honourable House, I am pleased to rise today to present the Department of Consumer Affairs 2011 Complaint Statistics.

Under the Consumer Protection Act 1999, Consumer Affairs is the designated body with responsibility for protecting the rights of consumers from unfair business practices, unconscionable acts and unsafe consumer goods. This is a criminal act, and therefore, criminal investigations are carried out by the Consumer Affairs enforcement officers. They also conduct research on consumer matters and educate the public by the production and distribution of information on the rights of consumers and better business practices.

Mr. Speaker, this small, but busy department with a staff of only five consistently uses its good offices to conciliate and settle consumer complaints and grievances. Additionally, the Department of Consumer Affairs provides guidance and advice pursuant to the Sales of Goods Act 1978 and the Supply of Services (Implied Terms) Act 2003. This department also has certain enforcement powers under the Copyright and Designs Act 2004.

In 2011 the Department of Consumer Affairs staff undertook two days of intensive training sessions on the Sale of Goods Act, the Supply of Services Act and the Consumer Protection Act. The training was application based as it applies to complex cases that have multi stakeholders and legislative implications.

Mr. Speaker, I will first highlight the accomplishments of the Department of Consumer Affairs during the past year. From January 1, 2011 to December 31, 2011, the Department of Consumer Affairs recorded 657 complaints, a 27 per cent increase over 2010. Of these cases, 123 were complex cases involving many different stakeholders and can take up to six months or more to resolve. Of these cases, 322 were simple—which were resolved through mediation in roughly seven days or less.

Mr. Speaker, in 2011, the Department of Consumer Affairs successfully resolved 526 complaints, 58 cases had cross-Ministry involvement and there were 311 product recalls, of which 13 were found to be on the Island.

Mr. Speaker, the industries that showed a marked increase in complaints in 2011 were:

- Advertising—there were 12 complaints in 2011 compared to two in 2010;
- Marine—16 complaints in 2011 compared to two in 2010;
- Cosmetology—15 complaints in 2011 compared to four in 2010.

There were also increased complaints with landlord/tenant issues, primarily dealing with leases, medical billing issues and the purchase of second-hand cars. In 2011 there were a total of 211 calls of inquiries where advice was given, but no formal complaint was made.

Mr. Speaker, it is fair to say that the Department of Consumer Affairs cases indicate that there are some areas where consumers continue to make the same mistakes—for example, signing quotes without understanding them, taking too long to deal with a situation when there is a problem, and “helping a brother out” by hiring friends, family or friends of friends without applying proper business acumen.

Additionally, it is evident that businesses would benefit greatly by having a complaint-management system in place in an attempt to resolve consumer issues. Consumer Affairs has been proactive in this area with local businesses, but there are many businesses that continue to avoid confrontations with customers in hopes that the problem will go away on its own.

Mr. Speaker, during the course of their investigations, the Department of Consumer Affairs found that most companies that were found to be in contravention of the Consumer Protection Act 1999 complied with enforcement instructions and amicable resolutions were achieved. However, a few companies neglected to abide by enforcement requirements and subsequently faced compliance orders, desist orders, voluntary compliance orders, and prosecution.

Mr. Speaker, 2011 was also significant for the Department of Consumer Affairs as the much-anticipated amendments to the Consumer Protection Act were passed. This Honourable House will recall that in June 2011, the Consumer Protection Amendment Act 2011 was passed. These amendments were the result of numerous criminal investigations carried out by the Department [of Consumer Affairs] over the past 10 years. An analysis of the investigative data highlighted three main areas of unfair business practices:

1. a lack of clarity surrounding the terms “estimate,” “quote” and “price”;
2. aggressive and abusive business practices that negatively affect consumers; and
3. the requirement for payment in full of goods and services in advance.

Mr. Speaker, these amendments were designed to correct behaviours that serve to adversely

disadvantage consumers. Simultaneously, the amendments will assist vendors to improve the quality of service and to become more effective in managing the related administrative processes.

Mr. Speaker, education is a very important component of consumer protection and empowerment, and as a result of the Department's education initiatives, more consumers and businesses understand their rights and responsibilities and are contacting Consumer Affairs for assistance and/or mediation.

In 2011, the Department of Consumer Affairs continued with its comprehensive consumer education and public awareness campaigns, using online and offline marketing channels. They ran a yearlong radio campaign, as well as appeared monthly on two local radio programmes. They placed ads in the *Bermuda Sun*, continued with its weekly column in the *Bermuda Sun*, had links to their website on popular local websites, and they have a prominent direct link on the Government homepage for people to obtain access to recall information.

Mr. Speaker, continuing with consumer education, during the week of October 24–28, Consumer Affairs held Consumer Awareness Week. The theme was “Your Money—Our Economy,” how your support or lack of support of local businesses affects our economy. During this week, the Consumer Affairs team participated in four radio programmes, produced and aired a half hour pre-recorded television programme and held two presentations for local businesses—the first on laws that govern consumer transactions and the second on the importance of good customer service. Mr. Speaker, I am pleased to report that both of these presentations were well received, and there were packed houses on both occasions.

Consumer Awareness Week also marked the introduction of a new media campaign focused on the importance of supporting local businesses. Radio and television ads ran, and banners carrying this message were erected on poles throughout the City of Hamilton.

Mr. Speaker, in conclusion, I must remind this Honourable House that the Department of Consumer Affairs' dual role as educator in consumer matters to enforcement requires a delicate balance during these tough economic times. Both consumers and businesses alike are facing challenges in this changing economic environment. Unemployment, poor retail sales and business closures are presenting the Department of Consumer Affairs with a new trend of cases that we expect will increase in the coming year.

Mr. Speaker, the Department of Consumer Affairs will continue its education campaigns targeting both consumers and traders. This office will step up enforcement procedures as deemed necessary, and businesses that demonstrate a pattern of unfair business practices can expect a visit from the Consumer

Affairs enforcement officers, and if necessary, they will be prosecuted.

Thank you, Mr. Speaker, and on to my—

The Speaker: Thank you, Minister Minors.

Minister Minors has a further Statement.

Carry on, Minister Minors.

DEPARTMENT OF LABOUR AND TRAINING INITIATIVES

Hon. Patrice K. Minors: Mr. Speaker, I rise this morning to share with the Members of this Honourable House the continued steps that are being made in the Ministry of Economy, Trade and Industry to ensure that we get Bermudians back to work.

Mr. Speaker, in an attempt to maintain the momentum of trying to “recruit Bermuda” and get Bermudians back to work, the Ministry, in partnership with the Construction Association of Bermuda and the Woodworkers Association of Bermuda, are hosting a Construction Job Fair this week—actually, next week, Thursday, 23rd of February—at the Bermuda College between the hours of 10:00 [am] and 3:00 [pm].

Over 20 companies—actually, to date, Mr. Speaker, it is 24—have confirmed their participation in the Fair. These employers play a significant role in this event as they are expected to showcase careers in the construction industry, as well as highlight jobs that they have available as a result of expansion of contracts and/or work permit refusals. They will make a concerted effort to identify, interview and hire unemployed individuals who have had some experience working in this sector. At the end of the event, employers are expected to report back to the National Training Board, advising on the number of individuals hired.

Mr. Speaker, we have on hand data from the Department of Statistics that indicate from 2010 to 2011 there had been a reduction of some 251 non-Bermudian workers in the construction industry. Currently, there are 386 unemployed construction workers recorded in the Labour and Training Department's database as being unemployed. The reduction could be attributed to many factors. Together with the Work Permits Section and the Department of Labour and Training, we are attempting to assess the reasons for this. Without question, some of the decrease relates to work permit refusals that have been aligned with the current moratorium.

Mr. Speaker, over the course of several weeks, I have attended meetings with various stakeholders and have heard from individuals that are finding it increasingly difficult to find work, particularly in areas such as carpentry and masonry. This job fair, however, is expected to offer options to individuals in all categories of the industry. I recently visited the National Sports Centre site and discovered that the contractors will soon be ready to recruit tilers and paint-

ers. In that regard, we have invited the recruitment firm who handles their personnel affairs to participate in the fair to allow individuals the opportunity to make application for the jobs that will become available in the very near future at this site. Mr. Speaker, it is this type of collaborative effort that will help to minimize the level of unemployment we are currently experiencing, at least for a period of time.

Mr. Speaker, there are a couple of things that individuals should do to better their chances of obtaining employment before arriving at the Job Fair. And that is to:

1. prepare a written résumé; and also
2. obtain written references from prior employers.

In respect to the résumé, if one does not possess such a document, they may visit the Department of Labour and Training to have a résumé created at no charge. In addition, Mr. Speaker, individuals can pre-register for this event at the National Training Board. Companies wishing to participate can contact Mr. Charles Dunstan of the Construction Association of Bermuda.

Mr. Speaker, while still on the topic of initiatives being spearheaded by the Department of Labour and Training, you will recall that a few weeks ago, I instituted a work permit moratorium for kitchen porters, and at the time I announced that the Ministry would be looking at incorporating a special training course for those Bermudians who wished to enter this field. Mr. Speaker, working in partnership with the Bermuda Hospitality Institute and the Bermuda College, the Department of Labour and Training developed a programme designed to prepare unemployed individuals to apply for entry-level kitchen porter positions within the hospitality and restaurant industry. In essence, the aim of this programme is to ensure that they would be "job ready" when seeking employment in the industry.

Mr. Speaker, I have read recent media reports that highlighted the concern of those restaurant owners who are seeking skilled individuals in this job category to assume such roles once the permits of their guest worker employees had expired. I also can confirm that I have met with these owners and listened to their concerns first-hand. So, I recognise that they need suitable individuals to fill the vacancies. I also recognise that this is not a task that simply entails washing pots and mopping floors. We now understand that there is more responsibility to this job than was initially perceived. In essence, Mr. Speaker, our goal with the kitchen porter/kitchen assistant training programme is for participants to grasp an understanding of the fundamental knowledge that is required to effectively clean and sanitize surfaces and areas. Topics include, but are not limited to:

- the difference between cleaning and sanitation;
- factors affecting cleaning efficiency;
- sanitizing principles;
- factors that affect chemical sanitizing;
- areas/surfaces of cleaning;
- dishwashing;
- allergies;
- allergies and pollutants;
- health and safety; and
- soft skills training.

Mr. Speaker, the hospitality industry has accepted this curriculum as one that would adequately prepare participants with the acquired knowledge to become an effective kitchen porter/assistant if hired. They also agreed that they would look more favourably to hiring these candidates if, in fact, such a position became available within their industry.

Mr. Speaker, successful participants of this programme would be placed in a special database at the Department of Labour and Training under the heading "Kitchen Porters." The hospitality industry would then be directed to check with the Department of Labour and Training for all possible candidates to fill vacant positions of this category. Mr. Speaker, to date, I am pleased to say that a total of 60 participants will be initially selected to join the programme. Participants will be selected from the Department of Labour and Training's client database, including financial assistance clients and those who have been recently made redundant from the industry, such as the Green Lantern Restaurant. The Department will contact each participant to obtain their approval to attend the initial orientation process. From this number, 40 will be selected by the Department of Labour and Training to attend the sessions.

Each session will include a maximum of 20 participants. Each participant will be required to sign an agreement of participation outlining the expectations and standards necessary for successful completion. They will be expected to attend class on time, abide by classroom etiquette, complete course work, et cetera.

Mr. Speaker, there will be an orientation process for all initial participants to be held at the Department of Labour and Training. And this actually started yesterday, Mr. Speaker. As a note, as part of the orientation process, participants are assigned to do job shadowing at various hotels and restaurants in order to witness first-hand the actual workings and duties of a kitchen porter.

So you see, Mr. Speaker, our intention to ensure that Bermudians are afforded the opportunity to find gainful employment is indeed tangible. And in the same scope, we are also demonstrating our commitment to our industry partners to ensure that they too succeed in this economic climate. After all, Mr. Speaker, hiring Bermudians is in our national best

interest, and in doing so, it can only result in a win-win for all concerned.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Minors, the Honourable Member from Smith's North.

Any further Statements?

I now recognise the Honourable Member, Mr. D. Burgess, Minister Burgess, from Hamilton East. Minister?

30th AIRBUS AIRCRAFT DELIVERY TO S7 AIRLINES

Hon. Derrick V. Burgess, Sr.: Thank you, Mr. Speaker.

Mr. Speaker, I wish to inform this Honourable House of a significant milestone in Bermuda's aviation history and part of the ongoing growth of the Bermuda Register of Aircraft, which is duly overseen by the Department of Civil Aviation.

Mr. Speaker, as you are aware, there are several Russian airlines that operate aircraft registered here in Bermuda under a special bilateral agreement between Bermuda and Russia. S7 Airlines is one of these airlines and they recently acquired their 30th new Airbus aircraft, an A320. The delivery ceremony took place in [Toulouse,] France, on the 7th of February, at which the Permanent Secretary for the Ministry of Transport and the Director of Civil Aviation were in attendance.

Mr. Speaker, the aircraft has been leased from Air Lease Corporation and is the first aircraft for the new leasing company. As for Airbus, it is the 5,001st aircraft delivery of their A320 family model, which also includes the A319 and the A321. S7 has been a pioneer and leader in modernising the Russian aviation industry with its dynamic marketing and product branding. Just last year they became a full member of the oneworld alliance. At present, S7 Airlines has one of the youngest and most advanced fleets in Russia. As part of its continued fleet renewal programme, S7 will take delivery of five more Airbus A320 aircraft this year and plans to acquire 23 more in the next five years.

Mr. Speaker, S7 first entered aircraft on the Bermuda Register in 2005, with five Boeing 737s. The additional five aircraft this year will bring their total to 38 aircraft on the Register, which includes:

- 1 Airbus A310;
- 20 Airbus A319;
- 15 Airbus A320; and
- 2 Boeing 767.

A further celebration will take place in May of this year when S7 celebrates its 20th anniversary. We are extremely proud and honoured to be part of S7's

growth and their contributions to improving commercial air transport in Russia.

Mr. Speaker, we have a growing business which does not rely on Bermuda's taxpayer money for income. All indicators show a continued growing need for Western-built aircraft in Russia, which as you are aware, is the largest portion of our current Aircraft Registry business. Passenger traffic is on the rise in Russia, and the Russian Ministry of Transport is applying greater pressure to the industry to retire aging Russian-built aircraft.

Mr. Speaker, it is imperative that we continue to ensure that the appropriate safety regulatory oversight is being conducted in accordance with the international regulations. By doing this, we are able to maintain this vital revenue stream to Bermuda. The Ministry of Transport will continue to support the Department of Civil Aviation in its need for resources and do so in the most efficient ways possible.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Burgess, the Honourable Member from Hamilton East.

Are there any further Ministerial Statements? We will move on.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

WRITTEN ANSWERS

The Speaker: That brings us to Question Period.

Just before I take the Honourable Member who is on his feet, there are written questions to the Honourable Member, Dame Jennifer Smith. They have been circulated. They were from Dr. Gibbons, I believe.

Dr. the Hon. E. Grant Gibbons: We have not seen them yet.

The Speaker: Have not seen them? All right. Well, we will follow that up, Dr. Gibbons.

Questions? Mr. H. Swan, from St. George's West, to Minister Perinchief.

QUESTION ON VISITING YACHTS AND THEIR CREW

Hon. Hubert (Kim) E. Swan: Yes, thank you, Mr. Speaker.

With reference to the economic benefits of the yachts that come in, can the Minister advise of the average span of yacht of the average 4,000 yacht visitors that come to Bermuda each year?

The Speaker: Minister Perinchief?

Hon. Wayne N. M. Perinchief: The only data we have are that 2010 overall crews and passengers, it is like \$10 million. We do not have any data for 2011 yet. But we expect that to increase—\$10 million for yachts. Revenue, yes, crew and passengers, that was for 2010.

The Speaker: Thank you, Minister.
Is there a supplementary?

Hon. Hubert (Kim) E. Swan: Yes, supplementary.

The Speaker: Mr. Swan has a supplementary.

SUPPLEMENTARY

Hon. Hubert (Kim) E. Swan: I thank the Minister for that. I guess that is 4,000 divided by \$10 million; thank you.

But can the Minister provide a comparative as to how that goes against the spend of cruise passengers? Thank you.

The Speaker: Minister Perinchief?

Hon. Wayne N. M. Perinchief: All right. With cruise passengers, of those cruise passengers who were non-visa-waivered—remember now, this was a visa-waiver situation—we do not have any data yet because there are going to be . . . They will be on manifest, you know, and this is the first year we are running it. So we will only have data after this year. So we do not have any way of measuring that.

But if you are talking about overall cruise passengers, I do not have that data at all.

[Inaudible interjection]

Hon. Wayne N. M. Perinchief: Right. That is for the Minister of Tourism. Thank you.

The Speaker: Thank you, Minister. I thought it was about yachts, but anyhow.

I recognise the Honourable Member, Mr. E. Richards, who has a question.

Mr. Everard T. (Bob) Richards: Yes, I have a question. Thank you, Mr. Speaker. I have a question for Minister Perinchief.

The Speaker: Yes?

QUESTION NO. 1 ON REVISING LAND POLICY

Mr. Everard T. (Bob) Richards: The question is on the matter of the licences for married couples, one of whom is non-Bermudian. Does the Government in-

end to refund the married couples for money that they have paid to the Government during the tenure of this discriminatory law?

[Laughter]

The Speaker: Minister Perinchief has the floor. I could answer that, but anyhow.

Hon. Wayne N. M. Perinchief: The short answer is no.

The Speaker: Second question?

Mr. Everard T. (Bob) Richards: Supplementary, Mr. Speaker.

The Speaker: Supplementary. Yes?

SUPPLEMENTARY

Mr. Everard T. (Bob) Richards: Can the Minister advise the House why not?

The Speaker: Minister, do you care to respond?

Hon. Wayne N. M. Perinchief: The money was obtained lawfully and legally. Now that the law has changed, anything post passing the law will be a different kettle of fish.

The Speaker: Yes, yes. Thank you, Minister.
The Honourable Member, Mr. H. Swan, from St. George's West has a question.

QUESTION NO. 2 ON REVISING LAND POLICY

Hon. Hubert (Kim) E. Swan: Thank you. This question is for the Minister Perinchief on the revising land policy. Is the Government able to quantify the financial impact of this policy since its implementation?

The Speaker: Minister Perinchief?

Hon. Wayne N. M. Perinchief: I will keep it . . . I am going to sort of help the situation. I think you are talking about the allowance of yachts-people to stay for 90 days?

Hon. Hubert (Kim) E. Swan: No, no, no. If I can clarify—

Hon. Wayne N. M. Perinchief: Clarify, yes.

Hon. Hubert (Kim) E. Swan: I am on the revising of the land policy. I think it ties in with the question the Honourable Member just asked about the amount of revenues that the Government has gained from this policy.

How much revenue has the Government received as a consequence of this policy being implemented (I believe it was) in 2007?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: Again, I would try to clarify that. Are you talking about the mixed couples?

Hon. Hubert (Kim) E. Swan: I am talking about the entire policy—can you quantify what the implementation of the policy . . . how much it translated into [inaudible]?

[Inaudible interjections]

[Gavel]

The Speaker: Yes, all right.

Hon. Wayne N. M. Perinchief: Okay. That is an anticipatory question. It is in anticipation. We have not changed the policy yet, so I cannot give you those figures.

The policy has not been changed yet, Honourable Member.

The Speaker: Yes, yes. Is there a second question? Supplementary number two?

SUPPLEMENTARY

Hon. Hubert (Kim) E. Swan: Yes, Mr. Speaker.

To date, is there a number certain of how much revenue the Government has received as a result of implementing this policy? That is the number I am seeking.

The Speaker: Oh, you want to know how much revenue has been taken in, yes.

Hon. Hubert (Kim) E. Swan: How much has the Government gained?

The Speaker: Well, you may have to wait for next week.

Hon. Hubert (Kim) E. Swan: Well, we are prepared to wait. But I think inquiring minds want to know.

The Speaker: Thank you. Thank you, Mr. Swan.

Minister, do you wish to answer that? How much revenue?

Hon. Wayne N. M. Perinchief: I have been informed that it is already documented in the Budget Book, and the Honourable Member may do his own research.

The Speaker: Yes.

Hon. Hubert (Kim) E. Swan: I will do so.
A supplementary.

The Speaker: You have had two supplementaries.

Hon. Hubert (Kim) E. Swan: Well, I have another question on this one, then.

The Speaker: All right. Question two. Yes?

QUESTION NO. 3 ON REVISING LAND POLICY

Hon. Hubert (Kim) E. Swan: Does the Minister conclude that the original policy was draconian?

[Laughter]

The Speaker: Minister?

Hon. Wayne N. M. Perinchief: No. The measure, as I said before, was specifically brought into place to stop “fronting” and that has now been stopped, and to preserve land for Bermudians, to stop “fronting.”

The Speaker: Thank you, Minister Perinchief.

There is a question from the Honourable Member, Mr. D. Butler.

Mr. D. Butler, from Warwick North East, has the floor.

QUESTION NO. 4 ON REVISING LAND POLICY

Hon. Dale D. Butler: Thank you, Mr. Speaker.

My question concerning the land policy is directed to Minister Perinchief, as we heard this morning that that Statement was leaked.

The Speaker: Yes. Put the question.

Hon. Dale D. Butler: Can the Minister, Mr. Speaker, in light of an alleged leak of his Statement, indicate if he is going to resign, cross the floor, or conduct an investigation as to how this happened, and tell us what will be done to prevent this in the future?

The Speaker: Minister Perinchief?

Hon. Wayne N. M. Perinchief: To that Honourable Member, there was no leak. I authorised a small, abbreviated teaser to the press, which was in greater detail than I anticipated.

There was no expectation of anticipating or pre-empting the Speaker or the House. And if there is an apology to be given, I now give it.

The Speaker: Thank you, Minister Perinchief.

I recognise the Honourable and Learned Member, Mr. S. Crockwell, from Pembroke West.

Mr. Crockwell, you have the floor.

QUESTION NO. 5 ON REVISING LAND POLICY

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker.

Mr. Speaker, this question is directed to the Minister, Mr. Perinchief, on the land policy Statement. Would the Minister agree that instead of this being a revision or revising of two major land policies of this Government, that in actuality this is a reversal of two major policies of this Government as it relates to land holdings, and that that reversal is because the two policies were wrong?

The Speaker: Minister Perinchief, do you care to respond?

Hon. Wayne N. M. Perinchief: Now, there is no culpability here. I mean, any prudent government using the principle of good governance changes policies according to the financial situation.

That is what we have done. It is an adjustment to a policy which became dated, and we now find that it had to be amended.

The Speaker: Thank you, Minister Perinchief. Is there a second question?

Mr. Shawn G. Crockwell: There is a second question, Mr. Speaker.

The Speaker: Second question from the Honourable and Learned Member, Mr. Crockwell.

QUESTION NO. 6 ON REVISING LAND POLICY

Mr. Shawn G. Crockwell: Thank you, Mr. Speaker.

On the same Statement and in relation to section 76, 77 and 78 of the Immigration and Protection Act, where a number of Bermudians have to obtain a licence to purchase land.

The question is, Would the Minister agree that that policy actually suppressed the real estate market and hurt the economy?

The Speaker: Minister Perinchief, I know the answer, but I cannot give it.

[Laughter]

Some Hon. Members: Just say yes.

The Speaker: Carry on, Minister.
Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: I must say this, that if you are talking about the policy whereby the ARV for those houses, 250 houses at the upper end of the

spectrum where Bermudians were not allowed to sell to non-Bermudians, as I said before, that particular policy restricted the sale of land within foreign persons to other foreigners. What that did, as I said before, was stop "fronting."

However, we have found now . . . And it was also to protect the overall 2,000 acres of property that was the upper limit of property that should be held by non-Bermudians. We found that that has been breached somewhat; therefore, in order to maintain the same 250 properties so as not to increase the amount of land that is available to non-Bermudians and therefore stricture Bermudians from purchasing property, we had to do a balancing act. In order to allow Bermudians to enter the market, we actually raised the ARV from \$156,000 per annum to \$177,000 per annum, but removed the restriction on Bermudians to sell to non-Bermudians.

Now Bermudians can sell to non-Bermudians. So if a Bermudian has now got a property that has moved up into that \$177,000 ARV band, he can now sell his home to a foreigner. So, therefore, that stimulates the real estate market.

The Speaker: Thank you, Minister Perinchief. Is there a further question?

Mr. Shawn G. Crockwell: A supplementary.

The Speaker: Supplementary. Yes?

SUPPLEMENTARY

Mr. Shawn G. Crockwell: Yes. I am grateful for the explanation from the Minister. However, my question was in relation to the second policy, the policy in relation to obtaining a licence to purchase land pursuant to [sections] 76, 77 and 78 of the Bermuda Immigration and Protection Act, where you have a non-Bermudian married to a Bermudian.

Would you agree that that policy suppressed the real estate market and hurt the economy?

The Speaker: Minister?

Hon. Wayne N. M. Perinchief: What I would say is this: By widening, by now removing the restriction for Bermudian/non-Bermudian spouses, mixed couples—by removing that restriction, we have stimulated the market.

So I will say that, yes, it has stimulated the market because the transaction is more easily transacted now. I will say this, that in our studies we found that lenders were confused as to who was allowed to buy a property, who was not, and that did cause a problem. So it has removed the barrier, and it has satisfied a need to re-stimulate the market.

So, you can interpret that whichever way you wish.

The Speaker: Thank you, Minister Perinchief.
I now recognise the—
Minister, do you have a question?

An Hon. Member: Yes, yes, I do.

The Speaker: Let me take the Honourable Member on this side, and then I will get back.

The Honourable Member, Mrs. Gordon-Pamplin, from Paget West, has a question to Minister Perinchief.

QUESTION NO. 7 ON REVISING LAND POLICY

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, the Minister's Statement respecting that the policy was implemented against a background of prevalent and illegal "fronting"—can the Minister advise this Honourable House how many prosecutions have been brought respecting this prevalent and illegal "fronting"?

The Speaker: How many prosecutions? Minister Perinchief, do you care to respond?
Minister?

Hon. Wayne N. M. Perinchief: I am not aware of any prosecutions. But I am aware of one particular property that actually was forfeited to the Government. It was actually forfeited to the Government; there was no need to prosecute.

The Speaker: Thank you, Minister.

I now recognise the Honourable Member, Mr. D. Burgess. Minister Burgess has a question to the Minister.

QUESTION NO. 8 ON REVISING LAND POLICY

Hon. Derrick V. Burgess, Sr.: Minister Perinchief, is it not a fact that 37 per cent of our 6,000 residential acres are owned by non-Bermudians, and the main objective of this Government was to preserve land for Bermudians?

The Speaker: Thank you, Minister.
Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: That is correct. I believe the figure is around about 2,300-some acres. So, you are quite correct. We actually exceeded the allocation to be sold to foreigners. So, in actual fact, we are really moving close to the mark now and even expanding it any further. We are loath to do that.

The Speaker: Thank you, Minister.
I am going to take the Honourable—

I thought you were finished.

Mrs. Patricia J. Gordon-Pamplin: No, I have a question.

The Speaker: Let me take the Honourable Member, Dr. Gibbons, from Paget East. The Honourable Member, Dr. Gibbons, to Minister Perinchief.

QUESTION NO. 9 ON REVISING LAND POLICY

Dr. the Hon. E. Grant Gibbons: Yes, thank you, Mr. Speaker. Exactly, my question is for Mr. Perinchief on his land policy Statement.

In the Statement, the Minister makes the comment that "local lending institutions should reduce the required down payment to further stimulate the market, particularly for first-time purchasers."

My question, Mr. Speaker, is, Has the Minister discussed this particular recommendation with the Bermuda Monetary Authority [BMA], who regulate the banks?

The Speaker: Minister Perinchief?
Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: The discussions we had with one particular lending institution indicated that the policy of giving 100 per cent mortgages initially had created a situation where—and an overheated real estate market—had created a situation where some mortgages are now considered to be sub-prime. So we, as a Government, have not put any pressure on the lending institutions at all.

I cannot speak for the Monetary Authority. I do not believe that the Monetary Authority—and the Minister of Finance will speak to that—puts any type of pressure on lending institutions in that respect.

The Speaker: Thank you, Minister.
Dr. Gibbons, further question?

Dr. the Hon. E. Grant Gibbons: Yes, it is a supplementary, Mr. Speaker.

The Speaker: Supplementary, yes?

SUPPLEMENTARY

Dr. the Hon. E. Grant Gibbons: So, I take it the Minister is not aware that the BMA has tightened capital requirements in the last couple of years following the Bank of Butterfield problems, and banks have been required to take a more conservative lending position?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: I have been aware of that. I have been aware of that. To avoid the sub-prime situation—I am aware of that.

The Speaker: Thank you, Minister Perinchief.

[Inaudible interjection]

The Speaker: All right. You should have asked it when you were on your feet. I am going to take it, but . . . Yes.

Mrs. Gordon-Pamplin has a further question to the Minister. What is your question?

Mrs. Patricia J. Gordon-Pamplin: My question is for Minister Burgess, not for Minister Perinchief. That is what I am trying to tell you.

The Speaker: Oh, a new Minister. All right.

Mrs. Patricia J. Gordon-Pamplin: Yes, a new Minister.

The Speaker: All right. All right.

The Honourable Member from Paget East, Mrs. Gordon-Pamplin, wishes to put a question to Minister Burgess.

QUESTION ON 30TH AIRBUS AIRCRAFT DELIVERY TO S7 AIRLINES

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, on the topic of the Airbus delivery, I wonder if the Minister could just advise this Honourable House whether the special bilateral agreement between Bermuda and Russia—does that agreement absolve Bermuda from any contingent liability should any of the aircraft befall a tragedy?

The Speaker: The Minister is going to respond.

Hon. Derrick V. Burgess, Sr.: That information, I would have to get back to you on that.

Mrs. Patricia J. Gordon-Pamplin: Thank you. That is fine.

The Speaker: Thank you.

Are there any further questions?

I recognise the Honourable and Learned Member, Mr. S. Crockwell, Pembroke West.

What is your question? And it is to Minister Minors, I believe.

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker. That is correct, Mr. Speaker.

The Speaker: Yes. What is the question?

QUESTION ON DEPARTMENT OF LABOUR AND TRAINING INITIATIVES

Mr. Shawn G. Crockwell: This question is in relation to her Statement, Department of Labour and Training Initiatives. The Minister stated that there was a reduction of some 250 non-Bermudian workers in the construction industry. She mentions on page 2 that that could be, without question, related to the work permit refusals as a result of the current moratorium.

Now, the Minister is spearheading a job fair.

The Speaker: Question?

Mr. Shawn G. Crockwell: The question is, Does the Minister agree that the moratorium is counterintuitive if the Government now is burdened with the obligation to find these individuals jobs?

The Speaker: Minister Minors is going to respond. Minister?

Hon. Patrice K. Minors: The perception of being a burden is one that the Opposition Member so rightly thinks the case to be. But with regard to this Government, we see it as a responsibility to address, sir.

The Speaker: Thank you, Minister. Is there a supplementary?

SUPPLEMENTARIES

Mr. Shawn G. Crockwell: There is a supplementary, Mr. Speaker.

The question to the Minister is, Does the Minister think that it is better to not have taken the jobs of these individuals to now be in the situation where you are now trying to re-employ them?

The Speaker: The Minister is going to respond.

Hon. Patrice K. Minors: Mr. Speaker, what is important is the need to get Bermudians employed within the construction industry. If it is deemed, which we have seen by the number of calls that have been made and the meetings that I have had, that there is a deficiency on seeing Bermudians on the worksites that are held by the non-Bermudian workers, then we will make every attempt to reverse this and have Bermudians afforded the appropriate opportunity. Thank you.

The Speaker: Thank you, Minister Minors. Supplementary or a main question?

Mr. Shawn G. Crockwell: A supplementary, Mr. Speaker.

The Speaker: Supplementary two, yes?

Mr. Shawn G. Crockwell: So, would the Minister then confirm that the 251 reduction has been replaced by 251 Bermudians?

The Speaker: Minister Minors?

Hon. Patrice K. Minors: I cannot confirm that. But what I will say, Mr. Speaker, we are making every effort to ensure that every unemployed Bermudian, whether he be a mason or a carpenter, is indeed employed.

The Speaker: Thank you, Minister.

Any further questions? Any further questions?
That concludes Question Period.

To the Honourable Member, Dr. Gibbons from Paget East, you should have received a copy of the questions.

Dr. the Hon. E. Grant Gibbons: I have it now.

The Speaker: Yes. All right. Thank you.
Question Period is concluded.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: I am going to take the Honourable Member, Mr. W. Perinchief, from Pembroke Central.
Minister Perinchief has the floor.

Hon. Wayne N. M. Perinchief: Mr. Speaker, I wish to have the House pass condolences to the Bermuda Police Service and the family of WPC [Woman Police Constable] Elizabeth "Sandy" Rowe, who passed away earlier this week. WPC Rowe joined the Bermuda Police Service five years ago in February 2007. Her home force is the Jamaica Constabulary—I will associate Honourable Mr. Bob Richards—where she served from 2001 until 2007.

She was actually aged 40, and she was receiving hospital treatment overseas. She was posted to the Community Action Team after working primarily in central parishes. She was involved in the formation of the Friswells Hill Community and Neighbourhood Watch programme last year. We have sent condolences also to her husband, Mr. Earl Campbell, in Jamaica. As a sign of respect to Constable Rowe and in recognition of her sterling service to the local community, the Bermuda Police flag for this entire week is being flown at half mast.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Minister Perinchief.

I am going to take the Honourable Member, Mr. E. Richards, from Devonshire East.

The Honourable Member, Mr. Richards, has the floor.

Mr. Everard T. (Bob) Richards: Thank you, Mr. Speaker.

I would like the House to send condolences to the family of the late former President of the Senate, Senator Alf [Alfred] Oughton. I had the privilege of serving in the Senate many years with Senator Oughton while he was Vice President and then while he was President of the Senate. I can say without a doubt that he conducted himself in an exemplary fashion. He was fair, he was firm, and he was knowledgeable as a president of the Senate. It is a great loss to Bermuda. Senator Oughton also had an exemplary career in business, as a long-serving senior executive of Bermuda Electric Light Company. He will be sorely missed.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Richards.

I am going to . . . That is right. The Minister was standing early. I am going to take the Minister, Minister G. Blakeney, from Devonshire North.
Minister?

Hon. Glenn A. Blakeney: Thank you, Mr. Speaker, and good morning, colleagues.

Mr. Speaker, I wish to be associated with the condolence remarks by the Honourable Bob Richards, just previous to me standing.

I also, Mr. Speaker, wish to congratulate, on a lighter note, several of our young athletes for their very fine performances in recent competitions. Allison Outerbridge won the Women's Triple Jump Gold Division with the top leap of 11.75 metres. This was Allison's first career win as a student of the University of Tennessee. Arantxa King competed at the [Don] Kirby Invitational in New Mexico and won the Women's Long Jump with a leap of 6.17 metres, beating out a strong 22-women field. Taylor-Ashley Bean helped her university team, Virginia State University women's track and field team, win the CIAA Indoor Track and Field Championships recently. Ms. Bean won the mile in a time of 5:21:50. She also won the 3,000 metres. She then finished third in the 800 metres.

Members of the Pacers Track Club participated in the United Age Group Track Coaches Association developmental meet in Philadelphia. Juma Mouchette placed first in the High School Boys 1,500 metres in a time of 4:24:48. Jahmari Sutton placed second and won the High School Boys High Jump with a personal-best leap of 1.8 metres. Rachel Fox placed second in the High School Girls Long Jump, with a leap of 4.77 metres. Kyle Webb won the High School Boys 200 metres, and Syriah Lottimore won the 11-to-12 Girls Age Group Long Jump in a leap of 4.38 metres.

Mr. Speaker, respectfully, I believe that these athletes are extremely worthy of our congratulations for their outstanding accomplishments recently in the various meets cited. Thank you very much.

The Speaker: Thank you, Minister, the Honourable Member, Mr. G. A. Blakeney, from Devonshire North.

I am going to take the Honourable Member, Mrs. Gordon-Pamplin, from Paget West.

Mrs. Gordon-Pamplin has the floor.

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, I would like to be associated with the condolence remarks for the family of the late Alf Oughton. I think many of us in our political careers have had the privilege of serving under or alongside of the former President of the Senate, Mr. Oughton. One of the things that I remember very clearly was, on a personal note, having made what was deemed subsequently to be a controversial statement during my period in the Senate, that the then-President looked at me over the top of his glasses and, without having uttered one word, I knew that I had been duly admonished for the comment that I had made.

Mr. Speaker, I can tell you that my growth politically can be attributed to the quiet gentleman under whose guidance I had the privilege of serving for ever-so-brief a period of time. I would like to be associated with those remarks of condolences.

While I am on my feet, I would also like to send condolences to the family of Mrs. Wilhelmina Fields. Mrs. Fields was the mother of Pam, Pat, and twins Mark and Michael—Michael who predeceased her. But I knew Mrs. Fields as I was a student at Central School. She would always remind me how friendly she was with my mother when they were students at Central School. I did have the opportunity to stop in and visit with her last weekend. And to see somebody who was so bright and talkative and spirited and everything else, I have to tell you that I was absolutely stunned to have read the paper two days later to hear that Mrs. Fields had passed. She is being funeralised today, and I would ask that this House send condolences to her family.

Finally, Mr. Speaker, to the family of Thelma Bean. Randy, her son, is one whom I met and played with several times on the tennis court. Again, we had the opportunity to converse last week while his mom was in the hospital. She has gone on to her eternal reward, and I would ask that this Honourable House send condolences to the family of the late Thelma Bean. Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Gordon-Pamplin.

I am going to take the Honourable Member, Dame Jennifer Smith, from St. George's North, Minister of Education.

Dame Jennifer has the floor.

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

Mr. Speaker, I rise today to give congratulations to a number of achieving students. Let me begin with the team from CedarBridge that won the Butterfield Student Challenge.

Mr. Speaker, you will see their gleaming faces on page 3 of today's *RG* in an ad from the bank. I was particularly excited by their win and also the fact that Berkeley Institute placed second, Mr. Speaker, because indeed when we expect the best from our students, we get the best. The challenge to them was to solve complex business problems and present their solutions to a live audience and a panel of judges. It is not a mean feat, Mr. Speaker, and it requires great discipline and also a lot of work. So, my congratulations to actually those two schools as well as the other schools who participated. Saltus Grammar School placed third, and the other schools were Bermuda Institute, Bermuda High School and Warwick Academy. Congratulations to all of those involved.

Mr. Speaker, I also ask that congratulations be sent to Somerset Primary School, who held a Math Jeopardy [Competition]. It was exciting to see that the majority of students taking part in the Math Jeopardy, which ranged at every level—it was from P1 right up to P6—were the boys answering complex math questions, doing math in their head and participating in a fun exercise that also showed that they have learned their work.

Mr. Speaker, I also want to congratulate the Bermuda School Sports Foundation and those young athletes who participated in the recent All-Star Football East Meets West matches. I am very pleased that the East did have a fairly good showing. Normally, we are beaten up entirely by the West, but we won a few times, Mr. Speaker. So, all of the participants, which again range from primary school boys and girls all the way up to the senior school—all of the participants I want to congratulate.

Mr. Speaker, finally, the Bermuda College, had the induction of the Honorary Fellows, including our own colleague MP Dale Butler.

The Speaker: That was done last week.

Hon. Dame Jennifer Smith: Then I associate myself.

The Speaker: You wish to be associated with it. Yes?

Hon. Dame Jennifer Smith: Mr. Speaker, finally, I wish to congratulate Colwyn Burchall, who has produced a book called *Dame Lois: the People's Advocate*. Mr. Speaker, it is a book that is aimed at young people. In fact, it has questions afterwards and a workbook, and it really is something I want to encourage parents to get for their young people so that they will know about one of Bermuda's national heroes.

Mr. Speaker, the Reading Association, in conclusion, recently held their annual conference. This year it was entitled "Building Literate Futures." They once again inspired the teachers who attended with enthusiasm. I want to congratulate all of those who were involved in bringing that conference to its successful conclusion. Thank you.

The Speaker: Thank you, Dame Jennifer.

I am going to take the Honourable Member, Mrs. L. Jackson.

The Honourable Member, Mrs. L. Jackson has the floor, from Pembroke South West.

Mrs. Louise A. Jackson: Thank you, Mr. Speaker.

Yes, I rise to be associated with the condolences sent for the family of past President of the Senate, Alf Oughton. This was a gentleman that I had contact with many, many years ago when he gave my youngest daughter her first job out of college at BELCO. She was given a job to do public relations, and he gave her free licence so she was able to create so many things, the Kite Man for BELCO and other things that really gave people an idea of how the Electric Light Company was trying to support people.

Beyond that, of course, I then had very close association with him when he was Vice President of the Senate at the time that my husband, Albert Jackson, was President of the Senate. I have to say, as the previous speaker said, Honourable Member Bob Richards, that he was just what Bob said he was. He was kind, he was fair, and the decorum, of course, of the Senate was at its perhaps best (as it was with my husband, of course).

I have to say that during those years when he was there, there were many significant things that he did. I guess the most significant would be his health review, the Oughton Report, that he did, which is used now by people in the health profession. This was a significant change to how we viewed health in this country. His name will always be remembered for the health report that he did. The Oughton Report is referred to more often than any other name that it was given.

This was also a man who had a wonderful married life. There are not many people who can say they have been married over 50 years. He was married and dearly loved by his wife, of course, who passed before him. So, many, many bouquets thrown out to Alf Oughton on so many different levels. We will all sorely miss him.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Mrs. Jackson.

I am going to take the Honourable Member, Mr. M. Weeks.

Minister Weeks, Pembroke East Central, has the floor.

Minister Weeks?

Hon. Michael Weeks: Thank you, Mr. Speaker.

First, I would like to be associated with the condolences to Ms. Sandy Rowe. She worked with me closely in my constituency in putting together a Neighbourhood Watch team. So, thanks for that, Mr. Speaker.

Also, Mr. Speaker, I would like to acknowledge the team at the Tynes Bay Waste-to-Energy [WTE] Facility within the Ministry of Public Works. In a recent edition of the daily newspaper, Mr. Nickolas Themelis, the Director of the Earth Engineering Center of Columbia University, said he had visited islands in the Caribbean and the Atlantic and found, by far, that Bermuda was easily the cleanest of all the islands. The radio talk show Mr. Themelis was on was part of a series called "How to Save the World," in which experts discussed how garbage can be used as a renewable green energy source. During this talk show, Mr. Themelis said Bermuda has a better record than elsewhere in the region thanks to its waste energy plant.

So on that note, Mr. Speaker, I would like to acknowledge Mr. Kirk Outerbridge, the Manager of the Tynes Bay Waste-to-Energy Treatment Facility, and his team, for continually doing an outstanding job of ensuring the 60,000-plus tons of waste are processed each year.

Also, Mr. Speaker, recently the Parks Department had four members from their team attend a Park and Recreation Maintenance Management School programme put on by the National Recreation and Park Association in North Carolina State University and the Oglebay National Training Center in Wheeling, West Virginia. I am pleased, Mr. Speaker, to announce that the Director of the Department of Parks, Ms. Lisa Dawn Johnston, along with the Senior Superintendent, Mr. Stephen Furbert, successfully completed the requirements for graduation. Not only did they pass the course, but Ms. Johnston achieved the highest score on the exam—a 99 per cent—and the highest cumulative score for the first and second years of the programme, which resulted in her winning two scholarships. The other Parks Department team members, Cary Martin and Ricardo Williams, completed their first year of training and will be returning next year to complete the certification course.

So, Mr. Speaker, I just wanted to take time out to congratulate those persons working within my Ministry. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Weeks, the Honourable Member from Pembroke East Central.

I am going to take the Honourable Member, Mr. C. Cannonier, from Devonshire South Central, Leader of the Opposition.

Mr. Cannonier has the floor.

Mr. L. Craig Cannonier: Thank you, Mr. Speaker; thank you once again.

I would like to extend condolences to the Lamb family of St. David's. Once again, within a week, we have been struck with the death of another St. David's Island member. Mrs. Lamb, I grew up with her from young—not grew up with her, but she was another mother figure in my life—and enjoyed the many times that she cooked and baked as I was a Pathfinder coming along down in St. David's and in St. George's.

I want to ensure that we remember these kinds of figures. These were women who took the place many times when other mothers and fathers might not have been around for any number of reasons, and mentored and ensured that someone like myself many times, who . . . My mother had gotten sick, I remember, and had to be hospitalised. I had to go over and stay with Mrs. Lamb. And I am very grateful for the opportunities that she presented me to be in her life. So, we want to extend our condolences also to Derek Lamb over there, as a family member. Again, thank you very much, Mr. Speaker.

The Speaker: Thank you, Mr. Cannonier, Leader of the Opposition, from Devonshire South Central.

I am going to take the Honourable Member, Mr. W. Roban, from Pembroke East.

Mr. Roban, you have the floor, sir.

Mr. Walter H. Roban: Thank you very much, Mr. Speaker.

I would like to be associated with the congratulatory remarks given to Mr. Colwyn Burchall and his recent production on the book on Dame Lois. I believe it is the fourth in a series that he has created. As the Honourable Education Minister has outlined, they are specifically catering to our children and their learning experience about important figures related to Bermuda history and ways that we can ensure that they understand more about their culture and their history and who we are as a people. So I congratulate him and those who have worked with him to create these volumes.

I would also, with great pleasure, associate myself with the congratulatory remarks given to CedarBridge. Having been a graduate of Robert Crawford [School]—and I am sure there are those who are graduates, like the Honourable Derrick Burgess, who went to whatever was called Churchill and Crawford Cunningham's on the hill, that school is the descendant of that school that was once Prospect Girls School and was once Robert Crawford. So, those of us who were there take pride in whatever happens there. I am a graduate of that school, and I am proud to say so.

I am most proud that CedarBridge has not just achieved this particular achievement, but they have a string of achievements of this level. I hope, Mr.

Speaker, this begins to limit and remove the question concerning education in crisis—because the Berkeley was the second school mentioned, also should be congratulated—so that the utterances about education in crisis begin to disappear. Because if our public schools are performing at the top of competition at this level, it is clear that things are moving in the right direction, and the crisis should be less on the tongues of those who continue to utter it.

So, congratulations to those students and those who have worked with them on these high achievements.

I would like to now, sir, Mr. Speaker, be associated with the condolences to Mr. Alf Oughton, the former President of the Senate, former leading executive at BELCO. I did serve under his presidency in the Senate for three years. I found him to be an extremely supportive and able president and arbiter of the activities of the Senate at the time. I learned a lot from Mr. Oughton. He was always very encouraging to myself in particular, and for me to continue my work as involved with the political realm, and always gave me good advice—on a rare occasion a stern look or admonishment, but that did not happen that much.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Mr. Roban, the Honourable Member from Pembroke East.

I am going to take the Honourable Member, Mr. D. Hunt, from St. George's South.

The Honourable Member, Mr. D. Hunt, has the floor.

Mr. Donte O. Hunt: Thank you, Mr. Speaker.

Mr. Speaker, I rise to give congratulatory remarks, first and foremost to Building Blocks Academy. They had their grand opening last week, Friday. It is a phenomenal institution. It is a performing arts pre-school that deals with young people from the ages of (I think) 18 months to five years old. If you would have gone there, you would have been astounded, like many of us in this House were. You would have seen awesome performing arts, specific rooms, like music rooms and instrument rooms, and you name it, computer centres. Anyway, I would like to send congratulations to Mr. McCartney Darrell and his wife, who built this beautiful school. I would like to associate my honourable colleagues, Mr. Crockwell, as well as, Mr. Cannonier.

I would also like to provide congratulatory remarks to Tokio Millennium Re. They were in partnership with Bicycle Works, and they hosted the Tokio Millennium Youth Mountain Bike series. This happens quite often. What they do is . . . a lot of young people—hundreds of young people—get involved. They have something to do, and they show their work out on their mountain bikes.

I would like to also provide congratulations to Tyler Butterfield. Tyler, his latest win in 2012 was at

the PATCO Championships Triathlon. What was so profound about his particular performance, Mr. Speaker, is that he overcame a 46-second deficit coming out of the water. He was behind. He had a Canadian guy who was super fast when he runs, and still he was able to hold him off and take the championship.

Also, I would like to provide congratulations to Nahki Wells. He is currently playing for Bradford City; we all know. He is doing very well. He in fact caught his first goal the other day against Watford.

On that note, (let me see if I have anything else) I will take my seat. Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Hunt.

I am going to take the Honourable Member, Ms. D. Butterfield.

Ms. D. Butterfield, Pembroke West Central, has the floor.

Hon. D. Neletha I. Butterfield: Thank you, Mr. Speaker.

It would be remiss of me not to associate myself with the remarks by the Honourable Bob Richards in reference to the late Honourable Alf Oughton, having been appointed to the Senate in 1993 when he first came, and he sat right to the left of me. So I do have some very fond memories. Again, I remember when the press called and they said, *Well, you were one of them that was in the Senate when he was President*, I had to remind the press that, *No, he was the Vice President when we sat there, along with two other Opposition Senators*. And that is the Honourable Terry Lister and the Honourable Milton Scott.

At that time, they labelled us the "Dream Team" because we were able at one point to get a few of the Independents to come over and send a document back to this Honourable House. So he will be surely missed. One other thing that was not mentioned was his work on the CPA [Commonwealth Parliament Association] here in Bermuda, the outstanding job he did, and gave a number of us Senators and Members of Parliament the opportunity to especially travel to the Caribbean, where lots of things were done, and our Members contributed very well as we travelled there. So I would like to be associated with those remarks.

I also would like to be associated with the remarks given by Dame Jennifer Smith in reference to Colwyn Burchall. I can recall when I was the former Minister of Culture having to sign on for some of the books that he got in terms of the Cultural Legacy Fund. One of those books was of Marcus Garvey, which I misplaced, but a good friend of mine, another Honourable Member in the Senate, Colonel Burch, was able to talk with him and find me that book, simply because my great-nephew, who attends Bermuda Institute, had to do a book report on Marcus Garvey. And what a wonderful book! I gave it to him last night,

and he said, *Oh, thank you! Because this one is going to be easier for me to read*. So I want to congratulate him and trust that a lot of our young people would take up those books and read them and really put them to use, because I have even read them because I thought I could read it within a couple of hours. So I was very pleased with that.

So, let us support this young man as he goes through and gives us our history and our culture on information of people that we have come to love and admire. Thank you, Mr. Speaker.

The Speaker: Thank you, Ms. Butterfield, the Honourable Member from Pembroke West Central.

I now recognise the Honourable Member, Ms. P. Minors.

Minister Minors, from Smith's North, has the floor.

Minister?

Hon. Patrice K. Minors: Thank you, Mr. Speaker.

I would like to share in the condolences being extended to the family of the recently passed Mr. Alf Oughton. I had the pleasure of serving under his presidency from 1998 to 2003 and found him to be a man of great calm, but came across in a firm manner.

I would also like to be associated with the congratulations being extended to the success of the book launch by Mr. Colwyn Burchall on our national hero, that being Dame Lois Browne-Evans, having had the opportunity to attend one of what I understand is one of the many book launches that had occurred, and this one took place last week Saturday at the National Library.

Also I would like to be associated with the congratulations being extended to the CedarBridge Academy in their success in the recent competition.

But, Mr. Speaker, I rise more importantly to extend congratulations to the combined efforts of the Somerset Economic Empowerment Zone and the Sandys Parish Council, who last night successfully launched an inaugural event called "Somerset Community Speaks!" out at [Sandys] 360 [Gym] premises. It was attended by hundreds of people and presented some three panel discussions whereby it brought together the key stakeholders within the Somerset community, ranging from Somerset (see, I do not know Somerset that well, right?) from Watford Bridge backward, down to—

[Inaudible interjections and laughter]

Hon. Patrice K. Minors: —east, down to—What is it?

[Inaudible interjection]

Hon. Patrice K. Minors: Spring Benny! There you go.

So, it was an excellent event, lots of input that was given, lots of innovative ideas. The whole aim,

Mr. Speaker, is to rejuvenate the Somerset area with regards to businesses being established. It has had success in that in the past. I think this event will really send a signal out there that there is more to come, not just within the Somerset area, but I can see it being replicated in the St. George's, as we do also have another satellite office for the St. George's area that is operated by Mr. Corey Butterfield, who, I am sure, will take up the mantle to ensure that we have the same accomplishment of success shown last night in the East. Thank you.

The Speaker: Thank you, Minister Minors, the Honourable Member from Smith's North.

I am going to take the Honourable Member, Mr. H. Swan, from St. George's West.

Mr. Swan, you have the floor.

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

Mr. Speaker, I would like to be associated with the condolences that were extended to the Lamb family by the Opposition Leader, Mr. Cannonier. I would also like to be associated with the condolences expressed to the family of Mr. Alf Oughton, the former President of the Senate.

Mr. Speaker, you would know, I served in another place for some nine years, all nine under the presidency of Mr. Alf Oughton. I think it is worth noting that Mr. Alf Oughton and the Vice President, but also especially Mr. Alf Oughton, presided over the Senate in both the United Bermuda Party's governance towards the end of the tenure in the 1990s, and made the transition to the Progressive Labour Party's period of governance. You would think that sometimes when that happens, there would be changes in the independent Senators, but I believe that the fact that Mr. Oughton stayed on for a considerable period speaks a testament to him for the balance, for the fairness that he displayed, notwithstanding during that period we turned back a series of legislation when it was deemed necessary, but only when it was deemed necessary. He was a very fair, fair man.

I got to know him very well, considered him a friend, came to admire him, the greatest part of which was the fact that he was a family man. For 60 years he was married to his darling wife, and he talked and told the story of how they met during the war—a love story. Then he returned from the war to marry his sweetheart.

His years at BELCO, along with the former Deputy Premier and Finance Minister, the late Mr. [C. Eugene] Cox, he often spoke of. I think that is the type of balance that he was able to bring to the Senate during the period of a new era of governance, was because he could appreciate and respect the policies of a new Government and the pains of the old Government. I think that is the type of maturity that Bermuda

needs in greater abundance in this country, as we still have a long way to go.

Senator Oughton embraced that fairness. He embraced that compassion as he spoke on social issues and he championed health care reform in this country. I will miss him. He often would ask me how my stepdaughter was doing after she underwent serious surgery to go on to become a doctor in the United States. He never forgot her, and that is the type of man he was. But he was not a politician; he was a legislator, who knew how to control his Senate, presided over the likes of myself and the Colonel on opposite sides.

I will end right there, Mr. Speaker.

The Speaker: I am going to take the Honourable Member, Mr. Z. De Silva, from Southampton East Central.

Minister De Silva has the floor.
Minister?

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I would like this Honourable House to send condolences to the family of the late Mr. Harold Sims, who passed away recently. Mr. Sims was from Pembroke, also the father of (and I declare my interest) my wife's aunt, Margaret Brewster. So he has unfortunately left us to go to another place.

Mr. Speaker, I also would like to give condolences to Mr. David Souza, who was a long-time tractor-trailer driver for the MarketPlace. Give condolences to his family on his passing this week, as well.

Mr. Speaker, I would like to be associated with the condolences for the late Mr. Alf Oughton, who was a constituent of mine. Mr. Speaker, you may recall that when his wife passed, I told the story after talking to Mr. Oughton about how he met his wife. If it had not been for a bombing in the UK, Mr. Speaker, he would not have been married to that lovely lady for as long as he was. We were reminded by my Valentine's date, the Honourable Member, Mrs. Jackson, of how cherished that marriage was, Mr. Speaker. So I certainly would like to associate my condolences for Mr. Oughton. Thank you very much.

The Speaker: Thank you, Minister De Silva, the Honourable Member from Southampton East Central.

I now recognise the Honourable Member, Mr. N. Simons, from Smith's South.

Mr. Simons, you have the floor.

Mr. Nelson H. Cole Simons: Thank you, Mr. Speaker.

Mr. Speaker, firstly I would like to extend congratulatory remarks to Warwick Academy. Warwick is celebrating its 350th anniversary this year, and they held a Jazz Gala Evening on February 4th. Basically, it was a first-class evening. They showcased their junior jazz band, Mr. Speaker. The Warwick Academy Jazz

Band was second to none. They had as a guest artist, Mr. Vincent Gardner, and he was from the Lincoln Center in New York. That band, you would have thought you were in the Village, Mr. Speaker.

What was also amazing, Mr. Speaker, was that the band itself consists of ladies and gentlemen. In fact, the drummer was female, the trumpeter was female, the saxophone player was female, the trombone player was female. We are not used to seeing ladies in these bands, Mr. Speaker. So I thought it was a lovely evening.

[Inaudible interjections]

[Gavel]

Mr. Nelson H. Cole Simons: So I would like to send special congratulatory remarks to the Warwick Academy Jazz Band.

Mr. Speaker, I would like to also send congratulatory remarks to Greenrock. They have recently instituted the Healthy Harvest programme. The Healthy Harvest programme is basically an initiative to promote community gardens and community orchards. The first garden is at the Sunshine League, and the trustees of Sunshine League have given part of the land for this initiative. Mr. Speaker, they are hoping to implement these types of community gardens throughout Bermuda with the hope that Bermudians will get their fingers back into the soil. I think that is a good initiative if we are to sustain ourselves and if we are really, truly serious about sustaining a green economy. Plenty of volunteers are involved.

Again, I think Greenrock needs to be recognised. I am hoping that other people will provide land so that community gardens may sprout up throughout Bermuda.

Mr. Speaker, I would like to also associate myself with the comments made in regard to Alf Oughton.

I would like to send condolences to the family of David Morris Cleveland Fox. Mr. Fox is from Smith's Parish. He worked in Harrington Hundreds farm grocery, the shopping centre, and in recent years he was the salesman at British American Insurance Company. He was a family man. He loved animals. He loved boating. In fact, he refurbished a number of old Bermuda boats. So again, I would like to send condolences out to the family and wish them all the very best in the future. Thank you.

The Speaker: Thank you, Mr. Simons, the Honourable Member from Smith's South.

I now recognise the Honourable and Learned Member, Minister M. Scott, from Sandys North.

The Honourable and Learned Member has the floor.

Hon. Michael J. Scott: Mr. Speaker, certainly I, too, wish to be associated with the condolences offered to a former President, Alfred Oughton. How extraordinary, Mr. Speaker, a career and distinguished career of public service and community service Senator Oughton, President Oughton, achieved in our community. I certainly concur with the acknowledgement in the House and by Members of the House of his contribution to the debate on health care, his distinguished service at BELCO, and his distinguished leadership as President of the Senate when he was the President there and Vice President.

Mr. Speaker, I would also like to be associated with the former remarks of congratulations by Dame Jennifer, the Minister of Education. Congratulations to the headmaster and teachers of the Somerset Primary School, who both designed and then watched young boys and girls from P1 to P6 engage in the math competition. I was there. The rigour of the questions was extremely high, and it was rewarding to see young people in this important area of science and math use their skills to work through the problems. So, I am happy to have been present to watch this and to be associated with Dame Jennifer, the Minister of Education. Congratulations to the principal and staff who made this happen.

Thank you, sir.

The Speaker: Thank you, Minister Scott, the Honourable and Learned Member from Sandys North.

I now recognise the Honourable Member, Dr. Gibbons, from Paget East.

Dr. Gibbons, you have the floor, sir.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask to be associated with the condolences as well to the family of the late Alfred Oughton. As the former speaker, previous speaker, just mentioned, he had certainly a distinguished record of public service. I had the pleasure of working with Mr. Oughton in the preparation of his health care report, subsequently known as the Oughton Report, in the mid-1990s. Also, while I was Opposition Leader, I had a number of opportunities to work with him in that capacity. I think certainly he leaves an important legacy for Bermuda.

Mr. Speaker, I would like also to be associated with the condolences to the family of Dulcie Lamb, a lovely lady and certainly [I am] very friendly with one of her sons, Gary. But I would also ask that the condolences be sent to Michael and Dale as well, and the rest of the family.

I would like to be associated with congratulations to Warwick Academy. I think my honourable colleague, Mr. Cole Simons, mentioned that it was the 350th anniversary. I am not sure that that had been done up to this point, but would like to be associated.

The Speaker: It probably was, but I cannot remember.

Dr. the Hon. E. Grant Gibbons: Yes. I am not sure.

The Speaker: You wish to be associated with it.

Dr. the Hon. E. Grant Gibbons: I think Mr. Simons was also referring to the 350th anniversary, but I would like to be associated with that as well.

Finally, to be associated with the congratulations to the CedarBridge team on their first place in the competition, which was referred to earlier.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

Any further speakers?

No further speakers.

I certainly wish to add my tribute to all of the wonderful tributes made in behalf of the former President of the Senate, the Honourable Mr. A. T. Oughton. And I guess in the words of that Latin expression, *He came, he saw, he conquered*. (The Latin escapes me at the moment.) That is what we can say about him. He distinguished himself right here in Bermuda. What I liked so much about Mr. Oughton, he was ever so congenial. I think in all the tributes that have been made, this aspect of his life has been signified.

I can remember a few years ago when we were hosting a very special event, I had the duty of assigning somebody to the head table, and they were sitting right next to Mr. Oughton. Of course, they were terrified, thinking, *Here I am going to be sitting at the head table and with all of these luminaries and not knowing what to say*. After that event, they came and said to me, *I never felt so comfortable, sitting next to Mr. Alfred Oughton! He was such a delightful person, so humble*. I think most people can say that about him.

Another event that I thoroughly enjoyed so much was when we were unveiling his portrait in the same Senate Chamber. All of his family were there, and they were ever so delighted in seeing the portrait being unveiled and what their family member had achieved, a person who came from outside of Bermuda, who made himself so firmly liked in Bermuda. I am sure that he will be missed. His life was lived in such a way that we can say that he helped somebody along the way. And we certainly want to express our condolences to the family on his passing.

The Honourable and Learned Member from Sandys North has just provided me with the Latin expression, the words are "*Veni, vidi, vici*," "I came, I saw, I conquered."

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

NOTICE OF MOTIONS FOR THE ADJOURNMENT OF THE HOUSE ON MATTERS OF URGENT PUBLIC IMPORTANCE

The Speaker: There are none.

INTRODUCTION OF BILLS

The Speaker: There are none.

NOTICES OF MOTIONS

The Speaker: There are none—not yet.

[Laughter and inaudible interjection]

ORDERS OF THE DAY

The Speaker: The first Order is being carried over. The Order in the name of the Honourable Member, Mr. E. T. Richards, is being carried over.

That brings us to Order No. 2, the Motion in the name of the Honourable Member, Ms. L. Foggo, from St. David's. I will leave it to you. The Motion is that this Honourable House take note of the Report of the Parliamentary Joint Select Committee on Education.

The Honourable Member, Ms. Foggo, has the floor.

TAKE NOTE MOTION

PARLIAMENTARY JOINT SELECT COMMITTEE ON EDUCATION

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

Mr. Speaker, let me first declare my pleasure in standing here today to speak on a topic that impacts all members of society and all sectors of society. That topic, indeed, is education.

Before I continue, Mr. Speaker, it would be remiss of me not to remind this House of the reasons which led to this Motion being laid. Mr. Speaker, the Minister of the day, the Honourable Randolph Horton, in response to the outpouring of queries and concerns from the public domain regarding the report submitted by Dr. Hopkins on education, felt that it was important that this House construct a Joint Select Committee to review and report on the Hopkins recommendations in relationship to ongoing education and, indeed, education going forward here in the Islands of Bermuda.

Mr. Speaker, let me further point out that because the then-Minister deemed it so important that the public be included in this process, he especially requested that the committee conduct its review publicly. I want to thank you, Mr. Speaker, for granting this request.

In my opinion, this move was epic on the Government's behalf and was a giant step forward for transparency and democracy, and, indeed, was precedent setting, allowing direct public participation through oral, written and electronic means. It allowed direct access to both the written press and TV press. Mr. Speaker, I do not think any of us here in the House can underscore enough the significance of this event; and that is having public, open committees.

Mr. Speaker, the committee members were the Honourable Neletha Butterfield, who was appointed as Chairperson; myself, Ms. Lovitta Foggo; the Honourable Dr. Grant Gibbons; the Honourable Michael Scott; Mr. Jon Brunson; the Senator Walton Brown; and the Senator Charles Swan.

At this point, Mr. Speaker, let me just point out (with your indulgence) the exemplary performance and contribution of the Honourable Neletha Butterfield in her leadership role on this committee. She, like the Honourable Randolph Horton, is deserving of a hearty *Thank you*.

Mr. Speaker, many may be questioning the lengthy timeframe between the installation of this committee, its findings, and the final delivery of the report—and indeed now, today, the debate on this Motion. Mr. Speaker, as you well know this Joint Select Committee was confronted with several challenges which primarily obstructed the timely submission of this report. Let me just point out a few, please.

Our Chairman, the Honourable Neletha Butterfield, and the Honourable Michael Scott were called to serve in Cabinet. The former member, Mr. Brunson, resigned his seat. The former Senator Brown departed from the Senate. Most of these changes occurred at a crucial stage in our review, all of them happening at a point when the compilation of all submissions and the drafting of the final report were necessary. But, thankfully, after considerable time, the report was finalised and presented to the House as a summarisation of all submissions and actions undertaken by the committee in this investigation.

Mr. Speaker, one more thank you is indeed required, and that is to the public, particularly to all those who availed themselves in this undertaking. Their suggestions, concerns and observations were very much appreciated, and their participation was demonstrative of their desire to see our education system soar from one height to the next. I want to say, *Thank you*, to them.

Mr. Speaker, it is of the utmost importance that in highlighting the passage of time regarding this Motion, which is being brought to the floor for debate

today, that it be made very clear before I speak expressly to the objective that the committee was tasked with, which I will just point out at this time. The objective was to consider and review the recommendations as stated in the report, "Review of Public Education in Bermuda" by Dr. David Hopkins on public schools and how these recommendations were being implemented.

Mr. Speaker, before I state each recommendation that was advised for implementation, let me just say that many of such recommendations have been implemented in our public school system at present, and they are in operation at various phases and levels. This fact has been mouthed on more than one occasion in this House by our current Minister of Education, the Honourable Dame Jennifer Smith, and even from other Members who have witnessed progress in this direction.

Mr. Speaker, in spite of this success, because educating our young ones is of such high importance, the committee thought it likewise important to bring this Motion to the floor for debate so that at least we can give an account of what we were tasked with, what our observations were during the review.

Mr. Speaker, at this time I would like to remind the House and the public of the 10 recommendations that were put forth in the Hopkins Report. Those 10 recommendations were to:

1. dramatically improve the quality of teaching;
2. move quickly to improve the quality of leadership by principals;
3. radically reform the Ministry of Education;
4. strengthen the strategic management of the education system;
5. introduce delegation and transparent accountability at all levels;
6. federate secondary and tertiary education, and, as soon as possible, raise the school leaving age;
7. respond to concerns about inclusion and behaviour;
8. create self-governing Federations around clusters of primary schools and each middle school;
9. align the curriculum both vertically and horizontally;
10. harness the power of parents, business and the community at large in the reform.

Mr. Speaker, I would like at this point to point out the recommendations which, as far as I understand and which have been reported, at least some of those recommendations have been implemented. Under Recommendation 1, Mr. Speaker—which basically, according to Dr. Hopkins, he felt that such things as an internal audit of the quality and effectiveness of teaching should be undertaken, that there should be systematic monitoring and there were a few other

points that he mentioned—I would like to point out that much has been done to improve the quality of teaching, which began at the top with a commitment by the Ministry to ensure the evaluation of all principals.

There was a guarantee that was put by way of legislation, which made it mandatory to ensure that professional development was provided for all teachers and students, and all effective bodies, that they receive professional development to ensure that their delivery of instruction, their current skills set in this modern-day environment would be where it needed to be, and, in doing so, to provide assistance in any area for all stakeholders in education in order to promote success.

I would like to just add here that I think as part of the success under this recommendation, that the establishment of a registry for teachers which, in essence, ensures that teachers have acquired the necessary training and therefore license them to be able to perform in our classrooms here in Bermuda. This registry also, just as an interesting point (I guess you can say) indeed serves as a database which the Ministry can rely on whenever they need to call on those who are qualified to teach on our shores.

The legislative amendments to the Education Act which took place between 2008 and 2009 are demonstrative of the Minister at that time striving to meet the recommendations. Such legislative changes included the commitment to provide schools, teachers, students with the required tools and assistance needed to achieve success. (I think I made slight mention of that just a few minutes ago.) A student could be furnished with individualised, modified programmes which would address any outstanding deficiencies in order to ensure that in our system they will have success.

Under the Recommendation 2, which again is to move quickly to improve the quality of leadership by principals, I believe the Ministry can brag that principal appraisals are now current, that there is a joint collaborative effort by the Commissioner and the consultant, Dr. Glaze, to provide the guidance and support to enhance leadership abilities, leadership performance. This action reflects alignment with the suggestions by Dr. Hopkins that he detailed in this particular Recommendation.

Under Recommendation 3, just highlighting some progress in this area, which is to radically reform the Ministry of Education, much has been accomplished here, Mr. Speaker. The Ministry is now consolidated under one roof. This consolidation, in my opinion (and I am sure that others can speak more intimately about this) promotes interdepartmental cohesion, efficiency, facilitates coordination and alignment of the Ministry of Education's departmental operations. This move has fostered the ability of the Ministry to save financially and, therefore, is benefiting the public purse. Again, this move reflects the legislative amendments of 2008 and 2009. The advent of the

Commissioner of Education and the Director posts, the redesign of the Education Board, are just some examples of the Recommendation 3 being implemented and followed.

Under Recommendation 4, which is to strengthen the strategic management of the education system, Mr. Speaker, I do not think that anyone sitting on the Joint Select Committee can question whether any attention was given to this amendment, as everyone who sat on that committee and passed, and who saw the delivery of the report, witnessed the public sessions, heard submissions rendered by the interim Education Board, a board constructed in compliance with one of the recommendations, and also heard various comments and proposals proffered by the current Education Board, which is a reconfiguration of the old board based on the recommendations by Dr. Hopkins. The redesign of the Education Board has representation from all sectors of society and key stakeholders in education. In terms of, I guess, creating transparency and showing or demonstrating inclusion by having the composition of a board like this brings all stakeholders into (I guess you can say) the administration of education. So, everybody is represented.

Under Recommendation 5, which is to introduce delegation and transparent accountability at all levels . . . Mr. Speaker, have we met this recommendation? I would say, to varying degrees. For example, Mr. Speaker, various levels of our present school system follow the Cambridge programme, an initiative implemented by the former Minister of Education, the Honourable Elvin James, and one that has been currently lauded by our present Minister of Education.

Mr. Speaker, the Cambridge programme is one that has international acclaim and is respected and touted as being of a high calibre. On the issue of transparent accountability under this recommendation, schools' performances are reported publicly and any necessary assistance is provided for the school and/or teacher or student, as I have mentioned previously. This initiative was mandated by the legislative amendment, which I also have made reference to a few times. So, needless to say (but I will point it out anyway), progress has been made and progress continues.

Each school is provided an independent budget, with budgetary controls and oversight being maintained at the Ministry level. Principals under these revisions enjoy increased autonomy at the school level. So, again, Mr. Speaker, with regard to Recommendation 5, I say, yes, the public can rest assured that much has been done in the way of progress regarding the Hopkins recommendations.

Under Recommendation 6, which is to federate secondary and tertiary education, and, as soon as possible, raise the school leaving age, in my opinion, achievement here approximates 100 per cent. The high schools which are mentioned under this recommendation are both managed by boards. The school

leaving age was changed to 18. Students sit the BSC and GCSE exams (and these are standardised exams) and, where applicable, attend Bermuda College and take college-level courses. This demonstrates alignment within our school system.

We have heard time and again the many academic accomplishments of our students. Indeed, both sides of the House have witnessed such successes when attending prize-givings, when attending graduation ceremonies and the like. We have heard here today, in a slightly different arena, of success of our public school system in a competition. Both high schools placed number one and number two.

Moving on to Recommendation 7, Mr. Speaker, responding to concerns about inclusion and behaviour, I previously highlighted the practice which has been installed which provides personalised assistance to students who require it. This is further aided by onsite student services promoting a more interactive, intimate approach, and this facilitates the immediacy of providing such service, thereby enhancing success, Mr. Speaker.

I chose to combine Recommendations 8 and 9, which create self-governing federations around clusters of primary schools and each middle school, and align the curriculum both vertically and horizontally. Mr. Speaker, schools have not been federated across the board. However, with the increased autonomy that has been put in place in individual schools, with the further standardisation of the curriculum under the Cambridge system, with the shift in policy to ensure standardisation of programmes at the pre-school level and earlier testing and intervention programmes at this early stage, Mr. Speaker, I think it fairly safe to say that progress has been realised.

Additionally, Mr. Speaker, collaborative efforts of various departments at both high schools to ensure standardisation of internal exams, and with the introduction of the GCSE exams, much advancement has been achieved for standardisation throughout. In fact, the current, present Minister has implemented policy related to vertical and horizontal alignment, which ensures that any student, regardless of academic deficits, can get the appropriate and required tuition. By doing this, Mr. Speaker, she (I guess you can say, very cleverly) addressed the issue of social promotion within our school system, because by having this type of programme policy in place, it makes certain that the instruction that is provided to students does not put them in a situation where they have to see themselves being held behind.

Under the Recommendation 10, which is to harness the power of parents, business and the community in the reform effort, Mr. Speaker, it is my personal belief that through organisations like the PTAs of schools, through parental representation on the Education Board, through volunteer programmes that involve parents and the business community, the move to reintroduce work-release programmes, the

Adopt-a-School initiative introduced by the present Minister, I believe all of these are indicative of the observable progress regarding the Hopkins recommendations specifically, and education as a whole.

In my opinion, there is no doubt that with the high success rate, graduation success rates—indeed, more than 90 per cent of our students have graduated from our high schools. I believe I have said this on the floor of the House before: I challenge anyone to say that that is not a statistic that we can brag about, because when I have look at some of the graduation rates in other countries, they are not quite this high. I think this bodes well for our education system here in Bermuda. Indeed, when you look at the statistics that show that there is a 90-plus percentage pass rate in GCSE exams, which is an international exam sat by children from various jurisdictions, and on top of that, more than 50 per cent receive scores of “C” and above, I really do think that this speaks of the success that takes place in our classrooms across Bermuda in the Government school system.

Mr. Speaker, much of the successes which are now recognised within our educational system have been formulated under the Ministry’s and Government’s “Blueprint for Reform in Education.” That “Blueprint for Reform” falls under seven main bullets. I choose . . . I am doing this, Mr. Speaker, under the current way in which things are done in our Government school system, to show that as we continue to go forward, this “Blueprint for Reform” encapsulates the recommendations, by and large, that were highlighted in the Hopkins Report and allows our current system to help all students and all stakeholders within that system—that is, principals and teachers, as well as our students—to experience success and growth. The “Blueprint for Reform,” the main bullets for the “Blueprint for Reform” are as follows, to implement an internationally . . .

Mr. Speaker . . .

The Speaker: I see you looking at the clock.

Ms. Lovitta F. Foggo: Yes, indeed, Mr. Speaker. I really do not want to deprive my honourable colleagues of their lunch.

The Speaker: Do you wish to continue after lunch?

Ms. Lovitta F. Foggo: Yes, indeed, I do.

The Speaker: Then I am going to catch the eye of Madam Premier.

I have caught the eye of Madam Premier.

Hon. Paula A. Cox: Mr. Speaker, I would like to move that we adjourn for lunch.

The Speaker: Is there any objection?

Agreed to.

[Gavel]

The Speaker: The House stands adjourned for lunch and will resume again at 2:00 pm.

Proceedings suspended at 12:33 pm

Proceedings resumed at 2:02 pm

[Hon. Stanley Lowe, Speaker, in the Chair]

TAKE NOTE MOTION

PARLIAMENTARY JOINT SELECT COMMITTEE ON EDUCATION

[Continuation of debate thereon]

The Speaker: We are going to resume debate on the Take Note Motion on Education. The Honourable Member Ms. L. Foggo, Government Whip from St. David's is going to continue.

Thank you for your profound tenacity.

Carry on, Madam Whip.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

Mr. Speaker, let me continue by saying that much of the success of the implementation of the Hopkins recommendations are now recognised under the Ministry's "Blueprint for Reform." And this reform is categorised into seven main areas.

The first area is to implement an internationally recognised curriculum that is externally assessed.

Mr. Speaker, I can say that this has been done. And, again, I would like to remind the House and the public that with the introduction of the Cambridge curriculum we—in one fell swoop—were able to introduce an internationally recognised system with exams built in that allows us to readily measure our students' performance against other children around the world.

The second area is to improve the quality of teaching and learning in the classroom. This, indeed, is still ongoing. And as I have pointed out in response to the Hopkins recommendations, teachers receive all sorts of assistance in areas where it is identified that they might need assistance in order to enhance the quality of instruction and, therefore, learning. Our teachers are provided with professional development. And, indeed, the figurehead in every school, the principal, is likewise equipped with the necessary tools, professional development, and assistance to ensure that as the head of the school that their delivery in terms of management and oversight of instruction in all classrooms is first class.

The third area is to strengthen and distribute leadership, which, again, I might add as I pointed out in [the second area], is being carried out through mak-

ing certain that principals have the necessary skill sets to lead their schools, as well as the Ministry endeavoured to get all of their principals evaluated. And, at present, all principals have been evaluated and any areas of need in order for them to be productive in their duties have been realised and they have been provided with the necessary tools to be successful in that workplace.

The fourth area is to facilitate the improvement of standards by accountability and transparency. Indeed, in response to the Hopkins Report and encapsulating the essence of that report the Ministry ensures that the success of all public schools and even areas where there is still success to be had is reported in the public domain, and any areas, again, where it seems that improvements need to be made, the necessary tools and resources are provided to those schools in order for them to be successful.

The fifth area is the maximisation of the contribution of parents and the community. I did highlight where the initiative is in place to have work release again. And, indeed, particularly in the high schools they have a work shadowing programme that encourages senior students to go out and shadow professionals in their workplace so that they can learn first-hand the types of skills which are needed to be successful in careers that they have an interest in.

Likewise, parents are invited to come into the school and volunteer—

[Gavel]

Ms. Lovitta F. Foggo:—their services.

The Speaker: The Minister apologises.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker.

The Speaker: Carry on. Carry on.

Ms. Lovitta F. Foggo: As well as there is a sharing . . . [with] parents, children's performance by electronic media and other media to ensure that parents are kept abreast of their children's performance in the classroom setting.

The sixth area is to improve efficiency of delivery. Mr. Speaker, this has been done under the consolidation of the departments in the Ministry of Education on being housed under one roof. What that does is it diminishes the opportunity for miscommunication between departments and for departure from Ministry objectives as they relate to the school setting. And it does encourage cohesiveness and increases the chances of everyone to be adhering to the Ministry's Mission Statement that has been put in place by the Ministry. So everybody is basically on the same page.

What else has been done with respect to this is to make certain that through the restructuring of the

Education Board you have key people from the community—all segments of society—which represent those areas of society and in so doing ensure that there is a comprehensive approach to the development of our public school system.

Finally, in the area where the . . . under the “Blueprint [for Reform]” it is to improve the culture and climate of the Department and schools, and this ongoing. And, again, this is closely linked with the delivery of the Mission Statement for Education. And, in particular, at the school level of the vision of the leadership in that school and how they make certain that what happens in the school environment is aligned with the Ministry initiatives.

And, again, on the Board where you have teacher representation, union representation, parental representation—all of this only helps to improve and ensure that there is a multi-pronged approach to reaching our desired goal, which is to take education from strength to strength and to ensure that education—which will always be a shifting and dynamic entity—so that at all times the approach and the application of initiatives are responding to the constant changes that take place within education in response to changes which take place in the community at large. So we always want to keep education aligned with the atmosphere or the environment, of the community, within which the education is being administered.

So, Mr. Speaker, education is dynamic and consequently [in] responding to the many stimuli that impact how education is delivered it is necessary that we have flexibility, inclusion, and the like at all levels in education and, indeed, that the effort to ensure the results that we are looking for in the educational arena is one which is collaborative.

Under the “Blueprint for Reform” the Ministry has shifted its focus and recognises the constant changes that take place in education and their attendant responses in education. And, as a consequence, they look at the changes as being transformational changes. And that is an important word, Mr. Speaker, because when you look at what that word connotes it suggests that modifications are not just in response to the recommendations but, indeed, have a beneficial outcome. A transformational education is representative of a cohesive approach to improvement that respects the principals, the teachers, the paraprofessionals, and all other school staff, and the capacity for success of both educators and students is being nurtured and grown over time.

This shift in approach recognises that real change must take place over time and be truly sustainable. It must have lasting impact with all stakeholders and must encourage accountability and transparency—the latter being fulfilled by sharing school and student data and performance publicly. And let me add, Mr. Speaker, that this shift, again, embraces

and reflects the sentiment of the Hopkins recommendations.

So, in summary, Mr. Speaker, when considering the many submissions that were made to the Committee—and I will highlight most of them here—the submissions were made by the interim Commissioner and Permanent Secretary of Education approximately four years ago. We had submissions from executive officers from the Union of Teachers. We had submissions from the Review of Public Education in Bermuda Committee as well as the ISOS Group from overseas; submissions from the Association of School Principals; submissions from the Bermuda Trade Unions Congress; submissions from the Parent/Business Partnership Team; submissions from the Bermuda Educational Interim Executive Board; submissions from the Berkeley Educational Society; [and] submissions from members such as Philip John Perinchief and from the Dame Marjorie Bean Hope Academy.

All of these submissions (when reviewing them) reflected similar concerns. These concerns are largely, as I have summarised, seen as being a lack of communication between the Ministry and the education community and union; the lack of communication between education and parents and the community; the failure to include key stakeholders in restructuring of education—that is teachers, principals, and union representatives—in spite of the fact that they would be greatly affected by those changes; the tardiness in responding to and initiating recommendations—both legislatively and in the respective arena (being education); suggestions from interested participants on programmes that they had to offer which could help augment the education mandate; and even submissions were offered which, I guess, suggested an entire system restructuring.

Mr. Speaker, in hopes of not being prolix in my delivery and so as to reduce being too repetitive, I would like to state that many of the initiatives at the time this Committee was structured had either not been implemented or were in their infancy. But I do want to highlight the fact that Dr. Hopkins did suggest that the implementation of his recommendations should be done within a five-year time span because he had concerns that if they were done too quickly the impact of restructuring at such a quick pace might have a greater detrimental effect and he did want to do anything that would encourage that type of outcome.

[Inaudible interjection]

Ms. Lovitta F. Foggo: I do.

Today weighing the progress against the Hopkins recommendations and even under the umbrella of the “Blueprint for Reform” much observable and measurable progress has been made, Mr. Speaker.

Mr. Speaker, I do leave the door wide open for my colleagues to speak to the same progress and their experience while on this Committee.

Again, Mr. Speaker, I would like to thank both former Ministers—Mr. Horton and Mr. James—for the inroads made—

The Speaker: The “Honourable Members” in here.

Ms. Lovitta F. Foggo: Sorry.

The Speaker: The Honourable Members.

Ms. Lovitta F. Foggo: Sorry, Mr. Speaker.

The Speaker: Yes.

Ms. Lovitta F. Foggo: Both former Ministers—the Honourable Randolph Horton and the Honourable El James for the inroads that they made. And I wish to thank the present Minister for her efforts to deliver an educational system second to none.

Mr. Speaker, I just want to highlight the fact that I was proud to serve on this Committee and I do regret that it has taken us so long to be able to debate on this report. However, I am thankful that we do, indeed, have the opportunity to do so. And because of the time that has passed I thought it prudent that we not . . . or that I not, sorry, look to just the findings back four years ago, but report to the public on the progress that has been made since then because education is always being debated in the public domain through one media or the other. And the public has been made aware through many speeches that have been made on this floor, and through various outreach programmes that form part of the Ministry, of the various progresses that they have been experiencing. And so to stand here and speak about submissions and not point out where progress has been made, I thought would have been remiss on my part.

Mr. Speaker, lastly, I would just like to point out that I am proud to have taught in our public school system and I personally can speak volumes on the successes that I observed and continue to observe but more particularly observed when I was a teacher. I believe that we are doing a phenomenal job given the achievement we observe here locally in our public school systems and the continued high level of success by our students at the tertiary level, particularly, overseas.

You know, Mr. Speaker, I would like to invite all to use these successes to exemplify and typify our education system. All too often we hear people using examples of young people having, I guess, strayed down the wrong path (so to speak) to speak to or as representatives of the entire community of young people. I would much rather look at all the successes that we have achieved here in Bermuda through our

educational system. I would rather use that to speak to and to represent our young people.

Again, I think there are very few systems that can brag of a 90 percentile success rate. Did we always have that success rate? No. But this is indicative of the fact that we are moving from strength to strength.

So, Mr. Speaker, I want to let everybody know that the progress, the observable progress, that has taken place with respect to the implementation of the various aspects of the Hopkins Report, and indeed now under the “Blueprint for Reform,” is indeed a success.

I thank you, Mr. Speaker.

The Speaker: Thank you, Ms. Foggo, the Honourable Member from St. David’s, Government Whip.

Any further speakers?

I now recognise the Honourable Member, Dr. Gibbons, from Paget East.

Dr. Gibbons you have the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker.

Mr. Speaker, I am pleased to contribute to this debate this afternoon on the Joint Select Committee on Education Report as a member of that Committee from the beginning, I will say, to pretty much the end.

I think there are a number of points that the Honourable Member, Ms. Foggo, made and I will try and touch upon some of those as I go through the course of my remarks here.

But I would like to start by talking a little bit about the Committee itself because I agree with the Honourable Member, not her words, but there certainly were some lessons learned. And I would like to go back a little bit into the history of this and I would agree also with her comment that the then-Education Minister in June of 2007, who was the Honourable Member Mr. Horton, did table a Motion in the House of Assembly to Take Note of the Review, but there was also a Motion (if I recall) to set up a Joint Select Committee at the time.

The history that is given in the conclusion section on page 24 of the Report has been airbrushed a little bit, if I can put it that way, because the Honourable Member in fact did not take up the Motion to set up a Joint Select Committee at the time at all, and that Motion expired. And when the new House was formed in the fall, that Motion was not reintroduced. So at that time—and I cannot remember exactly when the Opposition put down the Motion—but the Motion was reintroduced by the Opposition to set up a Joint Select Committee. And I have to say that the Government was not terribly happy about that at the time and it was not until July, basically—sorry, May of 2008—on page 24, that the Honourable Minister at the time, actually, it was not Mr. Horton, Mr. James was acting in his behalf—the Honourable Member Mr. James—put

down the Motion. But it was done on that basis because we as Opposition agreed to withdraw our Motion to set up a Joint Select Committee so the Government could reintroduce their Motion.

So it was essentially a year between the time that the original Motion was put down. And the Honourable Member is quite correct, that there was an outpouring of concern about it after May of 2007 when the Hopkins Report was introduced. But it did take almost a year before that Joint Select Committee was actually set up.

I think it is . . . Well, just to, again, look at some of the important parts about this Committee. It was the first Joint Select Committee, I think, that had been struck in some time to deal with a specific subject matter. I think the last one some years ago had been on salaries and things of that sort. So in some respects it was a departure and it was a move to try and delegate to House Committees some of the important issues of the day. And certainly this issue of the reform of the public education system was a very important issue.

The Honourable Member, Ms. Foggo, touched upon the fact that this was actually the first Joint Select Committee which was open to the public and the media. And that was, in fact, a departure. And the Committee, with the help of Mrs. Wolffe, who was Clerk, secretary to it, and others, had to work out some procedures there.

I differ a little bit in my memory with the Honourable Member who said that the Minister, the Honourable Member Mr. Horton, deemed it so important that he requested that the Committee be conducted publicly. In fact, Mr. Speaker, at the first meeting it was the Opposition who recommended that the Committee be open to the public and I will give the Government Members due credit—Senator Brown supported that particular Motion and we agreed as a Committee that the Committee should be open to the public and to the media. The Minister, as far as I know, had no say in it unless he went—the Government Members—went back and spoke to him about it. But the fact of the matter was that it was agreed at the first meeting that the meeting would be open to the public and that was a departure.

But I have to say, Mr. Speaker, it did work well and it did have the effect of making the Committee's workings and meetings very current because the *Royal Gazette* did step up to the plate. They covered the meetings, and a lot of those submissions and reports and the discussion of the Committee were carried pretty much live the next day in the *Gazette*. So the public had the benefit of having almost immediate connection with the proceedings of the Committee and sometimes to dramatic effect, as we know.

I would like also to say, Mr. Speaker, because sometimes there is a sense in the public out there that it is all fighting and bickering up here—and I think a lot of Members know that that is not necessarily the case,

although sometimes it is—I would like just to say that I very much appreciate the collegiality that I had working with colleagues both on my own side and the Government's side in that particular Committee. It was a good working relationship between the Members, and I would say it was quite a collaborative approach in terms of how Members—both on the Government and the Opposition side—dealt with the submissions and the speakers who came to talk to us about their concerns and feelings about the Committee.

The Chairman at the time who was in the backbench, the Honourable Member Neletha Butterfield, did a nice job of handling those issues and overall I would say that I had quite a positive sense of the Committee. That is not to say that there was not a fair amount of drama, mostly coming from those who were reporting to the Committee or speaking to the Committee. But as a group I think it worked fairly well and I would encourage, as I will as we get a little further into this, for people to actually read the entire submission, not just the report that was laid out here.

Having said that, Mr. Speaker, in a funny sort of way and maybe this is ironic, in the end, I would say the Education Joint Select Committee suffered from the same challenges as the Education Reform and the Ministry of Education. And that was a lack of continuity of leadership—primarily as a result (as the Honourable Member Ms. Foggo has mentioned) of the Honourable Member Neletha Butterfield and the Honourable Member Michael Scott having been given Cabinet positions. And they were not replaced at that point. So at a certain point—I think it was probably around December or so of that year (they will correct me if I am wrong)—we lost both the Chair and the Deputy Chair of the Committee. At that point we had actually done some 14 meetings from July to December 2008, but in essence this lack of continuity of leadership at the Committee level effectively made it very difficult to continue because those Members were not replaced. It is true that an Opposition Member, Jon Brunson, did resign his seat, but he was subsequently replaced by the then-Senator Charlie Swan—the Honourable Member who now sits in this place as well.

So that, to some degree, had an impact on how the Committee proceeded after that. And to some degree I think it undermined the normal process. So there were a number of false starts in terms of getting a report written up. In the end, as you will know, Mr. Speaker, presumably having read the report, there were actually no formal conclusions or recommendations from the Committee itself.

The report that we are debating today as a Take Note Motion simply was a summary of the meetings, and in fact, there were at least a couple of people who the Clerk endeavoured to get to write up a voluminous amount of transcriptions of verbal proceedings and a lot of minutes, but there was no formal report from the Committee. And I would suggest that it

was difficult to do so at that point because we had lost a couple of (dare I say) important Members, and it was a little hard to follow forward.

But what the report does set out is a summary in the first 25-odd pages, 26 pages, of the various meetings that took place. And in the appendixes, which I will refer to from time to time, a lot of the written submissions were included. And as I will say later, those are very important submissions, Mr. Speaker.

In essence, I would like to feel, despite these challenges, that this particular committee—the Education Joint Select Committee—was in many respects a forerunner and, dare I say, paved the way for later House sub-committees, like the one on Crime and Gang Violence that was actually subsequently chaired by the Honourable Member Mr. Horton.

At that point, I think a lot of the procedures for holding public meetings and how Members and the process were dealt with had been worked out. And so the report was finally written up.

There is a date actually on the outside which is not quite accurate. It is dated 25th of July 2011. In effect what happened was the report was finished at that point. I cannot speak for the Government Members, but the Opposition Members had actually not seen a copy of the report. There was an effort to try and get it tabled in the House before it closed in July of last year. Since the Opposition Members had not read it, we declined to do so, which is why the report is dated the 25th of July 2011, but it was not actually tabled until November or December of last year when the following House started up. At that point I think while there are some minor issues with the report itself, since it had already been printed in July, we felt it best to simply let the report go forward as it was. But many of us had never actually even seen a draft copy of the report before it was printed. And I think that should go on the record.

Mr. Speaker, I would like to talk a little bit about what I believe this Joint Select Committee on Education actually accomplished in broad terms. And I use that word “accomplished” advisedly because I think it did accomplish a number of important things.

The first one was the Committee actually provided a window to the public on the process of education reform which followed the Hopkins Report. And following Professor Hopkins’ Report, the whole issue of education, education reform, was viewed by the community with a fair amount of urgency. Basically, as I said earlier, the Committee was open to the media and the public and this allowed almost immediate feedback, and it provided a degree of transparency which in House Committees simply had not been there before. And I think that was very important.

It also allowed stakeholders to provide input and feedback in a way that neither the Interim Education Board (that was the IEB) nor the Minister of Education were providing. So the Committee actually allowed teachers and principals and their associations

and unions, the boards of various schools, to come and give their sense, their public sense, of what their concerns were. And, Mr. Speaker, as you will know, there were a lot of concerns. The Committee allowed them to do that. And, in fact, I would say, frankly, that (and I will get into this a bit more) one could safely say that the Joint Select Committee meetings were in many respects a “post-mortem”—and I use those words purposefully—on an education reform process that was basically dead on arrival after the first year following the Hopkins Report.

I believe that the reform process, as anybody can see by reading the minutes and reading the transcripts here, that education reform process was basically dead on arrival. And I will explain why I say that. Okay?

In fact, I believe the Joint Select Committee meeting provided a textbook example of how not to manage the process of education reform. It showed what was going on behind the normal veil and it was not pretty, Mr. Speaker. It was not pretty—that whole education reform process in the first year. And I will touch on some of the issues as we get into it, but it was very clear at that point that how the process had been handled essentially provided a reform process that was literally dead on arrival.

I think we all know, and the Honourable Member who introduced the Motion, said that Hopkins expected major progress by September 2007. Contrary to her final comments, I saw nowhere where Professor Hopkins wanted or was concerned about the process moving too quickly. And, in fact, in May of 2007, when the Honourable Member Mr. Horton, who was the Minister of Education at the time, introduced the Hopkins Report he promised progress by the beginning of the school year, which was September 2007.

There is a very interesting section, with your permission, Mr. Speaker, in the Recommendations section of the Hopkins Report which is to some degree repeated here. But it basically sets out—clause 129 of the Hopkins Report—it says, “Although these findings present a fairly bleak picture of the school system in Bermuda there is one very strong redeeming feature. It is clear that there is a strong potential for improvement amongst the great majority of teachers and principals. Indeed this potential seems also to be linked with a strong desire to improve—a desire that has been inhibited by the paternalistic culture that has been engendered by the Ministry of Education.”

Professor Hopkins, when he released his report, talked about a re-professionalisation reform model. And he goes on to say actually in the Recommendation section of his report, he said, the re-professionalisation model “is not an easy solution, however, for to be effective the ‘re-professionalisation reform model’ requires co-ordinating many ‘moving parts’”—and I am quoting from the section—“This will require strong leadership and careful attention to detail particularly in the *early phases* of the work.” (My

emphasis.) “There are ten interrelated elements to the reform model all of which need to be acted on over a short time period.” (*They needed to be acted on over a short time period.*) “The first seven of these recommendations are the most urgent”—his words, *the most urgent*—“and will bring early gains. Significant progress needs to be made in these areas during the school year 2007/08.”

So when the Joint Select Committee on Education finally started to meet in July of 2008, we were past the initial 2007/08 school year. And you will see in the write up in the report that it was very clear that there had been very little progress on the report or implementation over a year later—from May of 2007. And I will speak a little bit later to how much progress I believe that has actually been done since then because I think the Honourable Member put a very nice face on what I think is still a fundamental lack of progress in the implementation of the Hopkins recommendations. And it is fine to say that this recommendation was done or not done—but the public will not be aware of this—under those headlines the Honourable Member read out such as “Dramatically improve the quality of teaching” there are a lot of sub-sections which Professor Hopkins also expected to be done and implemented as well. And many of those, despite what we have heard earlier today, simply have not been done.

So I think it was clear through the Joint Select Committee hearings that the reform process by one year later—that is the summer of 2008—through the eyes of significant stakeholders (and by “significant,” I mean teachers, principals, unions, school boards, and members of the public) had not occurred. And the first 25 pages of the report give a clear indication of the serious concerns by these stakeholders and the problems expressed during the meetings.

On page 25 of the [Joint Select Committee] Report there is a summary of . . . it is nicely referred to as “certain common concerns,” but they deal with many of the issues that those of us who were observing it from a more public stance also saw—issues of:

- Little, if any, communication with any interviewed group other than those directly involved.
- The fact that there was a lack of transparency because the members of the Interim Education Board had been sworn to secrecy.
- The Association of School Principals commented that even a year later after the initial Hopkins Report they had not been invited to make input—a year later and the Association of School Principals had not been invited to make input.
- Even Dr. David Hopkins expressed his disappointment that 18 months on little progress has been made in spite of the efforts of the

Education Review Group to expedite the report.

- At that point, no relevant legislation had been completed.
- The forms of assessment had not been agreed.
- There had been no appointment of a permanent CEO or Education Director.
- There was much talk about a strategic plan, but as we all know, in hindsight, that took three years to complete—that was not completed until March 2010—and basically even though there was talk it had not been shared with those that were being tasked to implement it.

So it is little wonder that when you actually start to dig into the appendices here that what you find is a sense of utter frustration in some cases, and I would say anger, as well, being expressed by the stakeholders. And that was a year later in July 2008.

So it is little wonder, Mr. Speaker, that when I use the words “dead on arrival,” that five years down the road from the release of the Hopkins Report and the 10 recommendations very little has actually been accomplished—and I chose those words carefully. I did not say “nothing” has been accomplished. But I think as far as Professor Hopkins would have viewed it, very little has actually been accomplished today.

So while the Joint Select Committee meetings are effectively ancient history now, and I agree with that, they are still an indictment (from my perspective) of how the reform process was handled by the Progressive Labour Party Government from the beginning. And that is the reason, as we on this side of the House see it, why there has been very little progress. And some of those issues were: poor communication; poor coordination; and zero trust—zero trust between the stakeholders and the Minister of Education; a lack of inclusion of major stakeholders by the Ministry and the Interim Executive Board; a lack of leadership continuity.

And, Mr. Speaker, there is actually a rather nice phrase buried in the appendices on the issue of this continuity, it speaks—and this is by the Association of School Principals in their submission which is in Annexe III—[Recommendation 3] “Four Permanent Secretaries in 6 years—Kaldum, Tyrell, Horton and Tankard.” And then the question, “Leadership stability?” It goes on to say “Three Ministers in 5 years, Lister, Butterfield, Horton. Is there a trend developing here?” This was a comment from the Association of School Principals.

So, again, it is little wonder. There was a tremendous lack of transparency, as I mentioned, Members of the Interim Executive Board were sworn to secrecy. There was frustration because teachers on that and others could not discuss with their colleagues. And even the Joint Select Committee Chair-

man, the Honourable Member Neletha Butterfield, expressed on page 7 of the synopsis here the lack of reporting on progress, the almost inability to get out of the Ministry of Education where they were in terms of the 10 recommendations. And even the Chairperson at the time expressed that concern.

So, as we have noted, there was also a lack of effective follow through—very slow progress. Professor Hopkins himself, as reported in this report when he came to discuss with the Committee expressed his, quote, “disappointment with the progress on the 10 recommendations” in July or August of 2008. And that is on page 11 of the report.

Mr. Speaker, there was also, I think, at multiple times during that whole period, a number of promises to report on progress and they were few and far between. And, in fact, it was Minister Horton at the time who promised reporting on individual school results by 2009. And as far as I know, Mr. Speaker, to date we have not seen that. We have had some reports from Berkeley and CedarBridge, but we have not had reports from other schools. And I am sure that Honourable Members on that side will correct me if I am wrong, but I certainly have not seen it.

So I would like to come back a little later and dig into some of these issues that were raised by stakeholders like the BUT and like the Association for School Principals, but, Mr. Speaker, you will be pleased to hear that I do think that there is a silver lining to this—a silver lining to what is otherwise a very depressing picture as depicted by not only the meetings of the time, but also the submissions as well.

If one actually listened to the feedback and read the comments and suggestions in the annexes to this report, it is clear that there is a lot of very thoughtful and sincere input, a lot of useful suggestions and observations from everyone from the [Bermuda] Union of Teachers (BUT) to the ASP and others who actually came and talked to the Joint Select Committee. These submissions provide, from my perspective, a wealth of good information, advice, and suggestions from those who are actually in the trenches—particularly the feedback from teachers and principals. And there were some very thoughtful comments as I read through these written submissions about what was working and what was not working with the present system and their suggestions as to what needed to be fixed.

Mr. Speaker, I would say that these appendices and these annexes in the report should be required reading—*required reading*—for the Minister, the Education Board, and those committed to education reform if they have not already read them. And I hope they have because there is, in addition to the anger and frustration which is expressed in these pages, there certainly are a lot of very thoughtful comments that come forward from those who actually

are in the classroom, who are leading teachers, those who actually are at the coalface, as it were.

The other part of the silver lining I would say is that, and this is perhaps my opinion, but I think it is clear that we have sufficient expertise and experience in our own ranks to do what is required. It is not to say that we should not occasionally go out and consult and make sure that we understand what is happening in the broader education world beyond these shores, but we do not need to go looking for foreign experts on a continuous basis as we have seen over the past few years. We do not need to go out on a regular basis and consult foreign experts on what we need to do to fix here. In fact, in the appendix from the Association of School Principals there was a nice quote. It said, “Too many outside persons coming to “fix” our problems. With true collaboration we can fix many problems ourselves.”

I would just like to say, and I do not mean to be presumptuous here, Mr. Speaker, but if we are fortunate on this side of the House to be the next Government we would certainly begin or pick up this very broken process of education reform by pulling all of these stakeholders together to assess where we are and work in a very collaborative way to get on with the reform process and to get Professor Hopkins’ suggestions and recommendations implemented. “The blame and shout approach” which is what another Principal called it—“no trust, poor communication”—simply did not work and no one should be surprised. There was really no effort to be inclusive, to pull stakeholders together, in the early days of this, and that is why I continue to say this reform process was “dead on arrival.” I do not think we need to bring in any more foreign consultants at this point. I think we have got all the knowledge and experience we need here in Bermuda.

I think there are also a lot, and the Honourable Member talked a little bit about the “Blueprint,” there are also a lot of good things in the “Blueprint for Reform.” That strategic plan took three years to get done, but it was finally finished under the leadership (as I understand it) of the new Board of Education. And I think that is not a bad starting point. The key is putting children’s education—*our* children’s education—first, and we still, clearly, have got a lot to do, Mr. Speaker.

On the trust and disclosure basis, I firmly believe that the Minister of Education still has some very serious credibility problems. I just do not think there is a lot of trust left between the Ministry and its stakeholders or the Ministry and the public out there. And frankly, Mr. Speaker, that is one of the reasons that we on this side of the House have recommended for a number of years now what is often referred to as an Independent Standards Board—something which has been adopted in many other countries from the UK to New Zealand—and it serves basically almost like an education auditor general. It reports on actual school

results. It does not report in to the Ministry of Education. It is independent and it is a reliable source for parents all over the world in countries that have adopted it . . . on what is actually going on, what the performance has been, and not just what a Ministry of Education wishes to disclose. And I think it is something that we need to adopt here.

The Honourable Member, Ms. Foggo, talked for a fair portion of her discussion or remarks about what had actually been accomplished. And I would like to acknowledge the fact that the current Minister of Education, the Honourable Member Dame Jennifer Smith, did in fact in the House deliver a Ministerial Statement on the 16th of September 2011, which essentially set out (at least from the Minister's perspective) progress that had essentially occurred to that point. It was an effort to review the individual Hopkins recommendations and discuss whether they had been implemented or not and I will talk about that again in a few minutes. Frankly, we are going to have to agree to disagree on many of the points that the Honourable Member, the Minister, raises in that.

But I would like to talk about some very important issues in the Meeting Summary section now. And that is, I would like to begin with the first issue which is this whole concept which we have heard repeatedly which is to "dramatically improve the quality of teaching." That was Professor Hopkins' first recommendation in his report. And I think people are probably getting tired of hearing this now, but I think most of us who are close to education understand that this is the most fundamental issue you can have. You have got to have quality teaching in the classroom.

Mr. Speaker, I will just take a minute or so and talk about what has been referred to as a "landmark study" which came out last fall. And it was basically prepared by some professors—Professor Chetty, Professor Friedman, and Professor Rockoff—from Harvard University and Columbia University. And basically what the study did, and this speaks directly to the issue of teaching quality, the study followed over a million students in the United States from the fourth grade until adulthood. And they looked at the impact that a teacher in the fourth grade would have on life outcomes for these over one million students.

What they found was that a superior teacher in the fourth grade (and that is a teacher who was better than 80 per cent of other teachers as measured by progress on tests and things of that sort) made a significant difference in such issues as lower teenage pregnancy rates, improved college admissions rates—and believe it or not, the salary that these students actually earned when they got into their late 20s and early 30s. So this is fourth grade in the United States, Mr. Speaker—one year, a superior teacher, had a statistically dramatic and significant effect on lower teenage pregnancy rates, on admission to college rates, and on the actual final salary of these students in their 20s and 30s.

Mr. Speaker, most people in education will know that what had been [the] common experience before was that after a year or two if you have a very good teacher your test scores go up for a year or two and then they start to fade. But what this study found was that there was a significant impact on the life outcomes of these particular students. And that is why there is so much emphasis put on the quality of teaching.

The interesting thing about this, Mr. Speaker, was there was another part to the study which showed that a bad teacher has an exact converse effect. And a poor teacher, a very poor teacher—that is in the bottom 20 per cent, let us say, of all teachers—has the same effect as a pupil missing 40 per cent of the school year and has the same kind of negative impact on some other life outcomes.

So when we talk about the importance of "dramatically improving the quality of teaching" there is now a very clear study which has been done—I think all of us in our heart of hearts understood the impact of a good teacher, all of us have had good teachers, we remember them, we respect what they did for us, and there are very good teachers in our public education system. But it is important, I think, as Professor Hopkins said to dramatically improve the quality of *all* teaching in the public education system and that is the issue here.

So when the issue of professional development, which the Honourable Member who took her seat raised a little while ago, came up—it came up in both the Association of School Principals and the Bermuda Union of Teachers—but what was said basically was . . . on page 8 . . . bear with me for a second, Mr. Speaker, I have got to switch some papers here.

The Speaker: Lost your place, Dr. Gibbons?

Dr. the Hon. E. Grant Gibbons: No, I have not lost my place. I am just . . . there is just a lot of paper here, as you know, in these things and I am wandering through—

The Speaker: Do not keep us waiting too long.

Dr. the Hon. E. Grant Gibbons: I will not.

It is actually at the bottom of page 8. It said . . . and this is Mr. Mike Charles, the BUT General Secretary, in response to a question from the Honourable Member, Ms. Foggo. The President of the BUT responded "that nothing had been put in place to enhance teacher performance . . ."

Nothing had been put in place. All through this when you read the appendices here you will find out that there was very little professional development as far as teachers and principals were concerned that was done—very little planned. That is not to say that some professional development was not being done.

But there is a difference between just throwing professional development at something and having an effective plan and an effective programme. And the same kinds of comments occur on page 14, where Mrs. Kalmar Richards, the Principal at CedarBridge, speaking on behalf of secondary education, stressed the need to review current teacher performance appraisals and wanted to see the Ministry of Education's system plan for professional development of teachers. There was not one, apparently, at the time. So this is an issue.

We hear that there is a professional development programme in place. But, Mr. Speaker, you will recall from past budget debates that when this issue was raised over the last five years, the budget for training has been reduced on a regular basis. I am not sure off the top of my head what it was, I did not check, but it is an absolutely miniscule amount. It is not to say, Mr. Speaker, that the Ministry of Education cannot point to some professional development taking place. But the fact of the matter is that when you look at our system versus school systems which are considered to be world-class, we are an embarrassment in terms of professional development as far as I can see.

Now, some people may feel I am overstating that, but the fact of the matter is that the real issue is that you need the best teachers and you need to get the best out of those teachers, and you do not do that unless you have a significant and ongoing programme for professional development.

There are other issues that the Association for School Principals talked about in some of these annexes. Things like the ability of principals to pick their own team at a school level and to be held accountable for the teachers they have. But if they cannot pick the teachers they have at their school, then they feel it is very difficult to be held accountable. I feel sometimes there probably is a middle view on that. Obviously, you have got to get the best out of the teachers you have, but nevertheless I take the point that is being made there about the ability to pick your team at the school.

Mr. Speaker, there are a significant number of points also about the whole issue of the second Hopkins recommendation which was the move to improve the quality of leadership by principals. The Association of School Principals, Annexe III, referred to: "Professional development over the years in Bermuda has been a hodgepodge of workshops and initiatives (often involving foreigners with little if any knowledge of Bermuda's culture or context) which have left most educators in Bermuda reeling and waiting for the newest flavour of the month to pass into history." That was from the Association of School Principals referring to professional development.

On page 6, Dr. Johnson (who came to talk to the Joint Select Committee) refers to only a handful of principals as being good instructional leaders. And,

Mr. Speaker, I do not think much has changed because in the news recently there was this whole issue of Prospect Primary. I gather the issue there was that there are issues with the particular principal in place about her ability to be a good instructional leader. So here we are five years down the road and we still have major issues with respect to the leadership quality of principals. We know that principals should be responsible for how well those teachers do in the classroom, they should be looking over their shoulders, they should be essentially making sure that they are up to speed. And yet, here we are five years later, and this issue of instructional leadership is still the question. And my understanding, Mr. Speaker, is that it is not just one principal who has this issue. In fact, there was some discussion that there may be as many as five or six where this issue of principal leadership and instructional ability simply is not there to the degree that it should be.

Mr. Speaker, there is in here as well an extraordinary set of submissions by the Bermuda Union of Teachers [BUT] who refer on page 7 . . . the BUT "found it difficult to have any consultation with the Ministry and the Interim Board of Education who were responsible for initiating reform; and that there had been no effort on the behalf of the Ministry to engage the BUT in any form of consultation." This is Mr. Charles. He shared that "while the public might have been informed that teachers were on board with the education reform" process, "it was not so and did not reflect the views of the BUT representative body." So it is essentially an indictment on how this process was being handled. Mr. Charles further stated ". . . the BUT had not been engaged in any exercise of consultation and that this was disconcerting to the 900 teachers who had some responsibility for carrying out said reform."

There is a remarkable set of submissions here by the BUT and this is in Annexe II, Mr. Speaker, which speak to the letters that were written by the BUT asking for an inclusion of a member of the BUT in the restructuring of Bermuda's school system. Okay?

Finally, the Minister writes back on July 19th—these letters started in May 2007—the Minister writes back in July and invites them to recommend a teacher. And then, Mr. Speaker, it was on the 4th of December 2007, finally, that they were invited to submit a teacher's name. And then on the 6th of February 2008, they put forward a teacher's name for inclusion and it was rejected—just, out of hand, it was rejected. I mean, what a way to build collaboration and bridges. And the Ministry requested that three more names be put forward. The teacher who was rejected happened to be the immediate past president. And the reason for the rejection was that (This is . . . actually from the Permanent Secretary at the time, Dr. Tankard) the Minister of Education does not believe that the past president of the BUT "possesses the necessary lead-

ership qualities to serve on the Interim Executive Board.” I mean, it is just extraordinary, Mr. Speaker. And you wondered why there was no trust and no collaboration? It just is quite remarkable.

There are a number of other very good comments in here. The BUT goes through this whole issue of the Hopkins recommendations, makes their comments, they talk about everything from principals *must* be instructional leaders to the identification and appointment of excellent or advanced skilled teachers to allow them to be Master Teachers to help with the professional development of other teachers. There are a lot of good suggestions in here, Mr. Speaker, on that particular basis.

But, unfortunately . . . and anybody who actually reads through these appendices and reads this report will find out that essentially the Interim Executive Board effectively declared war on the BUT and saw them as part of the problem rather than part of the solution. And I think we all recognise that the BUT is going to have some issues of self-interest; that is their responsibility. But to not understand fundamentally that the [Bermuda] Union of Teachers has got to be on board and there has got to be buy-in in order to take a reform process forward, Mr. Speaker, simply boggles the mind. Their teachers and principals are a critical part of making this whole process work in the classroom and it is something that for whatever reason the Ministry and the powers that be at the time simply did not seem to recognise.

In fact, Mr. Speaker, communication was so bad by the summer of 2008 (and it is in the appendices as well) that Anthony Wolffe (who was the TUC [Trades Union Congress] President) actually wrote to the International Labour Organisation in Geneva—to the ILO—in the hope that they would intervene and lobby Government to recognise the importance of Union input and get some consultation going.

So it is quite extraordinary, Mr. Speaker, and people will probably say that I am overstating it by saying this reform process was “dead on arrival” [but] when you have got the TUC President writing to the ILO because somebody down the street refuses to include, does not take the recommendation for inclusion on the Interim Board, does not speak to them, does not invite input from the Association of School Principals—it is just a remarkable situation. And that is why, Mr. Speaker, I think it was such a textbook example of just the wrong way to go about education reform.

I would like to touch on a couple of other areas if I can. And some of those include the issue of vocational education. There is actually some good input from both the Association of School Principals and also the Bermuda Union of Teachers. They had an ad in June 2008 setting out what they thought was important for vocational education. The Association of School Principals was saying the same thing. There was also quite a bit in here about the importance of

preschools and getting that right as well (these are my words) to affect school readiness for children as they approach the primary school age.

So, as I said, there is a wealth of information in here. It really should be read by those there to understand where the people in the trenches are coming from when it comes to education reform.

There is a comment as well . . . you know we have heard a lot about blended education over the years, which was the Government’s way of describing integrating a technical curriculum—techno-vocational curriculum—into the current curriculum. On page 6 . . . actually, it is recommendation 6 of the report, there is a line in here . . . let me find the page, Mr. Speaker—

The Speaker: Having difficulty finding?

Dr. the Hon. E. Grant Gibbons: Yes, here we go, Mr. Speaker—

The Speaker: All right.

Dr. the Hon. E. Grant Gibbons: It is the bottom of page 3 and top of page 4 in the summary of the report. It says, “Raise the school leaving age to 18 and increase the level of resources for vocational education and training in the two senior schools and Bermuda College.” It talks about developing three flexible streams, on page 4, within the senior schools and the college for students with a vocational bent and for those who graduate at 18 with both the BSC and GCSE, and those who proceed on to study for the International Baccalaureate.

So this is Professor Hopkins recommendation number 6, a very clear message in terms of doing vocational education. But what we find is that if you read on page 9 of the actual report—and this is, again, from the General Secretary of the BUT in response to the issue of vocational education—he stated “that the Ministry had spoken of blended education but that no plans had been revealed and that it was all talk and they as a Union were not aware of what the Ministry was doing with regard to blended education.” In fact, I was very pleased back a number of years ago to hear Mr. Horton talk about blended education. You will remember he went to Rhode Island to look at a couple of schools there where blended education was taking place, where you have a normal academic curriculum and you combine it with a vocational-technical education as well. There was a lot of discussion about that—I think it was 2009—and, of course, here we are again almost three years later and nothing, really, apart from a smattering of courses at the CedarBridge/Berkeley level—the NCCR courses in terms of technical education.

Mr. Speaker, as you will know on this side we have spoken often about the need to incorporate a fully integrated technical education programme all the way from middle school right the way through Bermu-

da College. So, again, this is recommendation number 6. The Minister actually in her statement in September referred to recommendation 6 as being mostly done because the school leaving age had been raised, but the fact of the matter is there has been very little done on vocational education.

In fact, I think the Honourable Member, Ms. Foggo, talked about number 6 as being done. The only part that was done was the school leaving age.

I am just keeping an eye on my time here, Mr. Speaker.

There is some very, what I will call “visionary”—and I use that word advisedly—visionary language in terms of the report by the Interim Chair, Phil Butterfield, back in 2008. And it talked about the vision of the education system a number of years down the road. And there were a lot of good goals there, lots of worthy intentions, lots of good intentions by Mr. Butterfield.

The problem has been though, Mr. Speaker, there has really been no effective leadership and follow through—there has been no consistency of leadership and there has been no effective follow through. And I think we are still a long way away from achieving what Phil Butterfield said with optimism and enthusiasm back in 2008.

I am going to end, Mr. Speaker, by talking a little bit about the process of education reform. When you look at other school systems around the world, which I think is important not because we need to adopt everything they do for cultural and other reasons, but when you start to look at them and particularly when you look at school systems which have done a good job in terms of raising the level of their performance, there are a couple of things that stand out.

The first thing that stands out is that generally there is consistent leadership. Once it is decided that education reform needs to take place, that there needs to be an improvement because performance is low, because of graduation rates and things of that sort, then there is a clear sense of leadership and follow through in terms of those countries which have been effective in education reform. There is a consistency of leadership.

Mr. Speaker, we have seen anything but that here—both at a Ministry level and also at a Government level. We all know the musical chairs, the roundabout, at both the senior levels of the Ministry and also with the Ministers as well. But that has been one of the key issues in terms of countries that have raised their quality of education.

The other thing, Mr. Speaker, is that they have had a plan that they have followed. And they were able to execute that plan; they were able to follow through on that plan. They knew where they wanted to go to. There were timelines and by and large they were able to achieve those timelines.

And the third thing, Mr. Speaker, that is really important is that you need to have reforms that are appropriate to the country in question. If you are already operating at a high level, then you do not need to put in the kinds of reforms that you need to upgrade performance in a country which is operating at a low level. So there are level relevant or appropriate reforms that need to take place as well. And I think that is very important here.

I think Professor Hopkins gave us what I will call level-appropriate reforms. And so people may gaze wistfully at South Korea, Finland, Hong Kong and other places, I guess it is China that is head of the PISA ranking these days. We may look at that, but those do not mean a lot. What we need to do here is we need to look at what is appropriate here.

The reason I have emphasised and put so much emphasis on the importance of these appendices, is because our own experts, our own people in the trenches are the ones that are saying, *Here is what is wrong. Here is what needs to be done.* And a lot of those are very much in sync with what Hopkins has basically recommended over the years.

I appreciate the fact that the Honourable Member who introduced the thing had to put the best face on the accomplishment of recommendations. The fact of the matter is, Mr. Speaker, most of these recommendations have had some movement, but I would say with the exception of recommendations which have been discarded completely like the cluster concept, none of these recommendations, as far as I am concerned, have actually been fully implemented. And if they do not believe me they should get Professor Hopkins back here and let him answer that particular question.

I think, Mr. Speaker, I will end on one final note which was, apparently, the Honourable Member who took her seat was pointing to the graduation rate of over 90 per cent as an indication that the recommendations were working. Mr. Speaker, most of us in this community are not stupid and the issue is what does a 90-plus per cent graduation rate really represent? Have those students actually been given the tools and skills necessary to function appropriately in the workforce? Have they been given the tools and skills necessary to gain admission to higher education?

I will answer that by saying that I received a letter from a grandparent some months ago who complained that her granddaughter and a number of her friends had graduated from CedarBridge without problems, had taken the Bermuda College placement exams, and had been put in—there are three levels. There is college level. There is college prep, which means you do not quite meet college level, and there is basic skills, and they had been put in the basic skills portion.

So here we have somebody graduating from CedarBridge when taking the Bermuda College

placement test (which gets offered in the fall of the year and again in the spring) a lot of them, and I gather since then, a significant number of graduates coming out of our secondary school system do not place in the college level or even in the college prep level in terms of their results on the Bermuda College placement exams.

So when you cannot even get into the college in your own country, as a consequence of graduating from high school, Mr. Speaker, I think that says something.

Thank you, sir.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

Any further speakers?

I am going to take the Honourable Member, Mr. C. Swan, from Southampton West Central.

Mr. Swan, you have the floor.

Mr. Charles F. B. Swan: Thank you, Mr. Speaker.

Yes I, too, served on this Committee. And before I get into my talk, I would like to apologise. I was late getting to the House today and missed part of the Member who tabled this Motion, missed some of her speech, I think the first half. I was just dealing with some family things that I am still dealing with.

I was pleased to serve on this Committee. I was new at the time, Mr. Speaker, I was a Senator—chosen as a Senator in February 2008—and on the resignation of Mr. Brunson was nominated or chosen to sit on this Committee. And it was my first experience on a Government Committee, Mr. Speaker, and I found it quite illuminating, I have to admit—the whole process—being in a learning phase I imagine back then.

Now, [considering] this whole Joint Select Committee on the Review of Public Education in Bermuda, I think people need to understand the sort of backdrop under which it came about. And the previous speaker, Dr. Gibbons, I believe alluded to some of the challenges that the Committee itself faced in its operations. But people will recall that the backdrop was really under a system of education that was not quite right. It needed perhaps dismantling, certainly reassessing, and it needed help—severe help—Mr. Speaker.

People will recall the number of Education Ministers we had in the first 10 years of the new Government and that in itself provides a challenge just for a system to operate—any system—Mr. Speaker. Any system, anywhere, would be challenged to be effective for the people it is supposed to benefit given the type of leadership changes that occurred in education here. And you heard about the challenges the Committee faced with the change in Chairperson and, obviously, changes because people stood down—I was on the Committee as a result of a change. And those types of things just make it difficult for the effective

running of anything, anywhere, in any country. And our education system is to benefit our children.

The fact that we had a Hopkins Report in 2007 and then we have this report—it is actually, my copy has 2008 on it—but we only got it last year, 2011, and here we are debating it in 2012—nearly five years later. I am not disheartened, by the way, and I am not . . . and some people are going even further back and saying that they had to redo a system that was in place before they took over the Government, Mr. Speaker. Well, if they would like to go back that far that is wonderful. But some people will remember what we had then and some people will remember, or know, what we have now. And if you did not think it was a pretty picture back then, you certainly would not think so now, Mr. Speaker. But I am still heartened; I am not going to stay negative.

I do not want to go . . . I am going to be very brief. I do not want to go into a lot of the ins and outs—there are a few in there. This Committee was the first one that in some way, shape, or form was deemed—and I give the Minister credit—to make it open, to invite input from different bodies and these sort of ideas to get buy-in, and that is a good thing, Mr. Speaker, a very good thing. So we had the Bermuda Union of Teachers, the Association of School Principals, ISOS, all of these groups having input, the public, everyone. And that is a good thing, a very good thing.

The fact that these ideas were new, that is going present challenges as well. Because the more people you want to entertain with input, obviously, the more coordination, the more massaging you need to have. You really need to have a strong leader, strong Chairperson, to make sure that all the pieces are pulled together and for the Committee's deliberations to be effective and for things to move smoothly.

And you heard some of the issues that were raised from the previous speaker. One that occurred to me, I believe there was an Education Reform Act that came out in 2009, the Bermuda Union of Teachers were given a copy of it, I believe, on the 23rd of June and asked for a reply by the 25th. Now, Mr. Speaker, that is just not on, a Union that represents some 600, 700, 900 people cannot be expected to respond to an Act or a Bill that has some far-reaching things in it in two days. So, those are the types of things that had to be wrestled with.

The changes in leadership I mentioned. It is a difficult thing. An education system is a huge system, and I believe that the people who are charged with being chairpersons of committees and what have you really need to have a firm grasp on what they are dealing with to effectively move the whole thing forward. And I am going to throw out some sort of suggestions, I guess, going forward. Yes, there is no question about it. A lot of what was recommended in Hopkins has not been implemented, Mr. Speaker.

And, in fact, the first page here—the Honourable Member who—

The Speaker: I thought you signed the report agreeing.

Mr. Charles F. B. Swan: Sorry?

The Speaker: I thought you signed the report agreeing.

Mr. Charles F. B. Swan: I did sign the report.

The Speaker: Well, carry on. I do not want to disrupt you.

Mr. Charles F. B. Swan: Do not disrupt me, Mr. Speaker, please.

Can you ask that person to take their seat?

The Speaker: Go right ahead.

Mr. Charles F. B. Swan: Thank you, sir.

The Speaker: Go right ahead.

Mr. Charles F. B. Swan: It says the recommendations were designed to be implemented as is, but were highlighted as a guideline and template. And I subscribe to that. That is fine.

And then it goes through the recommendations of public education in Bermuda. And one is “dramatically improve the quality of teaching.” No one could disagree with that, teachers are on the front line. And, again, given the time span that has passed, we are in a recession now and we were going to lay off teachers, Mr. Speaker. So it is a challenge for a system to be really effective for the people it is designed to benefit when you go through all these changes—that is another sort of change—very difficult.

The link up, again, the previous speaker mentioned how the relationship between the Ministry of Education and the teachers and their union was a bit counterproductive to the proper functioning and running of this Committee—challenging, challenging. We had the Association of School Principals, improving the quality of the leadership of principals. Again, no one could disagree with that. It is the actual implementation of it that has to occur.

I am not going to . . . I do not want to go too much more through all of the Hopkins things because I believe what has happened, after all this process, is that we are finally starting to see the various groups on the same page five years later, Mr. Speaker, or four years later. And that is encouraging from my standpoint.

One of the suggestions here is that it would take five years before you saw results from any new things, new recommendations, being implemented—it

would take five years. And so we have got a little ways to go.

I am heartened by the fact that we are making, we are seeing a bit more synergy with people on the same page. One of the recommendations for vocational education is that these things take money and facilities, number one, but we do have a vocational—not everything, not everything that has been recommended—but I can still put one of my plumbers who has his GED into a proper plumbing trade course as an apprentice and see him through. I can even nowadays from what I understand, if he does not have his GED, he can get his high school diploma and with a vocational bent through Mr. Michael Stowe’s workforce development thing which is now nothing like it used to be at Berkeley, but now on Union Street. I understand that is something that is available. So that is encouraging, and people are on the same page.

The alignment of focus and effort I want to talk about a little bit, Mr. Speaker, because it is incumbent on all the different, disparate groups—whether it be the principals, the teachers, the union, the people in the Ministry—to understand that their only *raison d’être* (the reason for being) is to educate—

[Inaudible interjection]

Mr. Charles F. B. Swan: Yes, he can speak a foreign language.

—is to educate our children. That is our output. That is our future. Those are the people who are going to be the employers, the entrepreneurs, and skilled people that our country is going to need going forward. And I hope that that remains and stays—if it has not become, it does become soon—and remains the focus of anybody’s deliberations going forward.

A few suggestions, Mr. Speaker. I would like to see these committees be given deadlines so that they are tasked with developing reports in a certain time frame, so we do not see these types of delays. That would get people to focus, Mr. Speaker. There is nothing like knowing you have got a deadline to focus your thoughts and your efforts. So I would like to see that.

The Honourable Member who spoke just before did talk about the fact that we do not need a whole lot of consultants from overseas to fix our education system. And we do not, Mr. Speaker. This country has some of the best educators in the world. It has some of the best . . . we have got probably the highest proportion of people with degrees of any country in the world in our 20 square miles here. And we need to use those to our own benefit as much as possible. We have the access to computers. People travel. We can find out what works, which systems work, which parts of them we can use here and that type of thing and then implement them. I know we can do it. I have confidence that we have the skill set right here on our Island to accomplish some of the reforms

that are needed, I think, looking at what works in other countries and other jurisdictions.

The other thing I would like to see, perhaps if there are going to be Joint Committees, is to have Chairpersons of those Committees who are not necessarily from the governing party. That would alleviate some of the challenges this Committee faced in that you had Chairpersons who were made Cabinet Members and, of course, could not serve on committees. And that would alleviate that. And it is something that is used in other countries—it is used in the UK—you have chairpersons of committees who are not from the governing party. That makes them . . . they can spend the time, they can devote the time that is needed to stay there with it and, given a deadline, to report back, Mr. Speaker. Yes, that was really the last recommendation.

Like I said, I am heartened that it appears that the different disparate bodies are sort of on the same . . . getting on the same page. The recommendations that Hopkins suggested that we deliberated on in this Committee, we need to keep on with them. There is a lot in there, Mr. Speaker, a lot that we can do. And I am thinking in the area of vocational education. I am thinking of blending and integrating technical education through middle schools and what have you, the whole aspect of independent review and assessment—those things are things that can be implemented fairly quickly. They need to be addressed. We have a Government that has a mandate. They should get on with it, Mr. Speaker. And I am sure they would get support from this side if they got moving.

I will leave it at that. Again, it was a pleasure to work on the Committee. It was my first one. And I thank the Honourable Member for tabling this report and hopefully others have some added contributions.

Thank you, sir.

The Speaker: Thank you, Mr. Swan, the Honourable Member from Southampton West Central, who enjoyed being on the Committee.

Any further speakers?

I now recognise the Honourable and Learned Member, Minister M. Scott, from Sandys North.

Minister Scott has the floor.

Hon. Michael J. Scott: Mr. Speaker, thank you. I am happy to also contribute.

Mr. Speaker, I had the pleasure and honour of attending the Elliot Primary School the night before last where Madam Premier led a team of Ministers, including the Minister of Education, in a discussion of community-related initiatives under the rubric, *Let's build one another together*. And one of the important initiatives that Dame Jennifer, the Minister of Education, spoke to that stuck with me that I recall was the Career Paths Initiative of introducing the blend of academic learning with technical learning. And it was a refreshing and exciting initiative that Dame Jennifer

declared and explained to the audience in the school hall. Blended education or blended academic and technical education, of course, was featured in the discussion of this Review of the Reform of Education sponsored by Ministers, former Ministers of Education of the Progressive Labour Party, founded upon Professor Hopkins' Report and analyses.

For me, Mr. Speaker, as I sat in the early days and opening days of the Joint Select Committee, for me one of the more poignant presentations was the presentation of school principals that was presented to the Committee. And I was impressed by their analyses and what they brought to the table. And as Dr. Gibbons indicated, the information brought to the Committee by the stakeholders was valuable and it remains valuable.

Mr. Speaker, I took note of Dr. Gibbon's, my fellow Committee member, opening diagnoses describing the reform process as "dead on arrival." They are harsh words, a harsh charge. One of the things I remember, that the current incumbent Minister of Education has urged on us as we speak about public education, is to try and avoid, if we can, rubbishing public education in referencing schools, in particular, because in 2012 (where we now are), where there is a complement of principals, teachers, and, more importantly, students seeking to learn, it serves no one's ends or serves no good purpose to undermine their experience of trying to get on with education.

And so the charge that the reform process . . . and Dr. Gibbons was so bold as to link it to the whole public education system [as] being "dead on arrival."

Dr. the Hon. E. Grant Gibbons: No, I did not say that, Michael.

Hon. Michael J. Scott: Well, okay. There was a linkage between—

Dr. the Hon. E. Grant Gibbons: Point of order, Mr. Speaker.

The Speaker: There is a point of order, Minister. Minister, take your seat. Dr. Gibbons, what is your point of order?

POINT OF ORDER

[Misleading]

Dr. the Hon. E. Grant Gibbons: The Honourable Member is misleading the House. I never said that the public education system was "dead on arrival." I said the education reform process was "dead on arrival."

Thank you.

The Speaker: That is upheld. Carry on Minister.

Hon. Michael J. Scott: Presupposing . . . and it presupposes any reform of the public education system,

of course, presupposes that our education system is in need of some . . . is challenged and is in need of attention. And, of course, it is and was at the time. And the problem is that modern, current, present clients of the education system of this country would not have understood the process by which we got to this point. And I think that the danger of misdiagnosing the problem by a scant reference or an insufficient reference to history is a grave danger.

I mean, historically, Mr. Speaker, public education rivalled private school education in our history in this country. Certainly, when the Members of this Government were all at high schools—Berkeley, Warwick Academy (in some cases)—but primarily our flagship, the Berkeley Institute, public school education was rivalling private school education. There was also the blending at a very efficient and high level of technical training with the academic deliverers of education in our country—see the Technical Institute, see formerly even the Howard Academy. And so the question does indeed beg—

[Inaudible interjection]

Hon. Michael J. Scott: —and Stonington College, the hotel school. The question does indeed beg, *Well, what on earth happened?* It is all very well and good for my colleague and co-Committee Member, Dr. Gibbons, to make the diagnosis of the “dead on arrival” reform process, but how on earth did we get there?

There are those who say that it was the design and deliberate policy of the policy makers before the Progressive Labour Party came into power to see public education dismantled. And if you wish an analysis of that, we only need to look at page 26 of this report where Minister Perinchief, the attorney, indicated and made his contribution where he spoke to the whole question of how there was an attempt to have the Berkeley Institute start to receive greater numbers of students who had lower stanine achievements. How the Berkeley was being asked to become a middle school and how Warwick Academy moved into becoming a private school—moved completely away from the aided status—because they were very concerned about what was being proposed about education by the then-Government, the United Bermuda Party of the day, that CedarBridge become the single, standalone senior school. And these were actually remarkable suggestions in terms of what value-added they would have brought to education. But something clearly happened to alter the fine picture of public education in our country and collapse it into this need for reform in 2007/08.

And so a catalogue of the absence of trust, a catalogue listing delays in implementing recommended reforms, a catalogue indicating that there has been leadership inconsistency—I am not concerned, nor do I apologise about it. The patient was sufficiently challenged and troubled—the public education I speak of

now—was sufficiently troubled, and in trouble. That it was not going to, and the Honourable Member Mr. Swan just made the point, it was not going to, in the context of Dr. Hopkins coming to this country and it could have been yourself, Mr. Speaker, or any person making a realistic and relevant analysis of our problems—we were not going to have the analysis made and see magically the results or implementation taking place over a short frame of reference. And so—

The Speaker: Sometimes it is better to have an objective kind of—

Hon. Michael J. Scott: —indeed, it certainly is.

And so these principals and these members of unions, these commentators who came to our Committee, Mr. Speaker, including Dr. Hopkins, and expressed and lamented the speed of progress—these were challenging times for this Government. And we would have mis-stepped. We would have tried new Ministers of Education. We would have needed to have had buy-in and stakeholder buy-in over a phase and over a period of time. But let us really look at the reality.

Public education in this country underwent intensified scrutiny. It underwent very considerable, effective, I say, analyses. It underwent sustained and careful implementation. It has done so, but we were not going to see the results over night. It began, certainly with the United Bermuda Party, under the best . . . I mean it was beginning then. Any Government worth its salt would have had to grapple with public education, and just before the United Bermuda Party was ushered from power they were dealing with this, Mr. Speaker. And then comes the Progressive Labour Party. And whilst we grappled with early days in Government we come onto ultimately the Hopkins analyses. And so I accept—

[Inaudible interjection]

Hon. Michael J. Scott: Yes. Well, but we were dealing with other things beyond education. We were dealing with—

[Inaudible interjection]

Hon. Michael J. Scott: I am not going to be engaged by any criticism of delay. Someone broke, caused the system to fall into very serious dismantlement and we faced, it has to be accepted, serious challenges in education.

We were living in two worlds and every education system, of course, is a matter of general application and general principle. This system, Mr. Speaker, I believe should be linked to the Bermuda economy. You should ensure that your outcomes and your output of your education system are aligned to the needs of an economy and the Bermuda economy in

particular. And given that kind of mandate, and given that kind of alignment, we find that these kinds of alignments have to be in place going forward. They have to be in place going forward. And that has not always been the case in public education.

Perhaps with private education there is a better alignment of preparing those students for this economy and for the teeth of the business community in this country. I believe that they must do so more successfully given that the parents of the children attending private institutions, Mr. Speaker, are all the business leaders in this country by and large. And certainly they are the majority of them. And you would clearly, therefore, find that the relationship between preparing boys and girls of these homes for the Bermuda economy would take place at a greater level of constancy than you would find from homes of children in the public school system.

In the public school system the parents would be, of course, completely aware of preparing their boys and girls for the Bermuda economy, but there would be I think a material difference between . . . Well, the difference really would be in volume. The [number] of parents in the private school sector and system, of those who are actually also business leaders and business owners, would be higher than in the public school system. And that clearly would make a difference in the outcome of those two systems and the output in those students in terms of preparing the children for the Bermuda economy.

I am not entirely convinced either that we have gotten that alignment right, saving except for the fact that there is greater integration now in our school system and more black kids, more working-class kids.

People are struggling, but the 35 per cent ratio of private school populations in our country—[means] a large number of Bermudians are in the private school system. That is levelling the playing field somewhat.

But we cannot, nor can Dame Jennifer, ignore the fact that her mandate and the mandate of this Government is to respond to the needs of that remaining percentage—by and large, clearly, the majority of our public school students and prepare them for the economy here and the economy globally.

Mr. Speaker, I said for me the analyses of the presentation of the school principals when Mrs. Figueiredo made her contribution. I recall that she was concerned about the youngsters who were falling through the cracks who were students who were primarily the students for the TEC Institution.

I think it was clear when the Honourable Member, Dr. Gibbons, made a reference to the school principals' contributions, they had their concerns, they had their concerns about how the implementation of the recommendations would take place without thorough input from principals. And there was a list of concerns, all valid concerns expressed by principals that I know that this Government responded to in the

general scheme of things as a result of the concerns filtering through to the Ministers of Education of the day.

But as Mrs. Figueiredo rightly pointed out, the need for the Government to continue to come to terms with and grapple successfully with young students who were not suited to the classroom environment because of their disruptive behaviours and their disruptive behaviours related to various issues in their home, unless that was dealt with, then those poor students would then end up bumping into the criminal justice system. Well, Mr. Speaker, we see these outcomes and these consequences today, do we not?

That was an obvious problem identified by a school principal who plainly must have seen these problems in her school and she drew the Committee's attention to them.

Today we continue to be alive to this same concern as we look at gangs and look at the problem of gangs in our country because plainly these students will be victims of or be prime candidates for non-performance in education or low performance in education, which will frustrate them on every front of their lives, including the ability to secure work, employment, and therefore they will convert their frustration into anti-social behaviour.

Mr. Speaker, in the 1970s the economy was ramping up in our Island. It was preparing its transition from tourism and growing tourism to a mixture of international business and finance. And at the same time our education system—its public education system—was being savaged and the technical prep schools were being dismantled. The level of attention of preparing public education students for this new economic activity was not present in our public school systems. And these were the seeds, Mr. Speaker, that finally grew into this bush that required us to come to a review by Dr. Hopkins and by the Education Planning Team of the former administration. And it does and will take time to place it and put it back on track.

But I began my opening comments by noting that the analyses that has been going on is necessary. The scrutiny of public education that has been going on is necessary. And the efforts at implementation of recommendations that have all been, I believe—I say with a clear conscience—recommendations that are sound for the context of the problems in this country have been adequate, they have been relevant and they have been sound. But let us not first of all ignore the elephant which is in the room that somehow, somehow, by some design of policy, we took public education off of its positive track and let it become moribund, let it decline—let us not ignore that first of all.

Let us also not forget that once you have allowed a system as important as your public education system to go off the rails so badly, that it will take time to put it back on track. And so the debate should not be a litany of lack of trust. Obviously, there would be a

lack of trust by the modern promoters and deliverers of education. Let us not have in our debate a complaint about inconsistent leadership plainly as we grapple with trying to put in place the right Minister of Education to deal with a . . . not a fantasma, but a real problem in public education. Clearly, there is going to be—

[Inaudible interjection]

Hon. Michael J. Scott: Exactly. Yes, yes, consistency is going to be vital.

However, we were dealing and have had to deal with a real knobby problem on a front that is mission critical in our country. Let us not list out litanies of absence of trust or any of the items that Dr. Gibbons the Honourable Member was gamely making the case for in his presentation. It does no one any good nor does it do us any good to have that. That is a known, known factor and quantity. It gets us nowhere for us to have that litany streamed before us. because, plainly, plainly the problem generates these very kinds of challenges.

Better that we see a Minister of Education in Dame Jennifer who the night before last touted and declared the blended technical training programme of creating pathways that are varied and diverse to respond so that our students with different aptitudes can respond to, participate in and thrive in. And I was thrilled because I know that this Pathways education programme is going to be linked to my colleague the Minister of Economy, Trade and Industry—Minister Minors' both efforts and energies in labour and training.

At the beginning of the week, Mr. Speaker, I visited the Prospect Depot where the 140 or so men and women of the Prospect Depot—that is where they reside—they are masons, and they are carpenters, and they are the HVAC folks that deal with heating and air conditioning, they are the plumbers. And how heartening it was when I was introduced to a young 18-year-old boy, young man, who is a plumber's apprentice.

But I am aware after I took the position, after I took the seat of Government Estates, I was aware that Minister Butterfield . . . Mr. Speaker, I meant to begin my remarks by thanking and commending my Chairman of this Committee, Minister Butterfield, for her solid, effective leadership of that Committee. I was so excited just on one or two meetings, Mr. Speaker, of that Committee because I heard information that was coming forward that I knew was relevant for us. And there were times that Minister Butterfield was required, of course, to steer our course so that the flow of information was both controlled and reached us. So I commend the Chair of that Committee, the Honourable Member Neletha Butterfield.

But Minister Butterfield when she held the Chair of Government Estates had started this appren-

ticeship amongst the Government Estates men and women. These are your *Honey, do this* for the Bermuda Government. This is what that group of men and women do.

And the potential, Mr. Speaker, even within Government Estates to be an entity that absorbs the human potential that Minister Minors and Minister Smith process through their training facilities and their training initiatives is there. And I believe that the opportunities for collaboration are immense.

I believe that the opportunities for bringing back into Bermuda the wonderful golden years of the Technical Institute or the Dockyard apprentices or the need—just the basic singular need, Mr. Speaker—for roofs to be repaired, cabinets to be shaped, plumbing to be put in place, IT professionals through the Cisco Academy Initiative to network cable and support networks for each of . . . any kind of business or building that is . . . has people in it—I believe that these collaborations, Mr. Speaker, are immense.

And so these are . . . I heard the Honourable Member, Dr. Gibbons, speak of the silver lining, then was appalled to hear him just say that we should be using the Annexes of this report to come up with solutions. Mr. Speaker, the Government has been using the Annexes. Mr. Speaker, the Government has been following the data gathered over and across the years as we look at the problem and challenge of public education. The Government has been using it. The Government has been deploying it, and the Government has been implementing the required reforms in and for public education in our country.

And so, Mr. Speaker, intensified scrutiny and effective and relevant analyses and a sustained and careful implementation—that is the new rallying call. It has been one on which we have been embarked for a number of . . . since 2008 following the Hopkins Report. It is one that we have been committed to and remain committed to. We do this in the context of 12 other mission critical Ministries to run.

And I wish to commend, encourage and congratulate Minister Dame Jennifer for the work that she continues from successive Ministers of Education, who have had to come to grips with public education in our country. And with determination and with compassion, with determination, again, we will turn this ship of public education fully in the direction that it should be sailing. And ensure, Mr. Speaker, that we have an education system that is preparing our human potential for this economy and providing them with lives that are meaningful, careers that are meaningful, remunerative, so that they lock into and plug into an economy, this economy, and indeed the global economy in a meaningful way.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister, the Honourable and Learned Member Minister M. Scott from Sandys North.

Any further speakers?

I now recognise the Honourable Member, Ms. D. Butterfield, from Pembroke West Central. Ms. D. Butterfield has the floor.

Hon. D. Neletha I. Butterfield: Thank you, Mr. Speaker.

I am pleased to follow Minister Scott, one of the Members of the Joint Select Committee, where I can say thank you for his kind words. It was a pleasure to also work with him.

Mr. Speaker, it would remiss if I, too, did not give my thanks to the former Minister, Mr. Horton, for appointing me as the Chairperson to this Joint Select Committee. It was on the 9th of May 2008 the Motion by the former Education Minister stated that this Honourable House appoints a Joint Select Committee “to consider and review the recommendations as stated in the Review of Public Education in Bermuda Report by David Hopkins.”

And, Mr. Speaker, it was you on the 6th of June 2008, you announced the appointments and your appointments, and so a special thanks to those who served with me. I just thanked the Honourable Michael J. Scott JP MP. I would like to thank the Honourable E. Grant Gibbons and just put a little pause to probably do a mouth-to-mouth resuscitation here because that “dead on arrival” comment, it just goes to show those Honourable Members that are listening in the House and also the members of the public the problems and challenges that we had from time to time with the Opposition Members, whether we say it here or explain it. But it was a time for harambee where we could come together and put aside those feelings of what we do here and it was difficult because there was always some tugging and pulling, but there was not a time for that. And I know the Honourable Member Minister Scott knows many times I stopped that, put a stop to it, because education is one of the most important topics, and we continue to be negative about it when we should start getting excited about it and then those who hear us will also be excited about it.

So to the Honourable Member Ms. Lovitta Foggo who headed this morning, thank you for your comments. Mr. Jon L. Brunson, the former Senator Walton Brown, and of course the former Senator Charles Brown gave his explanation, bi-election . . . whatever, but I do believe that Senator Jeanne Atherden also sat on the Committee, Mr. Acting Speaker—let someone know you are here.

[Mr. Darius D. M. Tucker, in the Chair]

The Acting Speaker: Carry on, Minister.

Hon. D. Neletha I. Butterfield: Thank you, very much.

I would also, Mr. Acting Speaker, like to thank the public—the stakeholders, the community, the media—and we should not forget DCI who was very helpful in this as well, and most of all the staff of this Honourable House for their assistance and support, in particular the Clerk, Mrs. Shernette Wolffe, and the Assistant Clerk, Mr. Clark Somner.

It was Ms. Rosemary Terryll, past Permanent Secretary, who at that time was compiling, collating, and summarising the submissions. So I am very thankful to her. The transcriber, Margaret Gazzard, and Ms. Grejai Smith, who we had recently, so when you hear those comments that we, elected to sit there, came to a time when we had to finally work together . . . and of course I was a Minister at the time. And surely when I was not a Minister that is one of the first things I . . . and I will not call all of them “troops,” because we rallied together to see what we could do. And Grejai Smith was one of those who helped us out in that, so I am very thankful to her.

Now, Mr. Acting Speaker, with the 10 recommendations I believe the number one recommendation was speaking about to improve the quality of teaching. And I think that is important because how do you capture the mind of a young person in class? Sometimes we cannot. And I happened to be at a workshop during lunchtime at the Bermuda High School for Girls and it was interesting some of the things that you had to do in order to teach and to capture the minds of our young people and to keep them focused. And one of the things that was said is that it was the first day of school and in the middle of the classroom there was a young person talking. And he said, *Well, what would you do as a teacher, the first day you are there teaching?* And quickly I said, *I will go over there and tell them to keep quiet.* Right? Well, he said he came back the next day, talking again. (And this was the teacher.) And then the third day, still talking.

And the last thing was that you should not give your students the power over the classroom. It is for you to be there, take control, and do what you have to do. That is why I said, *I would go over there and tell him to stop talking.* Years ago they used to put a piece of tape across your mouth and it hurt when it came off. So nowadays there are those that do their best to teach and I commend all teachers who are out there teaching—all those that came in and gave their reports.

But the ones that hit me the most and I am going to talk about and speak about is recommendation 6 and recommendation 7. And I know that we have all shared this book in looking, so I am not going to go back to some of the things that some of our Honourable Members have said. Recommendation 6, the “Federate secondary and tertiary education, and as soon as possible, raise the school leaving age” to 18 years old.

Mr. Acting Speaker, at this point I will declare my interest, because in that . . . one of the recommendations it announces C.A.R.E. Learning Centre, subsidiary of C.A.R.E. Computer Services, so I am declaring my interest here.

I think one of the things that we had in listening to that Committee was, *Well, if you raise the age and you cannot find the ones that are under the age, how are you going to do this?* And then those who were still in school, some opted to stay because they had learning difficulties.

But my main reason for standing and saying a few words is on recommendation 7 which says, "Respond to" current "concerns about inclusion and behaviour." And I believe in that recommendation one person that came forward—and that is a newspaper clipping in the back of the book—was talking about putting alternative programmes for troubled kids back in school. Well, again, I was a Minister of Education for eight weeks and I was able to go and see a couple of the institutions. I remember when I went as a guardian to see the in-school suspension, well, there was not hardly anybody in there—that is another thing—and so my question was . . . and I referred to this, "put alternative programmes for troubled kids back in the schools" . . . was that there was a place where you could have put them, especially at CedarBridge and at the Berkeley Institute. And I believe that is why the Director of Tech asked this question and I saw it for myself.

But as one of the former Ministers of Education I had the opportunity to go to Tech and on my arrival there—I had a very difficult time, Mr. Acting Speaker, to go through that gate which was an iron gate with a lock on it and my mind shot back to the days that I used to travel to the corrective training school in St. George's behind the Summer's—

The Acting Speaker: Movie theatre.

Hon. D. Neletha I. Butterfield: —movie theatre there. It is not there now and I say it now in case any younger people than me understand and they wonder where I am talking about. And you have to sit there and wait for someone coming with dangling keys to open the gate. And I said, *My goodness, this has to change.* When you went through that gate and saw some of the children of the young people you had taught as children there, so I was familiar with one of them.

But I believe what happened there—and I am going back to the concerns in this report from the Director of Tech—was that, Was it a place for them? They had been taken away from their fellow friends and students. Another thing that I recognised was that the Ministry itself, and I do not know who was under this Government, I cannot recall or remember, travelled to see alternative schools. And the alternative schools were equipped with a basketball field, with a field to learn, with all kinds of computers and other

rooms for learning. Because we have to treat our children the same way we treat others, in other words, inclusive education for all. We excluded those young people up there.

And I believe Mr. Harris himself stated that Tech became a drop off for those asked to leave the system. It is written right there . . . I do not know if anyone has read that. But it first began as a transitional phase with programmes for the students to integrate back into the schools. Well, they never integrated back because he told you about it—and I believe that is what Minister Scott heard during those meetings—that he told you about those . . . I think it was 40 that went to a private partner of the Ministry of Education (and I will confess that it was myself) where we helped over 30 young people get their high school diplomas. And thank God . . . I think it was 28 of them that did. The other two—one went to prison (and those things happen), and the other one went overseas to school. So I look at that as a success rate.

But the update to that now is, thank God it is closed. And we praise the Minister of Education, Dame Jennifer Smith, for doing that. And it is very important that it has been done. And students who have been removed from the class, also now benefit with the IEPs (and that is the Individual Education Plans) addressing specific needs.

Now as a private partner of the Ministry of Education, I was very pleased to travel to Mexico. I did not know much of French . . . um, Spanish—

The Acting Speaker: Spanish.

Hon. D. Neletha I. Butterfield: —but I understood a few words to get by. And last year it was myself, Dr. Greene from the Bermuda College, and Donna Daniels from the Adult Education School. And if you are concerned about money, it was paid for by UNESCO—this Adult Education Programme. But what struck me was that the alternative learning or the alternative schools are put in the budget of the education system so that these young people would have an alternative place to go and be placed in it. And we are not around there holding up tins and trying to shake it for money or, *tag these*, and so forth. But it came out of the budget in a place like Mexico and different countries in South America and the Caribbean and it was very surprising to hear that.

I think it was because they really needed to make sure that they educated those young adults so that they can fill positions or become qualified, even if it was farming. And, of course, a lot of farming goes on in those countries.

Now, today when we think of even alternative education or adult education, most of those students are coming between the ages of 14 and 19 years old. So it is another thought just to where we are today. So that is why I wanted to talk on that recommendation seven which is really important.

We must remember, also, that we have had a return of those young people from the Psycho-Educational Programme and, again, difficult times. They have come back still having some academic challenges. Also getting caught up in what we have seen or what we probably expected for some of them to do. We cannot say all because there has been some successful programmes—some that we may have heard about and still need to hear about. So let us be concerned about those young people.

I have had a few in the last few months and I have seen some changes. So much that I have got cameras and everything else that I did not have before, but we are trying to educate and change the mind and the values and the morals that these young people must have. Maybe it is a time to ask someone if they want to donate a . . . TV, what is that screen?

The Acting Speaker: A monitor?

Hon. D. Neletha I. Butterfield: The flat screen TV. The police came and much to my regret they said, *Ms. Butterfield, there is not much we can help you with. This is an inside job.* So my mind went different places and, of course, well . . . you know, I have just accepted that it has disappeared. And maybe someone who cares will donate a flat screen TV, but I am sure not going out there to buy one and keep having—

[Inaudible interjection]

Hon. D. Neletha I. Butterfield: Might bring it back hearing this. And there has been a lot of changes since then, but—

The Acting Speaker: The Easter Bunny is coming.

Hon. D. Neletha I. Butterfield: Thank you very much. So something is going to come.

So, therefore, Mr. Acting Speaker, the Ministry needs to ensure that we are making this statement about private partners so they will continue to financially support some, because there are some real academic concerns out there. Surprising, as I said, the alternative education in some of the countries present was within the budget itself of the Ministry.

Now go back to the headline, as I said, with the Director Declan who says to put alternative programmes for kids back into schools. Some three years ago . . . that was some three years ago and still needs to be addressed because we have far too many young people out of school. I remember a few years ago at a birthday party and that a young man sat in the Senate in another place with me who has written a book on it. And he put my name in it, but I said to him at a birthday party of the Honourable Minister Scott that our problem was either between 4 [per cent] and 5 per cent. But really it is about 4 per cent, so I was just one per cent off on that night when we were talking about

it. But I think there needs to be some statistics when we look at these individuals that are having behaviour problems. I mean, where are they? That is a good question, isn't it?

The Acting Speaker: Yes.

Hon. D. Neletha I. Butterfield: Are they the ones that Minister Scott spoke about earlier? We have to be concerned about that because those who are doing well are out there and unemployed, so now we have got another group of young people who have returned and they I mean really, really have some psycho problems—it is not . . . you know, anybody listening will say, *What is Minister Butterfield speaking about?* I do not mind explaining it to them, just come by and see me because I could not understand it myself when I was the guardian of my grandchild and I had to go buy a book that said, *Why do they act that way?* I called the counsellor of the school and he says, *Oh, (he called me Nana) he says, Nana, don't worry about a thing. Just get that book and that book will tell you all about it.*

But one interesting point in this book that I read was there was a group of young men playing outside in a basketball field having a great time and the neighbour Miss Jones had just come in from getting her groceries at the grocery store, but she had to . . . you know, some of us have to run to excuse ourselves for a minute, and by the time she came back to pack the groceries away she says to her husband, *Hey, Johnny, my wallet's missing, what happened to it?* So he says, *Well, oh, let's call the police.* And she says, *No, no, no, don't call the police because I know who it is—it is that young boy over there that is shooting basketball.* And, of course, they were trying to figure out, *How are we going to go and address this problem with this young man—hurt his feelings? Right?*

And so they did go over and the poor young man had to say, *I haven't even been over to your house. I've been over here doing this and doing that.* And while he was standing there the telephone rang and who should it be but the supervisor at the grocery store to tell her that she left her wallet on the counter. So that is just the moral of the story to say that we are so quick to accuse our young people instead of embracing them with what they need to know.

I want to also say how many . . . what percentage has dropped out, and I always felt for years that the Ministry of Education had their finger on it because they knew the addresses, they knew . . . because you have to enrol your children in primary school, in middle school, and also in secondary school. But sometimes we wait for them to get in the door of secondary school—that is when we just had primary and secondary—but now we have middle school and that middle school should be the key there.

But I can go back as far as preschool when you found that these young children came from some very difficult homes and you can identify through assessments. It is talked about (assessments), and that's what we need to know—what the percentage is, where. And Minister Scott also talked about the correctional facilities. Again, I can recall when I worked there I would say that we had a little comprehensive education thing going on there. When I became the Sunday School Chairman in 2008, I had the privilege to go back to the prisons, Mr. Acting Speaker. And when I went there I was surprised. As a matter of fact, I almost broke down in tears when I saw the library in the state that it was in—when we had had a full-fledged library running there.

All of us have to have the spirit of love and the spirit of caring and to help to put things back together. I do not know what it is like today. Maybe someone who has that privilege to go can go again and see.

And then we went down to the prison farm. That is when my feelings really came alive because it looked the same way it was when I left from teaching down there in 2002. I believe there was still a note on the blackboard. So we all have to come together because when our young people get in trouble that educates them. And there is an Act in this House that says a good education has to be done. If not, you are going to have to bring them out. They used to bring them out years ago to different places to go to school. Not one at the College when there are hundreds that are incarcerated, or maybe 20 down at the career facility. The education must continue all the way through if we are going to change behaviours, [it must continue] if we are going to change the mindset.

I am not going to be too long on this, I am just going to, in closing (with your permission, Mr. Acting Speaker) give a parable. Some of you may have heard it. It is about a mother eagle and her babies. But the moral of this story is raising adolescents, Mr. Acting Speaker. Thank you.

After some time of keeping her babies safe, one day the mother eagle said that it was time for them to go on a life of their own. Many of us have been in that position.

She picked the first three eagles. She picked the first eaglet up in her talon and began the short flight. But just before she let the eaglet go in mid-air, she asked the eaglet a question. She says, *Tell me, how will you treat me when you are grown?* And so the eaglet answered, *I will attend to your every need and you will want for nothing.*

So the mother eagle looked sad so she kept him. She says, *My dear, perhaps you will fly another day. You are not ready.* (Talking about some of our young people and education—some are just not ready.) *I still have important things to teach you.*

She placed the second eaglet down and asked the same question, *Tell me, how will you treat me when you are grown?* And of course the second

eaglet replied, *I will follow your every directive.* She took that eaglet back. Now her third and the last of her young ones, she asked the same question, *Tell me, how will you treat me when you are grown?* And the answer was, *I do not know how I am going to treat you when I am grown. I only know that I will treat my children with care and love, the same way you have treated me.* So the mother eagle smiled and said, *You have learned the most important thing about love and you are ready to fly.*

So in recommendation seven, when we talk about behaviours and what our young people are doing, we all have to care just like that mother eagle and we all have to love. And as I said, it was stated earlier, that there is only about 4 [per cent] to 5 per cent, so we can all do our part [to help] our young people that are causing havoc in this Island. And as we see it every day the court reports, that just recently some of us have known those who have gone to prison from the senior and junior training school—that is a long, long time. It is not just painful for the community, but it is painful for their loved ones as well.

You can visit the prison and see the names of those who have gone to school and gotten their high school diploma. And I was glad that I had a vision to start that programme at Casemates Prison and the Prison Farm back in 1984. There are those with no high school diplomas. And this can be an encouraging thing, and there are some studying to get their high school diploma no matter how they do it.

Now we can no longer allow this to happen. The Ministry continues to tackle it, but in some cases, we are raising what we call a “Ninja” generation. Now some of you know about Ninja turtles—I cannot remember the names of those Ninja turtles—anybody remember the names? All I know is Harry or Larry. But now we hear—

[Inaudible interjection]

Hon. D. Neletha I. Butterfield: Yes, [Donatello]

Now we hear them talking about that Ninja generation, those who used to watch all those cartoons. But Ninja, broken down in words means—no income, no jobs and no assets—that is the generation that we have out there. Are you with me Mr. Acting Speaker?

The Acting Speaker: Yes.

Hon. D. Neletha I. Butterfield: A Ninja generation. They feel it. And while this Government continues to try to create jobs for them, the numbers are increasing.

So while I personally praise the work that the Ministry is accomplishing now, we must keep our eyes and our minds and our souls on those non-achievers and allow them one day, through the assistance of the private partners, to fly like that eaglet who dropped

through the air like a stone tumbling, his head was tumbling, his tail was underneath, but he spread his small wings and shook himself off and began to fly. The mother eagle smiled.

Let us as a community be those partners in education, not what we have heard—the negative things. This report is an outstanding report because the people that came forward were outstanding people in this community and still serve today. They came with insight, they came with courage, and they spoke—many of them could have gone back and lost their jobs for speaking out, because that is what happens in this country.

So I applaud all of those that made their submissions—whether it was written or by e-mails, some are in the back of the book for you to read and to see how they felt and how they expressed themselves. These were individuals who tolerated (I would use that word) some of the things that were going on in the system. So as partners, become partners, regardless—I heard my good honourable friend, Charles Swan, say, *Well, maybe we do not need to be on there*. And here is a young man who has come to this Honourable House, knows that we are under a Westminster system—that is exactly what goes on in the Westminster system. Maybe he could use his laptop that he has there and look it up—Joint Select Committees in the House of Commons—and he will see most of them are headed by Members of Parliament on the Government's side along with other Members. Read some of those reports. Everybody is together. We cannot be in a Joint Select Committee where we are coming in with negative feelings on those who we care most about in this society, those who will fill positions, or build positions in this—is that three seconds or three minutes?

The Acting Speaker: Three minutes, Member.

Hon. D. Neletha I. Butterfield: Okay, I have to make sure.

So let us as a community be those partners in education and help our students to fly.

The last recommendation in the report is that we should harness—harness the power of parents. Parents are important and we know that some parents have issues themselves. Some did not do so well in school—no excuse—the brain is something that can be, can work for you. Again, I recall where those that were on to drugs, especially marijuana, in the prisons they used to come to class and say, *I can't think. My brain is fried*. (You saw that commercial where on drugs your brain is fried.)

But the most beautiful thing about it is that when you stop doing drugs, the brain gets itself back together. When they came back to class they said, *I remember how to do that now*. So we all have to harness the power of parents and the power that parents have—help them out. There is nothing like a parent

sitting and saying, *I am out of work. I've been out of work. I'll do anything, even if it is to wash pots*. They do not have the thirst like others have in another country where education is not free. They really have to find some way to get it. On the side doing . . . Talking about the Caribbean now. They find a way to, not illegally, but legally, find a way to help their young people to go to school.

So let us and also the community make every effort in the education reform. Take this report as an honest report coming from the hearts from those who touched the hearts, and minds and souls of our young people.

Thank you.

The Acting Speaker: Thank you, Honourable Member Neletha Butterfield from Pembroke West Central.

The Chair now recognises the Honourable Member, Mrs. Patricia Gordon-Pamplin, from Paget West.

Mrs. Gordon-Pamplin, you have the floor.

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Acting Speaker.

Mr. Acting Speaker, I would just like to applaud the fervour with which the last Honourable Member who just took her seat addressed this debate this afternoon. And that was in stark contrast to the Member who spoke just before her who effectively said, *Let us not look at the negative things that are in front of us because it serves nobody any good*.

I think it is very important for us to understand in this Honourable House that when we have to, according to the Motion—consider, review, and report on the recommendations as stated in the Review of Public Education in Bermuda, the report by David Hopkins and that Joint Select Committee that met, in order to consider the recommendations that were made by Dr. David Hopkins—that it was very important to understand that the purpose of Hopkins' involvement in our school system was to try to improve it.

And if we take the stand of the Honourable Minister Scott and not acknowledge the challenges, if we do not recognise that there are problems, we will not know what it is that we are fixing. We cannot and ought not bury our heads in the sand because what we have seen thus far is, to the extent that there has been a failure within our system, is how we have failed our children.

We are looking to our children for our future, to be able to . . . they are going to be the guardians of what it is that we leave behind. Their education is paramount in order for them to be successful human beings within our community. And it is, therefore, very important to look at and to isolate the challenges that existed in our system that required improvement in order for them to have the best chance.

Most of us—and I say “most,” I would not say 100 per cent but—most of us who sit in this Honourable

ble Chamber have had an excellent level of education that we are able to stand here and articulate. We are able to show respect for the teachers who stood in front of us during our day. And somewhere between the then and the now something is broken. There is a slip between the cup and the lip. And for some reason by wanting to identify that slip and to be able to patch it up and fix it effectively, we are now being told, *Let's don't harp on the negative.*

I just wanted to speak to dispelling one or two things because within one of the interviews that was had with the Joint Select Committee on page 22 of the report with a member of the public, Philip John Perinchief, who actually spoke to "the historical disruption of the public system of education in Bermuda." And I heard other Honourable Members speak to that today, talking about some underlying intent for a former administration to destroy education with the purpose of destroying the young black man. And I have heard that countless times.

Let me ask you, Mr. Acting Speaker, if Members in this Honourable House were to say that the Progressive Labour Party closed down Stonington Hotel Training College because they do not want for Bermudians to effectively learn the tourism industry, would that be a fair criticism? I would suggest the answer is no. And similarly, former Governments, I would advance that they would look at situations in which they deemed that . . . a more effective method of utilising money could have been—the expenditure—could have been done and hence, they looked at ways to have a better output for the dollars that were spent as we understand to be the case in Stonington.

So to suggest that somebody set out and purposefully wanted to undermine education in Bermuda I think is not only unfair, it is untrue. And I think we need to dispel that with the fervour that we need to in this Honourable House because we do not like to continue to perpetuate untruth, and that is a blatant untruth.

Now, we heard the Honourable Member who introduced this Motion. We talked about when the Committee met and when Hopkins' reported and when the Joint Select Committee was embodied, and when they started to meet. And there was a reasonable amount of time between the start of the reporting by Hopkins and the start of the Joint Select Committee. And the one thing that came to mind is that the urgency was not there. The urgency was not there.

But we do know that somewhere along the line the Government obviously determined that urgency was the order of the day. Because I do believe that it was the Honourable Member Horton when he had previously served as Education Minister and was relieved of that post, I believe that the excuse that was given at the time publicly was that the reforms that Hopkins had recommended were not being implemented quickly enough. So obviously at some point in

time it was deemed that those recommendations were not just important, but they were urgent. That was—

[Inaudible interjection]

Mrs. Patricia J. Gordon-Pamplin: —and I have no doubt that the Honourable Member will give the full story, as he is saying that we are not getting the full story.

But we can only go in this Honourable House by information that has been shared with us. And that is what we are hearing. So it obviously may be worse than that and I am sure that the Honourable Member will take great pride in ensuring that the people of Bermuda know exactly what happened in his particular instance.

We heard the Honourable Member who introduced this Motion indicate about the graduation rates. And this goes to the quality of teaching, which is recommendation one, in which Hopkins recommended that we had to dramatically improve the quality of teaching. And why would we need to *dramatically* improve the quality of teaching? Obviously because there was something missing.

And we heard the Honourable Member say that over time from 2007 (when Hopkins reported) until 2010 or 2011 (I did not actually write down the note) that our graduations for GCSEs was in the 90th percentile. But she went on to say that 50 per cent was at grade "C" and above. Now I know, Mr. Acting Speaker, if I took a grade "C" home to my mother you could guarantee I got licks—"C" was not deemed to be passing. So if we have dumbed down our expectations of results to say that we are up to 90 per cent of graduations, we have got to re-look at that because that speaks to a level of mediocrity that we ought not to accept.

We should be looking at reporting on "A's" and "B's" and how many of our students are able to fall within that level, within that percentile. And that is when we know that we are doing something right. When . . . I mean, if you take an "A" by college standards to be a 4 and a "B" [to be] a 3, most of our students if they come home . . . if my child came home with my having spent a year's worth of school fees and he told me that he got less than a 3 GPA, I want a refund. Because I would say that he is not putting the necessary effort in.

So we do not want to suggest that a GPA of a 1 or a 2 is acceptable. Let us set the bar a little bit higher. And while I know it is important to encourage our young people, when we heard the statistic that our young people in going to Bermuda College could not get into the college placement level or even the level below that, but they were in almost the remedial situation at the Bermuda College—and this is our own local college—that is unacceptable. These are students who are graduating from our high schools and being told that they have achieved the standard of excel-

lence, but they cannot get into even our local college. So if they are having challenges getting into our local college, how much worse would it be for them to try to get into an overseas accredited institution? It is not going to happen. And therein will lay some frustrations.

So when we talk about dramatically improving the quality of teaching, that is critical. But we also saw in the report that we understand that our young males obviously learn a little differently from our females. And one of the things that the Bermuda Union of Teachers indicated by their representation was that they wanted to try to recruit male teachers.

Now I have to hazard a guess to say that many of our significantly qualified male teachers actually now sit in this Honourable House. And I think in a way it is a bit of a shame because our young males are being robbed of the opportunity to have as their role models and mentors teachers of excellence who have proven themselves over time. We have the Honourable Member Horton as a former teacher. We have the Honourable Member Butler as a former teacher. We have the Honourable Member James as a former teacher. The Honourable Member Jackson as a former teacher—she is not a male teacher. I am talking about the male teachers in particular. The Honourable Member Lister is waving to say that he is a former teacher.

Obviously, if there is going to be a positive role model within the school environment we want to be able to turn to teachers who were teachers of excellence. And what are we saying now, according to the report, is that “the Ministry of Education had attempted to recruit males” (and this is on page 9 of the report) “into the system but that they had selected any male that applied for a teaching post despite their lack of teacher training.” How can we then expect excellence from our students in terms of their output when we have not been selective with the people giving instruction? That is unacceptable from an educational perspective.

And when we talk about how things have gone wrong, we heard somebody singing out, *Oh, it was . . . the system was broken in 1998* and all sorts of nonsense like that. But the bottom line is this—if it was recognised that the system was broken in 1998 and the 1998 position emanated from the Education Planning Team (which incorporated a cross-section of the community, members of the then-Government United Bermuda Party, Members of the Progressive Labour Party, Member of the Teachers’ Union, members of the community at large in every capacity) if that education system came out of that EPT environment and it was deemed to be broken, then I cannot believe that it took 14 years for somebody to make the determination that it has got to be fixed.

Now somebody—if it was broken so significantly—where was the level of urgency? If, in fact, the Progressive Labour Party Government was hired by

the people of Bermuda because things had gone wrong and because this education system was in such a shambles, where was their urgency to fix it? If we can come in 2007 and get the Hopkins Report, 2008 to start the implementation of the changes that were being recommended—I am sorry, the *discussions* that needed to be recommended or that were recommended, and now 2012 to see some of the further implementations, when Hopkins himself recognised how important it was. We have failed our children and continue to do so.

Now we also heard the Honourable Member who introduced this Motion indicate with respect to autonomy of schools. And I can tell you that I was completely confused by her presentation. Because what the Honourable Member said was that the schools are autonomous, but the Ministry handles the budget. Well, somehow there is a dichotomy there in terms of what it is that the Member was saying. Either she does not understand what autonomy is or somebody somewhere has not been able to understand the responsibility.

Now for a school to be autonomous, one would say, *You have your budget. These are our expectations, these are the programmes that we expect delivered, we want you to be able to do this in your autonomous environment, and you are accountable to the Ministry*—that is what autonomy is about. Not to say that . . . *I will give you a couple of dollars here and there when I think you are doing what you ought to be doing, but I am still going to pull the chain.* You do not dangle carrots in front of professional people and expect them to perform to a level of excellence.

I mean, we have seen . . . we have seen from the reports, the input by members of the Bermuda Union of Teachers and the input from the Association of School Principals—their level of being left out in the cold is . . . it is here, it is legend. And it is frustrating to them.

We expect for our teachers who are on the front line, our principals who are meant to be good directors of the front line teachers, to be able to deliver a product for the benefit of our children when they are being excluded from the equation. You cannot do that to people. And you cannot suggest for a second that they are autonomous when, in fact, they are not.

We talked about quality of teachers, but yet we heard the Minister last week in response to a question indicate that there were a number of unlicensed teachers when the quality of teaching—one of the standards to enhance the quality, was the licensing of all teachers in the classroom. And yet we heard the Minister indicate that somewhere between 17 and 22, I am not sure exactly what the number is, but somewhere between 17 and 22 teachers in the system were not licensed.

So they were given a period of time within which they needed to qualify. And yes, we understand that that time . . . that you cannot decide today you

are not licensed therefore goodbye. Teachers were given the opportunity to be able to be licensed, to do the necessary professional development that would get them to the standard of excellence that was required and expected.

But somewhere along the line somebody failed, did not quite make it, but there were still 17 teachers who had not quite made the standard. Now something is wrong with that. We have got to be trying to determine how we can make 100 per cent compatibility with the requirements in order to make sure that our children are getting the best shot.

This is not about the ability of Members of Parliament to stand on one side of the aisle and throw barbs at the Government on the other side and say you are not doing what you are supposed to do. This is not something that we need to politicise. Our children's education and our children's future is something that every one of us has a vested interest in. And we have to show that interest as best we can by holding hands in this exercise.

Now we . . . if I can speak to some of the challenges that I read when I read through this. A lot of our presentations that were made to the Committee were passionate presentations. And I understand it because anybody who is involved in the education of a child, if they do not have passion, they are in the wrong business.

But when I saw some of the exchanges of information that went back and forth between the Bermuda Union of Teachers and the Ministry, one had to question how on earth we could have an effective system when you do not have the basic respect.

If nothing else, this report showed me the disconnect and the disrespect that existed between the teachers and the Ministry. And a lot of it, perhaps, had to do with the fact that there was a different flavour of the month in terms of Minister. Every time you turned . . . I think within the last 14 years we have had 9 or 10 Education Ministers. We have had a kazillion Permanent Secretaries. So there has been no level of continuity. And every Minister who comes wants to bring his new broom and sweep clean, and as a result, therefore, the teachers are left dangling at the other end of the equation. And I do not think that they have been done a good service.

But I do not think that there could be anybody who could doubt in reading these reports that the Union of Teachers who, as I said, are the front line to our education system—nobody can doubt that they wanted to be a part of the process. Somebody decided that, *Oh, they had a vested interest to be insular and to protect what it is that they do. So, therefore, we have made the decision that we do not have to work with them.*

But the evidence is there. The evidence is there to say, *We would like to send you somebody to sit on the Interim Executive Board. You asked us to send you somebody . . . we asked you to include us*

as members in restructuring the public school system. Who better to restructure your public school system than your teachers? They are the ones delivering the instruction. Who better than they?

And then when they were asked at one point in time in . . . I want to say . . . there was a request for a member of the BUT to sit on the Interim Executive Board, and there was a recommendation made, and low and behold the message came back from the Ministry indicating that the Minister has rejected your recommendation. As a result of . . . we asked you to send a recommendation, the recommendation was that "on behalf of the Minister of Education . . . I am inviting the Bermuda Union of Teachers to recommend a potential member for the new Board of Education." So they send the recommendation. The recommendation comes and then the note goes back saying the Minister has rejected your recommendation, name us three other people and send us three other names. What kind of nonsense is that?

And then when it was questioned, the Ministry, through the Permanent Secretary came back and said, *Well, you realise that we do not deem that the individual possesses the necessary leadership qualities to serve on the Interim Executive Board.* How insulting is that, that a body can elect somebody from among their midst whom they trust and in whom they have a lot of confidence to present as the member representing them on this [Board] and then to be told *your recommendation is not good enough*—by somebody outside of the system? That has got to be the biggest slap in the face ever.

Now one of the recommendations by Dr. Hopkins was to radically reform the Ministry of Education. We want to look at that reform as was intended by Dr. Hopkins. What he said was, "an immediate change of senior personnel, with the appointment of a new experienced Chief Education Officer on a short term contract to lead and manage the implementation of the educational reforms and a Permanent Secretary to manage the change process politically."

Now, we recognise that the Ministry has the . . . the Government is responsible for education. Hence, a Minister has to be able to go in and set the policies that are required for the effective running of the Education Ministry. And as a Minister is a political position then that is the tie between those who have to do the job and the Government, i.e., the *Minister*. So as a result there has to be a Permanent Secretary who would manage the political process.

So out of curiosity, not because we just want to know what is going on this side of the aisle, but because we want to know how our children are faring, we asked the Minister the question, *How are we doing with the Hopkins recommendations? And, in particular, the one in which he suggested that we radically reform the Ministry of Education.* And the response came back that, *Well, we have moved everybody under one umbrella down to Southside.*

We talk about how were we going to save some money in the Ministry by not having to pay rent somewhere else and moving into a BLDC property that Government already owns—that was not what the question was.

The question was radically reforming the Ministry with personnel, in that you can be able to see a different direction and the delivery of the excellence within the curriculum that one would expect, both in terms of curriculum development and in terms of administrative management. That is what was asked. But then we got a diatribe indicating that we terminated 31 paraprofessional contracts.

So in other words, we have saved money. We abolished this post and we are going to save \$1.5 million. We are saving \$1.5 million for the positions that we have failed to fill, but our children are still going to hell in a hand basket because we have not put the structure in place to support their excellence. That cannot be the intent. I am certain that was not the intent, Mr. Acting Speaker.

Mr. Acting Speaker, it is difficult for me to do such a Motion without becoming tremendously passionate, because I think that every one of us, if we do not recognise the importance of our children, then we definitely are in the wrong business. What would have happened and what would have been tremendously helpful is had the Member who brought this Motion this morning perhaps modified the Motion and said, *We would like to look at the enhancements that have been made from the time that this Committee met . . .* notwithstanding, she could have changed the Motion and made it anything that she wanted to make, because the Honourable Member has the numbers. And they could have changed the wording of the Motion to look at the development and the enhancements and the improvements over time.

What would have been very helpful is if the Honourable Member brought with her a new organisation chart to say that within the Ministry this is what Hopkins recommended, this is the new organisation chart and this is how we have fulfilled the mandate to answer the concerns that Hopkins advanced in his observations. That would have been wonderful and ideal. But no, we did not get that. All we get is something that is saying, *Don't talk about things that are going to make us look bad, because that does not help anybody.*

Well, yes, I will just reiterate one more time that if you do not know where you are coming from you will not know where you are going. So if you do not recognise and stare down the problems that cause us to be in the position that we find ourselves in, if we do not do that, then we will not know how to fix it. I think fixing it is most important.

Now, I also wanted to make reference to the comments in terms of bringing in consultants. We had Dr. Johnson, who actually appeared before the Committee, and his comment at that time was that the

education reform was not a quick fix. So it kind of gives a little bit of wiggle room. I would like to have heard him say there is an urgency, albeit it is going to take us a little time in order for us to get there. But he said that teacher effectiveness generally was less than desired, and the essential tools for successful teaching, as well as to address the attitudinal approaches of teachers.

Now if that is an issue, then we have big time training to do, because we cannot have teachers with attitudes in the classroom. Now we know that people are human, and I am not suggesting for a moment that any teacher has to suppress his natural human instincts and his natural human responses when they are in the classroom. But, by virtue of having determined that teaching is their calling and profession, you can be assured that a teacher worth his salt would know how to traverse the minefield of difficult situations that exist in the classroom and know how they would be able to deal with it.

Now one of the things that we had was a Bermuda Education Interim Executive Board Chairperson. One can understand very easily and readily from reading the information here that the engagement between the teachers, who are expected to deliver the front line services, and these executives, who are standing aloof at a distance and suggesting what needs to be done . . . that there was difficulty. Because when one reads that the Chairman had difficulty having consultation, one also goes on to read that it was disappointing for this Committee member to accept that the General Secretary of the Bermuda Union of Teachers had become the face of public education. And I think it went on even at the time to make the disparaging remark that the BUT General Secretary was looking for 15 minutes of fame. You know, how derogatory is that comment and how helpful could that have been when one is expecting to work collaboratively with a group of people who have to provide the product that you want.

Now, when he made that statement, obviously, that causes a little bit of angst on both sides, because I think that the statement was unfortunate to have been made, but the recipient of that also is human, as I mentioned earlier. But the one thing that the Chairman of that Board suggested was that he was very concerned about was the lack of communication between primary and preschools, and that all available evidence demonstrated the vital importance of early childhood education and development, particularly ages zero to age four.

Because I will soon run out of time—I think I have five minutes left. Do I? I think I have four minutes left, or thereabouts, Mr. Speaker?

[Hon. Stanley Lowe, Speaker, in the Chair]

The Speaker: Well, you started at 4:37 so it seems like . . .

Mrs. Patricia J. Gordon-Pamplin: It is 5:07. Okay, so I probably have just about three minutes left.

The Speaker: Yes. It is more like two minutes.

Mrs. Patricia J. Gordon-Pamplin: Let me just wrap by saying . . . Oh, I was trying to stretch it. I told the Honourable Member I needed a slow hand out there; I needed somebody with an easy touch on the clock.

I just wanted to say that early childhood education is the key to the development of the child as he reaches elementary school, middle school, and high school, and we have to put the necessary resources into creating a level of excellence for our early education students from age zero to age four.

I will just briefly end on this story.

The Speaker: Yes. That is an appropriate place to stop.

Mrs. Patricia J. Gordon-Pamplin: Yes.

Briefly, I had the occasion to interact with a teacher of early childhood education who at the time had a 15-month-old child, and to watch the interaction between parent and child and the ability of the child to follow the command of the parent as simple things as saying, "*No, Jace, you have finished with your bottle. Mommy wants you to put it on the counter.*" And this little one who could hardly even walk, picking up his bottle, waddling across the floor, and reaching as high as he could to put his bottle on the counter.

This made me recognise and understand not just the importance of early childhood education, but how we could effectively make sure that our children understand from a very early age.

The Speaker: Thank you, Mrs. Gordon-Pamplin.

Any further speakers?

I now recognise the Honourable Member, Mr. Perinchief.

Minister Perinchief from Pembroke Central has the floor.

Minister?

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker.

The Member who just took her seat has a rather innate ability to stir passion.

Mrs. Patricia J. Gordon-Pamplin: I would hope so.

Hon. Wayne N. M. Perinchief: And she especially got my attention, Mr. Speaker, when she alluded to a certain Member who bears the same name as myself and who happened to have been a former Attorney General, who holds various master's degrees in everything from economics to education to law. She rather cursorily dismissed his contribution to this Joint Com-

mittee by basically denigrating his contribution and in a very cursory way, fobbing it off.

POINT OF ORDER

[Misleading]

Mrs. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker. The Honourable Member is misleading the House.

The Speaker: Take your seat, Minister.

What is your point of order, Mrs. Gordon-Pamplin?

Mrs. Patricia J. Gordon-Pamplin: I did not dismiss. I said that he was not accurate in some of his observations. But I did not dismiss, because I have a lot of respect for the recommendations that Mr. Perinchief made in terms of how we can enhance the system. But he was wrong in some of his earlier remarks and I just wanted to make sure and set the record straight.

The Speaker: Carry on, Minister.

Hon. Wayne N. M. Perinchief: Mr. Speaker, in that case I shall say that in referring to page 22 of this report (the Joint Select Committee Report) in a meeting with the JSC with Mr. Philip John Perinchief, member of the public, on 2nd of December 2008 (and I will read from it, with your indulgence): "Mr. Perinchief tabled a written report of his analysis of the Hopkins Review of Public Education in Bermuda." If you look at the report it is Annexe VIII.

"Mr. Perinchief then proceeded to provide the committee with what he coined as 'the historical disruption of the public system of education in Bermuda,' as well he also offered a possible evolutionary solution to amend the disruption.

"In the way of history," (and I am reading) "Mr. Perinchief reported that the former government, the United Bermuda Party, in the 1970s through the mid-1990s was responsible for a colossal and wholesale savaging of the public school system with the closing of Bermuda Technical Institute, and Howard Academy, the two senior high schools that were in very real and tangible ways holding their own in producing fine students who set (and were successful in passing) international examinations such as GCE's and other technical and vocational accreditations.

Additionally, the former government administration prevailed upon the Berkeley Institute Board to relax its standards of entry urging it to take students of low stanines etc., and to remove its entrance examinations altogether; and, eventually advised it to become a middle school as it has successfully done with the Sandys Secondary Middle School. Finally, the one senior school concept was installed and the CedarBridge Academy became a reality with the Warwick Academy, an integrated secondary school,

leaving the public school system altogether after threatening—along with The Berkeley Institute—to go private.

“The public school system, Mr. Perinchief contended, was summarily dismantled by deliberate acts of the former government but he sought to offer an evolutionary solution to the present challenges of Public Education.” And he made some suggestions.

Now, I will go on to repeat those suggestions, Mr. Speaker, later on. But I wish to allude to Annex VII from the report and a letter from the Berkeley Education Society, [dated] November 24, 2008, [from] the Berkeley Educational Society, [to the] Chairperson, and Members of the Joint Select Committee on Education, and I read: “In recent months and especially since the Hopkins Report has been released, the Berkeley Family and in particular the Berkeley Educational Society have taken the time to reflect more closely upon the proposed education reforms and how those recommendations might impact our delivery of instruction as an aided school.”

It says, “While it should be clear and obvious, The Berkeley Institute wants to re-state that it has always supported public education playing whatever role it can to restore confidence in the public education system and make it a viable choice for parents.

“It appears that some members of the Bermudian public have lost confidence in the public education system and there is but one thing that will turn hearts and minds around—student success at all levels but in particular at the senior level. The public education system must be in position to present a product that is, or at the very least is perceived to be, equal to or better than that which is currently available in the private sector.”

This report, in actual fact, Mr. Speaker, was submitted by our own Mr. Austin Thomas.

The Speaker: The late.

Hon. Wayne N. M. Perinchief: Oh, yes, the late Austin Thomas. He was very, very adamant and descriptive in what he saw as the demise of the Berkeley Institute. He said this, and I read it, Berkeley, “It suffered in the early 90’s when the system ‘went comprehensive’ by adopting an open admission policy without being provided by Government with the resources to effectively service the wider range of student abilities, nor to address the ineffectiveness of the middle school system—a fact that is now widely recognised.”

You see, Mr. Austin Thomas recognised, independently of Philip Perinchief, that it was a colossal mistake to try to make the Berkeley Institute into a middle school and also to remove its entrance requirements and to accept students of lower stanines. There could be an inference that this was deliberate. It would have left only one school, which had not even been built at the time, and that was CedarBridge.

We all know that Berkeley had struggled to claw back its former prominence as a centre of academic excellence, and I must say to their credit that they have achieved that in some measure. So I wish to put things in historical and factual perspective, Mr. Speaker, on that issue of what happened to the Berkeley Institute during the 1990s.

Mr. Speaker, in looking at this Joint Select Committee Report, it intended and did try to give some legs, if you like, and some coherence to the implementation of the Hopkins Report and the reform of the educational system in Bermuda.

Albeit, this report is four years late, and albeit the Hopkins Report and Dr. Hopkins himself had said that it would take approximately five years to implement even those recommendations that he had made to the reform process. Well, Mr. Speaker, keeping in mind that Dr. David Hopkins himself said that the middle school system was an anachronism (in other words, it was an impediment to progress) and should be changed at some time. At the time, he said we cannot do it immediately. This process will take about five years to flesh out, and by, say, 2013, or thereabouts, we should be ready to transition to a system where we abolish the middle schools.

You see, some educators have opined, they are of the opinion that the transition of a student from primary school to middle school and then within a period of two or three years another shift to high school is too traumatic. In many instances, children have to move not only to the school next door, but some parishes away, ripping them from their emotional tie to their peers, their teachers, and familiar surroundings. This readjustment is often very traumatic, and that is where we certainly lose our boys, in that middle school period when they are preadolescent—and girls as well—making educational changes and shifts as well as emotional and physiological changes and shifts.

So Mr. Speaker, it would appear to be that a systemic problem in our education system is causing a lot of the inability of our education system to function. And I have heard many people say that there are problems with education and the teachers, et cetera, all of these problems. That is why we cannot seem to make the transition, who should take the lead, et cetera.

Those things aside, I believe the crux of the matter may lie in the systemic (if you like) disconnect that occurs with the comprehensive school system that was put in place by the former administration, by the middle school system that was put in place by the former administration, and by that simply clumping together large numbers of children at one time in one large school, CedarBridge only. But thank God for the Berkeley Education Society who dug in their heels and said, *No, this is not correct. We must not allow our school to be downgraded and we need at least the two high schools.*

Another clear problem was the issue of boards, of having one large board, which basically would have probably mirrored the wishes of the Department of Education or the government (and I say that in a generic sense) rather than have the personal and very attached and connected reach to the individual schools. Again, thank God and the perseverance of the boards of CedarBridge and Berkeley to dig their heels in and maintain the administrative control over those two institutions, together with their PTAs, and were able to refocus in a very close way, the transition and the curriculum, et cetera, of those schools.

Mr. Speaker, I digress just a wee bit to a documentary that I watched on television about the repositioning and restructuring of the schools in Washington, DC. I was very enthralled at the efforts of one particular educator who was given the authority to restructure that system in conjunction with the mayor of the day and her efforts to restructure the education system.

You know, the same problems that our Education Department and Government faced, and that is the competing needs of teachers and teachers unions and the needs of the student population, the yin and the yang, if you like, of education. That constant tension and pull between those two institutions actually caused the mayor of Washington DC to lose his seat in an election. He lost the election.

Even in the face of improving standards in the school system by reform, because of the sensitivities of schools being closed and people being shifted from one borough (if you like) to another, to go to another school, the shared dynamics, the disruption, the assault on what teachers saw as their (I would say) cloistered position in education. The administrator who tried to make those changes lost her job and the mayor lost his job, but her deputy remained and the systemic change in education in Washington, DC bore fruit and eventually prevailed.

I see a lot of that in Bermuda, Mr. Speaker—to a lesser degree, but no less antagonistic. The position and posturing (and I say this not in a denigrating way) of the unions to defend their teachers and the efforts by the Education Department to make that paradigm shift to do teacher recertification or teacher certification (in the first instance if they do not have certification) with an effort to make the student the focus, education, teaching the focus of the exercise.

Schools do not a good educational system make. Infrastructure on occasion, if it is bad enough, will pull down and take away from student achievement, as will—as was pointed out by some people—social conditions of students and social conditions of the catchment area of where these students come from; that also will impact. But ultimately there is a fervent belief among some educators—and certainly we were the product of that, Mr. Speaker—that every child can learn.

Every child has the capability of learning, and if we get back to student-focused education, if we can concentrate on that and we can get good, dedicated teachers . . . and I heard the speaker before me say that in some instances males were employed simply because they male. Well, you know, I have two legs and I am a male, and I do not know if I would be that good a teacher, Mr. Speaker. I do not have much patience for it. So training is important, and good quality teachers in the classroom are important. I think that ultimately that is what the Department of Education is still trying to achieve.

So if—I believe we can, as a collective group of people, Government, the Department of Education, teachers—if we can look at what the objective is, then we can ultimately design a system that will serve our students, serve our children, and give them a good education, and try to work through some of the other dynamics and opposite positions that we have to take in protecting teachers jobs and on the other hand making sure that budget fits programmes.

If we can get through all of that, but still keep in focus that we are trying to educate our children, then we will do relatively well at the end of the day. But time is running out, because four years of a five-year window have already passed.

Mr. Speaker, I just want to flick back to the submission of Mr. Perinchief, and I must say I am his older brother, just so people do not confuse him with me.

I will read exactly from the report on page 23—

The Speaker: Well, do not read the whole thing.

Hon. Wayne N. M. Perinchief: No, no, not the whole thing. No, no. One, two, three, four, five, six bullet points, Mr. Speaker.

The Speaker: Good. All right, very good.

Hon. Wayne N. M. Perinchief: Good stuff though, really good stuff. Riveting stuff; I am sure you will be on the edge of your seat, Mr. Speaker.

Anyhow, Mr. Perinchief suggested that in order to bring into play an evolutionary solution to the present challenges of public education, he suggested this:

- “Extending and incorporating the present Clearwater Middle School into a senior secondary school, i.e., no more ‘free standing’ middle schools and retain the feeder schools of St. George’s Prep and St. David’s Primary.
- “Extending and incorporating the present Whitney Middle School into a senior secondary school in the same manner as the transformation of Clearwater Middle School—both these schools to have appropriate renova-

tions. The feeder schools could consist of Francis Patton and Harrington Sound, etc.

- “The two aforementioned schools, Clearwater and Whitney, would constitute the eastern region senior high schools.
- “Leave The Berkeley Institute as the central senior secondary school and incorporate the area or regional middle schools which would become primary schools.
- “Sandy’s Secondary Middle schools should become Sandy’s Secondary and Middle School and together with T. N. Tatem, these two schools would become the western region senior schools.”

And lastly,

- “The CedarBridge Academy should be transformed into a four-year degree, diploma, certificate, etc., awarding tertiary community institute or college like Seneca College in Toronto, Canada, offering academic, vocational, and technical disciplines.”

Mr. Speaker, you see, that is the type of practicality, that is the type of practical solutions that we should be looking for, whether you like them or do not like them, whether you want to jig them, throw them out, or what. But that is the practicality that comes from a trained mind. It comes from a person who actually has been through the system. An academic system yes, but nevertheless a very practical outlook—using and retooling the resources that we have, not throwing the baby out with the bathwater. You see, Mr. Speaker, that came out of the Joint Committee. That came out of a Joint Committee of Bermudian people, local people, who looking at the problem have put forward solutions that can be considered.

I recognise and regard this report as an extremely helpful one. I am sorry that I did not have the time to analyse it, and that is my fault. I just looked at the report yesterday, but [I] very rapidly went through it, and the things that were (what I would think) potentially advantageous to the process of adapting the Hopkins Report jumped off the page at me, Mr. Speaker. It is not rocket science. This, in layman’s terms, and laid out in a very succinct and understandable way, is the way forward.

I believe that if we as a Government and we as a people look at this report—and I must commend those who suggested that we have this report and those who participated. This is not to criticise or denigrate any of the efforts, any of the proposed solutions. All of them should be considered in one form or another, because this is the way forward—grassroots, practical solutions to problems within our educational system.

Mr. Speaker, in order to give other people an opportunity to contribute, I will now take my seat.

Thank you very much.

The Speaker: Thank you, Minister.

Any further speakers?

I now recognise the Honourable Member, Mrs. L. Jackson.

The Honourable Member, Mrs. L. Jackson, from Pembroke South West has the floor.

Mrs. Jackson?

Mrs. Louise A. Jackson: Thank you, Mr. Speaker.

I want to start off by saying that I am standing and speaking here today as a teacher and an educator of over 50 years, and all of my teaching experience has been here in Bermuda. I have taught at Berkeley Institute, Sandy’s Secondary, St. George’s Secondary, and Prospect Primary. I have also taught after school in just about every school in this country, both public and private.

I have been involved in education at a very deep level, with my husband being a principal of two schools here, principal of Harrington Sound and the founding principal of St. George’s Secondary School, and, of course, he became a Ministry of Education Officer. Now, I am saying that to say that [for] at least 50 years of my life, I have been immersed in Bermuda’s educational system. So I think I can speak fairly clearly and frankly, knowing that we must create a system here that is going to really be the system that is going to take care of the education of our children and do it the way it should be done.

So with that, it becomes very emotional to me to pick up a report like this Joint Select Committee Report and read the comments made by stakeholders in the system. I am going to start off—I know it has been talked about over and over again—about the Bermuda Union of Teachers and how they were affected by this.

Mr. Speaker, I was a member of the Bermuda Union of Teachers for many years. My husband was the president of the Bermuda Union of Teachers. We went on strike. We carried posters. We were very, very involved in the rights for teachers, salaries, and all the rest of it. So when I got to page 8 and read about the position that the General Secretary, what was said and done to this man in this meeting, it is unbelievable.

I know it has been said before, but it bears repeating. How in the world can you have the Union of 900 teachers, virtually all the teachers in this country, and you do not consult them? To me this is almost like something out of a cartoon. How can you not consult your teachers?

All right, Mr. Speaker, beyond that, how can you not have a teacher, or teachers, on the Board or Committee to make any of the decisions? When I read that they finally put one teacher on it and then they pledged him or her to secrecy . . . she could not say anything to anybody else. What is that all about?

Mr. Speaker, I am almost speechless about this. These are the people who are the wholeness of the system. In other words, you cannot have an educational system without teachers; they are the ones. And you are not going to consult them about how this should be improved?

I want to digress for a moment. I am very concerned about the fact that we have had several Government speakers, Members of the Progressive Labour Party, talking about how they inherited this terrible system and, *The reason why it is the way it is now is because this is how we found it.* Well, I beg to differ. I taught in the system, as I said, from 1952 and at that time this was one of the top educational systems in the world. We achieved 100 per cent at the Berkeley Institute in most of the subjects. I taught a subject, health science. I am seeing one of my students walking in here now.

An Hon. Member: Wayne?

Mrs. Louise A. Jackson: Oh, yes, he was one of my students, the Honourable Member Wayne Perinchief. He is one of Flo Perinchief's children, and I taught them all at the Berkeley.

I know that Flo, wherever she is—Wayne, Phil, Delah, and all the rest of them, their mom—if she could look down and see what this system is doing now . . . I can tell you one thing, none of those children would go home with anything less than an “A” or “B.” Not to Flo Perinchief. No such thing as only half of the family graduating; that was not on.

So the Progressive Labour Party Government has been in power for 14 years. It seems to me if the system was all that bad—which it was not, by the way; it created the Wayne Perinchief's and all of the Premiers of this country. I think, with the exception of the present Premier, all were graduates of the Berkeley Institute. We have the Honourable Dame Jennifer Smith (I will not go through them all), my nephew the Honourable Member Alex Scott, the Honourable Member (at the time) Dr. Ewart Brown . . . all of these certainly attained greatness from this so-called awful system that we had. I do not think so, Mr. Speaker. We have had graduates like Dr. Malcolm Brock, who went all the way through the system [and] all the way through the Bermuda College before he went off to Princeton.

So I mean, I am sorry, but we had one of the best systems in the world, and the people who came out of it we can be proud of. So all this Government had to do was the day they were elected start to change it, if it was so bad. I can assure you that they knew what they were doing, Mr. Speaker, after 14 years surely they should have gotten a system together that at least works for some of the people.

Now I am going to go back to the report itself, and this has been said before. Dr. Johnson informed the Committee that education reform is not a quick fix.

Someone, I think it might have been the Honourable Member Pat Gordon-Pamplin, said that it should have been different. She would have changed that from not a quick fix. I am going to say this, that some of the things that he said I was just sickened to hear it. While there were some effective teachers in the system, Dr. Johnson said—*some?*—“teachers effectiveness generally was less than desired . . .” What kind of system is this?

Dr. Douglas Reeves “had been invited to provide teachers with the essential tools for successful teaching as well as address the attitudinal approaches of teachers.” He said that only a handful of principals were good, instructional leaders. This was the saddest reading for me. Honest to goodness, I was so depressed when I read this. And this was in 2008, which means that this Government had been in power for 10 years and this is what comes out of the system?

I hate to keep going back to what used to be, but it used to be that we had about five (and I have said this over and over again in this House) Department of Education Officers to run the whole system. How many do we have up there now? They are not very complementary about them in this report either; we will get to that later.

It goes on to say that “quality leadership was not evident.” It is a damnation of this system. Then the punch line is: Of the 10 major recommendations in the Hopkins Report, only one had been accomplished. And that, number six, was the raising of the school leaving age.

When I think of the children who come through this system, when I think of the children that I saw in 1952, some of you sitting here now and what you have accomplished, and then I read the newspaper and see what this system has done to some children—and I am going to talk about the young man that was sentenced the day before yesterday, I think it was, for killing someone. I do not think he killed anybody. I think he shot at them. The point is, he did go to jail and there was a letter from Shelia Cooper, who is an advocate for children, which was so sad. The fact that this young man had been failed in this system from the time he was born, and the school system did absolutely nothing for him. You only need to read the letter—

The Speaker: Well, do not forget we are debating—

Mrs. Louise A. Jackson: What I am going to do is to relate that, Mr. Speaker. I want you to turn to page 13 if you have your copy there, and it is one of the Headmistress's, a Mrs. Figueiredo, indicated that “the education system was not meeting the needs of a significant number of students who had behavioural issues and/or special challenges.” This young man had special challenges. He had the mental age of a seven to 10 year old, and he was completely failed.

Now, I want to question the course for special education that we have now. There was a special education course for Bermudians at the University of Ontario Institute of Technology, and this is in special education, and evidently it is a course laid on just for Bermudians. Now I have never heard of such a thing. If you are going to be trained as a teacher, you have to be trained with everybody else in the college and be able to come out of that course able to take external examinations, able to teach in anybody's school in Ontario, but not this. We have a little watered down course of special education at this school for only Bermudian teachers, and when they graduate they could no more teach in Ontario or Philadelphia or anywhere except—wait for it—Bermuda.

Now, Mr. Speaker, would you have a doctor who was only trained in one school and it was watered down so that his particular skills as a doctor were just taught for Bermuda? So he comes back to Bermuda and he is not recognised abroad; he cannot practice abroad. Now, would you want a doctor to treat you who had a special course, again, for Bermudians only and was not able to take or pass external examinations? Would you want your surgeon to be a fast-tracked surgeon in a Bermuda-only course? Well, then why in the world, Mr. Speaker, would we do this to our special needs children?

I have a special interest in this. I think it is deplorable the way special needs people are treated in this country, and I have to bring Orange Valley into it, because that always galls me. But getting back to this, what I want to do now, Mr. Speaker, is to go to another page. If you can turn to page 11, and it says here that "Dr. Hopkins noted that the Education Review group acted rapidly with its first report" then he goes on to say "that he was disappointed with the slow progress on the ten recommendations." I already told you that they only did one, and that is the school leaving age.

So he says, "1 to 5 and 7 should have been focused on first." Then he went on to say he was "alarmed that job descriptions for posts of Assistant Commissioner and Assistant Directors in the Ministry of Education had not been produced and published." Well, again, this Government has been in charge of education and everything else. They are the Government.

So how can this be that you hire a man, Dr. Hopkins, at great expense—he was worth every penny though, I have to say that; I cannot say that for some of these consultants that come down here, but that man was worth every penny that was spent on him—then you do not pay any attention to what he says.

The Speaker: All the recommendations have been implemented, so this is largely historical.

Mrs. Louise A. Jackson: But, Mr. Speaker, that is my point, what about the children—like the young man (I cannot think of his name) who has gone to jail now for shooting somebody—who was failed? He was in the system when this was going on.

That is what I am talking about. How many children did we lose? How many children have been failed? It is all well and good to say, "*Oh, well, now we have finally got it together 14 years later.*" But what about the hundreds of children who were short-changed?

An Hon. Member: They were not born in 1998, Louise.

Mrs. Louise A. Jackson: That is not funny either.

An Hon. Member: I did not say it was funny. I am serious.

Mrs. Louise A. Jackson: Yes, well, I will not go into that.

On page 13 there is a recommendation 9 "on aligning the curriculum that principals had no real input in curriculum development." It goes back to what I started out with. The teachers were not involved in this at all, and they are the main stakeholders in the whole thing, then now you are going to tell me that the principals did not have anything to do with the curriculum?

Again, this is . . . I hate to use the word, but when you think about it and I think about that young man, it is criminal. It failed these children through all those years. Then going on, Mr. Speaker, if you want to turn to page 25 and they talk about the minutes and certain common concerns. Again, this is something that I am going to skip around on; I am not going to talk about all of them. But I am going to start off with "The Interim Education Board a year on had not identified a permanent CEO or Education director." After a year.

There is something fundamentally wrong here, and I do not know whether we can blame it on all of the in and out, in and out, how many different Ministers of Education—I do not know where the blame is placed, but there is only one place I today standing up here can blame it on and that is this PLP Government who have failed these children.

Going on, there is little if any communication (we have talked about that) with any interviewed group. And, of course, the Bermuda Union of Teachers, that they had been totally isolated, and then "The BUT stated that teachers had been picked independent of any input from the union." And I have said this before, but they were sworn to secrecy so they could not even tell the Union what was going on. What is it with this? It sounds like a secret society or something.

Then, "The Association of School Principals voiced that while it would become their responsibility

to implement whatever decisions of the Interim board, they had not a year later, been invited to make input." This is a condemnation. I am sorry, Mr. Speaker, but again I started off by saying that this is my passion, teaching, this is what I [did] for many years.

And then, "Relevant legislation has not been completed . . ." "Forms of assessment had not been agreed." "The Interim Education Board a year on while they may have developed this Strategic Plan for education has not shared it with those tasked with its implementation."

In other words, it seems like nobody was consulted. Meanwhile, you have teachers who are being asked to put various things in place. I read (I cannot remember now which one of the statements this was) that teachers were actually given a curriculum, or plan, a strategic plan to do just a couple of months before it was supposed to be implemented. They had not been involved in how this was supposed to be done. They had not been involved in, *Is this what we should do?* They were just told, without any bye or leave, this is what you are going to do. And God bless them, you know what they said, Mr. Speaker? *No, we can't do that. We are not going to do it. Excuse me, we are not doing it. We have our plans for next year. You did not bother to tell us about the plans you were going to do, so we will do our own plans, thank you very much.*

But that is not the way to run a system of education. The sad part, again, and I keep repeating, is that it was one of the best in the world. You cannot dispute that. To have it come down to what it is today is just horrible.

Now, I want to talk about these teachers who have exemption. For those of you who do not know, these are teachers who do not have proper qualifications and they are now being exempt from that. They are allowed to teach without the proper qualifications to teach. I want to know what the criteria was for that, for starters. I cannot see any reason for having to exempt people. I was brought here in 1952 as a teacher from the United States because the Berkeley Institute did not have a teacher here of physical education.

So what is wrong with bringing teachers in who are qualified to do the job? Why are we just exempting Bermudians who are not trained? Again, I will use a doctor as an example. Would you want a surgeon operating on you who does not understand surgery? Well, you certainly do not want a person who is supposed to be a teacher teaching your child in school if he is not trained to be a teacher, particularly, in something like special needs. Now, I do not know that any of these exempted teachers are doing that, but what you are doing there is you are putting children at risk.

I will take my field as an example, physical education. You can certainly have a child kill himself [by] teaching gymnastics in the wrong way. You can have children maimed [by] not making them under-

stand that you cannot raise a hockey stick above your shoulder. These are things . . . children can be destroyed; their whole emotional side can be destroyed by a teacher who might call them a dummy, or say *Sit down, you're stupid.* The thing is you just cannot do that, Mr. Speaker.

So you devalue the academic training of others when you do that, and you cannot work as a teacher anywhere else in the world—I am talking about the developed world, of course. So out of this report, if you are going to have something like that, again, I find it very, very unsettling. If you cannot work in the United States or in England or someplace else than you should not be a . . . are our children that worthless that it is all right for them to have something that is less than the best?

The Speaker: You come back to the report, though.

Mrs. Louise A. Jackson: It is in the report, Mr. Speaker.

The Speaker: What page?

Mrs. Louise A. Jackson: Page 13, ". . . the education system was not meeting the needs of a significant number of students who had behavioural issues and/or special challenges." She goes on to talk about the personnel along with it.

I am going to end now by saying that, yes, we have made some progress and change and there are some high points and there are still some very low points, but I will never, ever forgive this Government for doing what they did to our children as far as education is concerned through those years, chronicled by this report.

This is a condemnation, and I think that my Honourable Colleague, Dr. Grant Gibbons, was quite right in what he said, and I am going to have to repeat it. The education reform process is "dead on arrival."

Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Jackson, the Honourable Member from Pembroke South West.

Any further speakers?

I now recognise the Honourable Member, Mr. D. Butler.

The Honourable Member, Mr. Butler, from Warwick North East has the floor.

Hon. Dale D. Butler: Thank you, Mr. Speaker.

It has been quite a history lesson here as we look at the Joint Select Committee on Education Review of the Public Education in Bermuda Report. Because we have all come through schools, we all have experiences of great teachers and fairly good teachers and some teachers who were not that good.

The last speaker spoke about the Exemption Committee. It has been in the news recently, and I am the outgoing Chairman of that Committee.

Mr. Speaker, the report speaks to standards, and as a principal one of the key things that had been passed on to me [was] the importance of standards.

So [if] a teacher goes out on maternity leave or a teacher is sick and cannot retire or decides to go and do a degree and you are looking in the middle of the year for a teacher, finding a qualified physical education instructor is not as easy as it may seem. In fact, in years gone by they would take a very well known football player or cricket player and put him in the classroom.

So when the Ministry sent me a young man who I had actually taught, and I will mention his name, Herbie Bascome, to teach PE—and the students at that time were somewhat out of control with the PE teacher who was going out—he more or less had his hands on them, but not completely. Within one day the students were in line, in uniform, on time. Within one day their homework was done. I watched him teach health. I watched him get the students from Northlands School across the road without raising his voice. I stood at the doorway, he did not even know I was there, and never heard him raise his voice. I said *My goodness, this is surely a master teacher, an outstanding teacher.*

I was so impressed that I approached him after observing him and making notes, after about six weeks, and I asked him where he was trained. And he said at his club. He had no university training, and here was a gentleman who was 10 times better than any of the PE teachers that I had seen who had numerous pieces of qualification.

What am I saying here, Mr. Speaker? I am saying that as the outgoing Chairman we did receive requests from principals . . . the Ministry had advertised for qualified people to come in. Whether they came in after the decision had been made was after the decision, but at that time if nobody came in the principal would recommend to the Committee that they felt based on their observations that this was a good teacher. They submitted that name to the Committee.

The Committee examined the principal's comments and remarks and then attached some conditions that we would accept on condition that the person would be registered in a Ministry-approved course and would submit their grades for the year and an indication that they were in that course and when they would finish, and that the Ministry and the teacher would continue to observe that teacher's level of performance. We had no choice, really, but to withdraw and have nobody in that classroom.

Of course, there have been instances where people who for whatever reason showed up after that teacher got that job, and if the Ministry needs them they would be accommodated. So standards are im-

portant and we attempted to hold to those standards, as indeed we held the Ministry accountable with very strong language by telling them that we found such a situation . . . while we understood the plight and we were interested in the children and their welfare, the Ministry had to do a better job. We told them just like that. The Minister happens to be a colleague of mine, but we did not let the Ministry off the line. We told it like it was, that we had to do a better job to get the 22 down to five and then eventually zero.

So, yes, there have been teachers who have been exempted, and we hold those principals accountable who sent those names in. Not the Ministry, not the Minister, the principal observed and made a case for that person to be exempt, whether they were a music teacher or a science teacher.

As I stated, Mr. Speaker, this is a very weighty report, and I think we should be thanking those who decided to drop party lines and work in the best interests of our children. That in itself is a big plus. That is what the House wanted—both sides—and that is what the House got.

So there was no need to come in here as an executioner and accuse us of having something that was dead on arrival. That is what we used to hear from the party that no longer exists, the UBP, but I expected to hear from the OBA that they were surgeons. That would be a much better analogy; that as a surgeon I am here to help. That is the past.

The old UBP used to talk about there being a dead animal, dead on arrival—we have no time for that. We are talking about building the lives and the future of this country, and this report highlighted some concerns, yes, and the Ministry and every Minister we have had has attempted to do that and they have had the financial resources to do it.

I have never seen so many schools that are so well laid out, with air conditioning and carpeting. And this Government bent over backwards to produce books and purchase books; first to purchase those that were already in existence that were relevant to the curriculum, that were written by Bermudian teachers with some foreign expertise, and produced its own.

Rosemary Jones and that massive history of Bermuda . . . the Bank of Bermuda donates that book to every child in Bermuda. Other countries look at us, Mr. Speaker, in awe. *How could you get your bank to do that? We are struggling to find the resources.* Our bank gave every student a book. The Government went on further talking about standards, Mr. Speaker, and ensuring that students have resources. They did an elementary version. First class!

When I look at the resources as a consultant in the book I said, *Jeez, this is up there.* Macmillan-class! That is world class, Macmillan and Harcourt Brace and Jovanovich from the States and those sorts of schools. The Ministry took it first class to provide our students with maps and pictures and stories that

have been reviewed by historians and everybody in the community to ensure that our children receive the best.

So we should be in here saluting the fact that, yes, we found out what was wrong with the patient and now we are trying to ensure that we can make the type of progress to provide a meaningful education that will ensure that our students have the skills that are needed.

But what are teachers facing? We know what teachers are facing because the report talked about behaviour and how difficult it is without parents playing their role and without the churches (they are no longer in churches) playing a role. And there is room in our educational system for religious education. We say we are Christians and then we back out. There is not a Muslim country in the world that backs out of its educational system on the whole question of religion; they have it in there. But we claim to be Christians, and we back out because we do not want to teach it. That should definitely be an option [for] our children. It fortifies them; it fortified us.

Then we remove those things that made us strong. We remove them all one by one. No longer do we have to be in the church, no longer need God in their lives, no longer need manners, no longer need this . . . and then we wonder why they go wrong. What do we put in its place? Well, I would question those things, Mr. Speaker.

So the report highlights what needs to be done and we just have to get on with it. At the end of the day, Mr. Speaker, it is about the product, is it not? We can write all these fancy words and observations and statistics and things like that, but there are some hard-core decisions that have to be made and one of them has to do with the final product.

Education is fairly basic, you know. You want your children to read, write, and do some arithmetic. It has not changed much at all from the time I entered the profession in 1976. It has not changed much. I mean, we have SMART Boards now, videos—every single ingredient necessary for success is in this country. You know who proves it, Mr. Speaker? Well, we have to ask ourselves that question that is most difficult of all—the pebbles in our shoes that we do not want to ask those questions.

As much as we complain about this being “dead on arrival,” we have many people who come through the system—Bermudians and our foreigners—who do very well. I recall seeing recently some at the top of the class on their way to Dalhousie University, a fine university, University of Toronto, and another example, our schools taught a boy at age five in September, [and] by Christmas he was speaking English.

I just sit back in awe at how his teachers—qualified now not as monitors, as perhaps you may have had, Mr. Speaker, who did a great job with you. Monitors; they did not have degrees in those days.

The monitor taught you. The prefect taught you. Now they have bachelor’s degrees and they have master’s degrees, and I have never seen so many PhDs in the system.

So every ingredient necessary for our children’s success is there. With the support of a family who has the interests of the child at heart and will work with the school and not against the school, our children can soar to the top. We are beginning to see those results, as our Honourable Member who presented this report, Mrs. Foggo, indicated how both sides celebrate the successes of our children in our public schools, realising too that there are some problems—and we have to step up to them as well—like dyslexia, which remains as a big issue. If principals are doing the evaluations as the report requires . . . we have to ensure that their game plan is up to par.

But there is nothing more discouraging than to watch, as I watched in my last few years in education, Mr. Speaker, qualified teachers with interest and enthusiasm and energy, well prepared, enter the classroom and the children are asleep. Too much TV, too much BlackBerry, now the iPad, and then you wonder why they are not learning.

It is interesting, you know; Bermudians do not like when I say that.

The Speaker: That is the age we are living in.

Hon. Dale D. Butler: Yes, maybe so, but as a parent I would have had a law. I only had two children that I know of, Mr. Speaker, and I said, *No, you are not going to have all those gadgets until the basics come first.* You get those basics done right. And whatever happened to how we used to celebrate and love our children, hold their hands?

You want to see where the disconnect starts, Mr. Speaker, look at how mothers walk with their children. I am almost in tears as I watch mothers come by my home on their BlackBerry while they are walking and the children are walking and nobody is holding their hand. That can be the biggest message you can send to a child that will empower him and send him in the right direction of knowing what to expect when he gets to school, Mr. Speaker, a simple matter like that.

So there are some key things that have to be done in order for teachers to be successful in the classroom by having those students awake and ready to learn and prepared. That type of preparedness we ask for is [the] complete support of our parents. I am pleased to note that more and more PTAs are taking education more seriously and more and more parents are beginning to understand that they should not work against the principal or the staff but with them, because the end product is to improve their knowledge, their interest, to make our students keen, to ensure that they have goals and that they can do the basics.

So it is about the product and how do we get there. The report addressed what we needed to do to

get there. It is often said that the Ministry of Education is too top heavy, but how do you really get rid of people? How do you dismiss a person who is in their job, qualified, going along, but you have changed and you no longer want to have 10 administrators, you think you can get by with two. What do you do? I think it would be a bit costly to suddenly ask those eight people to leave. You might be able to put them back in the classroom, if their unions will work with you.

I think that aspect of the Ministry does need to be looked at because we are talking about one of the tiniest educational systems in the world. It should be a much easier job to get it right with a declining population, with a population of teachers who are extremely well qualified. We can get a lot more out of our children, but we ourselves as legislators have to be positive about that. And language about things being “dead on arrival” does not encourage or motivate teachers to want to be able to continue.

I believe that most of our Ministers try to the best of their ability to work with all of these groups, and that is where the problem comes. A Minister can make a decision right away, but, *I have to go and consult. Can you make Monday? No, I can't make Monday, I have a funeral. Can you make Tuesday? Well, I can't make Tuesday, I have Cabinet; I am the Minister. Can you make Wednesday?* It goes on and on and on, and two weeks later you are having a meeting on something you could have made a decision on right away.

So consultation takes time, and then you are held accountable by the House—*Where are your results?* Then you are held accountable by your Premier, your leader. You are held accountable by your caucus, by your central committee, or your executive branch, and then by the voters—*We have not seen anything.* You are a consultant; how much consulting are you going to do? You have to find that balance, and it is not easy, because you can go there once, twice, three, four times.

So while the report was critical about the lack of consultation, it is not as easy as it seems. You go backwards and forwards, backwards and forwards. Massage it. We have seen examples when you think you have it right and you make a press release—*I was not consulted.* Enough! At some point in time . . . the world was built in seven days, not eight or nine. The dear Lord said seven days, it is over.

[Laughter]

Hon. Dale D. Butler: So, Mr. Speaker, how do you get [the] quality teaching which the report asks about? Evaluation—we have to evaluate the teachers. We have to help them. We have to support them. And when they are not performing . . . I know it is your cousin, and your goddaughter, and your friend, and your neighbour, and your constituent, but in the best

interests of the children you have to take whatever steps are necessary.

We cannot turn back the clock and ponder whether or not we made the best decision in bringing in Dr. Johnson. Those PhD students who write about these things will give him his report card. In fact, I did ask him one of the last times he made a presentation what his accomplishments were, and the answer was . . .

[No audible reply]

An Hon. Member: Good answer.

Hon. Dale D. Butler: The way forward, Mr. Speaker, another difficult decision which I believe the Government brushed or at least tested the waters on was whether or not in such a small school jurisdiction with a declining education population, should we close schools. I think we have no choice but to close one or two schools. They can still retain their names. Why? Because the Island, on the other hand, is calling for more technical education. If you close the school in June, it could open as a technical education school in September. And the same way the tech built the classrooms, those students could make whatever modifications are necessary, is that not right? Hands on, right there; they could make the modifications.

But we cannot get the community to say, *Yes, we understand this school will be closed and my child will be accommodated elsewhere. And I will work with that school because I know the resources will be there because I am looking at the bigger picture*—that come September we will have a purpose-built facility to deal with this question of young men who are now leaving school who have no interest in business, who are not sure about their future careers. They will step up and say, *Maybe I can go and learn something in the technical school that does come with academics, does come with physical education, et cetera.*

That is the faster way of doing it, but to get our own people to accept, maybe after the formation of a commission of three or five from both sides of the House, from wherever, who come to the conclusion that school “A” should close, keep its name, its history, and everything about it, in the best interests of our immediate future and our long-term future could open with your Cisco Academy in one building. Cisco in one level, trade in the other, PE, music, senior centre, all in a school that was closed at practically no cost to the Government, because you were paying for the school to remain open anyway.

Now, the question is, How do you get there? Consultation. But it is going to take a long time. The same people you are consulting are the ones who are feeling the pain, and we need to ensure that they understand that we are here to help them. And the easiest way and the best way is, *Sorry, that particular school . . . at the moment the children can be served*

elsewhere and we are calling on your cooperation and your support to close that school in June, so it can open as a multipurpose facility.

If not, the current violent problems and problems with children who have not learned that we can accommodate them in that school with multi-disciplinary teaching, where we could bring in some specialists to deal with dyslexia, more hands-on and utilise some of our senior citizens who are about to retire [who] could easily be incorporated into that programme, with their values and their skills. We have to get there. If we fail to get there history will indicate that we missed a golden opportunity and a wonderful chance to do that. We do not have the economic resources to build a brand new facility or even the land to do it, or the time. It is not there.

So this Committee, Mr. Speaker, while they looked at the expectations of Dr. Hopkins and what needed to be done, all of us have to march together. We have to just keep at it, because the future of this country relies on it. Beyond words and dust and what happens next with regards to the future steps, how many recommendations are accepted, we have no choice but to continue.

Mr. Speaker, I hope—and I really feel—that we can get there. We have small classrooms. We have increasing parental involvement. We have the textbooks. We have better outfitted classrooms with SMART Boards and overhead projectors and all these things they use. Technology is there. One million dollars going into buying new laptops one year. One school went all laptops. Unbelievable. We have greater emphasis on physical education through health and through education itself. All the ingredients—qualified teachers, qualified parents, principals, in-service therapists in the schools, integrated schools. The rest of the world looks at us and marvels.

We just have to continue to push it towards the finish line in order to get the results that we know we are very capable of getting. Our generation did it. There is no reason why, with some more forward direction, less bickering and fighting amongst ourselves, we cannot show a common front, and that we do indeed all care about their welfare, the development, and the long-term future of our young people. They deserve that, Mr. Speaker, and our teachers deserve our trust and deserve our praise when they perform.

We need to ensure that our principals—in doing their job of evaluating the best and working with the best and helping and supporting those who are growing, and when they are not, pointing out alternative occupations for them—we need to ensure that they do their job as well. And we need to ensure that if the Ministry is too big we cut quickly, as compared to going on year after year complaining that in a small jurisdiction we really have too many people at the top.

We have to find a solution—whether it is an economic solution—that will be able to bring about the type of change that is necessary so that the resources

at the top can still be utilised in classrooms and in centres, as compared to just dumping them and getting rid of them. More streamlining would really help our schools to grow.

At one point, Mr. Speaker, we need to be looking at (and I still believe in and I believe the report addresses it in talking about the autonomy of a school) liberty schools, where the principal sets the goals and the principal determines how far they are prepared to go, and you leave them. You just have to show up and say, *Show me the results.* A liberty school; get on with it. Because they know at the end of the day if they do not meet those targets there will be no excuses that it was the Ministry or the Minister or the Government, it was a liberty school where you could really get going on directing students.

It is not an impossible task, Mr. Speaker, but it is a task that needs to be examined, and the resources that are necessary the Government has provided over the years in all aspects of classroom teacher/student ratio and resources.

So I hope, Mr. Speaker, at the end of this we will not leave with the negative tinge that it was “dead on arrival,” but that there was much hope on the arising and that the soldiers were at the wicket and they were beginning to score the runs that are needed to develop our future, and we are.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Butler, the Honourable Member from Warwick North East.

I now recognise the Honourable Member, Mr. D. Hunt, from St. George's South.

Mr. Hunt, you have the floor.

Mr. Donte O. Hunt: Thank you, Mr. Speaker.

Mr. Speaker, I stand as a happy and strong father of two beautiful young girls who are in the education system. And, of course, this particular topic is key to me, my wife, and to all fathers and parents out there.

Mr. Speaker, first and foremost I want to say thank you to those who were part of this particular report, this Joint Select Committee on Education, who brought this report to the House. In a way, Mr. Speaker, this report is no different than when I go to my daughter's school and we sit down and we look at their reports and we say, *How are you doing and how can we address the issues that you may be having? How can we augment the successes that you are having?* So in a sense, Mr. Speaker, this is a report card on not only the Ministry of Education, but also the Government at hand today.

Mr. Speaker, let me make this clear real quick, before I get knee-deep into what I want to talk about. There was a lot of interpolation and misunderstanding of what the Honourable Member Grant Gibbons said. He said “the reform process was dead on arrival.” The reform process was dead on arrival, not

that the education system is dead on arrival. I think that is key to make clear in this House so that all understand that.

[Inaudible interjections]

Mr. Donte O. Hunt: I hear interpolation on the other side that both are out of order.

[Inaudible interjections]

An Hon. Member: The language is not positive.

Mr. Donte O. Hunt: I will reiterate what the Member said, “the reform process was dead on arrival.”

[Inaudible interjections]

[Gavel]

Mr. Donte O. Hunt: Mr. Speaker, I would ask that you allow me to speak and allow the Members—

The Speaker: Carry on, Mr. Hunt.

[Inaudible interjections]

[Gavel]

The Speaker: Carry on.

Mr. Donte O. Hunt: Thank you, Mr. Speaker.

Mr. Speaker, I appreciate your indulgence. At this stage, Mr. Speaker, I would like to move on—

[Inaudible interjections and laughter]

[Desk thumping]

Mr. Donte O. Hunt:—move on from the noise on the other side. I know persons listening to the radio can understand that this touches a chord, so there is noise. And when there is noise, you can understand it touches a chord. But that is okay; that is okay. We will move forward.

Mr. Speaker, this report, as I said with regard to the report card of my children in school, this report is a report on the Government. This is a report on how the Government has handled its business as it relates to education. Of course it is, and that is why I welcome it.

But when I looked at it, when I read this particular report, I have to say, Mr. Speaker, that this report is an indictment on this particular Government of how they have handled the education of our children. It is. And I am not saying this . . . look, it is very easy, Mr. Speaker, for the other side or those who are amicable on that side to say, *Well, look, you are just be-*

ing the Opposition and you are just saying terrible things about us.

No. I looked at this with the lens that said, *Where are we, where were we before, where are we going, and what has been done?* For anybody who looked at this particular report, you will see a common theme. It has been said by the Honourable Member who brought it to this House, and I will say it again.

There are three lacks, L-A-C-K-S. There are three things that the Government and the Ministry of Education has lacked going forward in terms of getting things done as it relates, Mr. Speaker, to David Hopkins and the Hopkins Report. That is:

1. communication;
2. collaboration; and
3. progress.

Where is that in the report? I can see you thinking about that, Mr. Speaker, and I will tell you.

[Laughter]

Mr. Donte O. Hunt: I have been here long enough to know.

The Speaker: Do not get thrown off.

Mr. Donte O. Hunt: In terms of communication, we look at page 8, on the second paragraph at the bottom sentence, “. . . the Ministry had given the BUT only three days to review amendment to the Education Act after it had already been formulated.” Three days. Lack of communication! You cannot give so small an amount of time.

Two, collaboration; let us look at page 7, Mr. Speaker. Look at page 7 . . . give me a chance to turn to that page, because I do not have it committed to memory. It talks about, “At that meeting the General Secretary shared that the Bermuda Union of Teachers' Collective Bargaining Committee was the appropriate body that would ordinarily be consulted on matters concerning education, per the bargaining agreement, but that he had found it difficult to have any consultation with the Ministry . . .” I can go on, but you get my point. That is collaboration.

Progress, Mr. Speaker, is on page 7. “. . . the Chairperson was not satisfied that the officers had addressed the questions of what progress had been made to date on any of the 10 recommendations issued by the Review Committee . . .”

Mr. Speaker, I can go on and on about these three fundamental issues that have that have raised their heads as a result of this report—a lack of communication from the Ministry of Education, a lack of collaboration and consultation from the Ministry, and a lack of progress (more importantly) from the Ministry. Three key elements to one of the most key Ministries

in this country, and that is Education. Unacceptable. Unacceptable. Unacceptable.

Mr. Speaker, I was watching CNN the other day (it may have been about a month ago) and they had a programme on which was right in line . . . I wish I had recorded it, because then I could have disseminated it to my colleagues here, both on this side and opposite.

That particular programme was about education. They had one gentleman that I do respect, Sanjay Gupta, he was there and he was doing his thing. What they did is they reviewed countries, two particular countries that had the top education rates of the entire planet. So what they did is they said, *Why is this? Why is this going on? Why do they have the top education rates?*

[Inaudible interjections and crosstalk]

An Hon. Member: Based on what? Top education system based on what?

[Gavel]

The Speaker: Sorry, you will have to . . .

Mr. Donte O. Hunt: Interesting. For those listening, when you touch a chord—

An Hon. Member: There is no chord. Based on what?

Mr. Donte O. Hunt: So at any rate, the two countries they were looking at, the primary reason one country had one of the top two education rates of this globe was teachers. Why? They focused on teachers. They ensured that their teachers were well-qualified. There were no ifs, buts, or maybes. There was, *Look, if you want to teach in this country, you better get your act together and you better get this.* Whatever that was, in that case it was a master's degree. So look, they had a high standard of teacher education, okay?

[Inaudible interjections]

Mr. Donte O. Hunt: Go online, CNN. Google it, my friend.

[Laughter]

Mr. Donte O. Hunt: The other country, Mr. Speaker, had a major focus on—

[Inaudible interjections]

[Gavel]

The Speaker: Give the Honourable Member a chance.

Carry on.

Mr. Donte O. Hunt: I just want to allow the people who are listening to hear the other side interrupt in such an important debate. It is very disappointing.

But at any rate, Mr. Speaker, the other country had a big focus on family. They had a big focus on family. I will tell you why that is important, Mr. Speaker. Families who have a focus on their children, who have a focus on getting their children to school prepared, mentally and socially, have children who succeed in school. Hands down. They feed them in the morning, even if they do not have enough money. They make a sacrifice to do it.

What is happening in this particular country is that it was a top-down approach that said, *You know what? Get your act together, get your children to school.* And there may not be punitive [measures], but more importantly there were incentives.

My point is the government of that particular country, the heads of that country, understood that family was key to education, key to the development of the youngest of their society.

An Hon. Member: Which country are you talking about?

Mr. Donte O. Hunt: Mr. Speaker, I will give you one example and then I will move on to the gusto of what I want to talk about regarding this particular report. A lot has been said about this report and I want to talk about one element.

There is an experience I had, that I say time and time again. I had the opportunity to spend three months in Uganda in the Mount Elgon region, in Kampala as well, which is the city of Uganda, and on the border of Kenya. During that time, three months, we tracked around everywhere. We lived out of tents, and as harsh as you can imagine, that is how we lived for three months.

But we had the opportunity in that time to see families, individuals, and communities that lived in equally harsh conditions . . . well, certainly harsher conditions, because at least we had satellite radio and stuff like that in case we needed help. But the thing I got from looking at this community, and I remember back then before I even joined politics and before I even got here, what I understood from that region and even from the teachers, because we had the opportunity to go to schools that were mud huts, no computers, [and] they did not really have a blackboard.

What I learned is that the spirit, the essence, within an individual to understand that they need education, to desire education, comes from nurturing. It comes from nurturing. They were not going to a school that had computers and these beautiful boards—I cannot remember what you call them.

An Hon. Member: SMART Board.

Mr. Donte O. Hunt: SMART Boards. They did not have that. They did not have that.

But they had parents who said, *Guess what? This is what you need to get ahead. Get to school. Go to school. Do what you have to do and do better than what we did.* So anyway, what I was saying is there are two elements—these two top countries had in terms of education, which were, one, great teachers and a focus on teachers; and two, a focus on family.

Mr. Speaker, as I get back to the report, one thing that I kind of honed in on—and as we close down this debate I do not want to go all over the place. I am going to just look at number seven on the report—If you allow me to just educate the listeners, as well as those in this House who are opposite who seem to be a little bit disrespectful—“Respond to concerns about inclusion and behaviour.” “To equip students with the skills needed for engaging fully with the school curriculum, the weight of learning support in primary schools should focus on helping students with learning difficulties within the classroom rather than through withdrawal. Educational psychologists and specialist teachers should provide more direct help for mainstream schools in providing for students who are hard to teach or have difficulty in learning.”

That is what I want to focus on in the next few minutes, and I will wind down. What this particular number seven says to me, Mr. Speaker, is that we have two situations on our hands in the schools that I think make a massive, massive issue that we have to deal with today. That is, one, certain students who have an innate or natural (or nature) learning disability, and, two, those individuals who have a nurture or a social issue, something that creates an issue with their ability to learn.

One is innate in nature. They were born that way, they have difficulty learning. We understand that. And, two, they were not born that way but through social issues at home, specifically, they come to school with a chip on their shoulder, massive cognitive impediments as a result of home issues, whether it be physical, sexual, or simply neglect. These children come to school and they have a hard time learning. So we have two cases on our hands, innate—nature, and two, nurture.

Mr. Speaker, before I go on let me say that these beautiful young children that come to school with these impediments to learning do not come to school and not excel themselves. What happens is if we do not address the issue, fully and completely, they create a barrier—an impediment—to learning, in many cases for others in the classroom. They absorb the time of the teacher. Sometimes they influence others to not be engaged in the process of learning.

So not only do these individuals have an impediment themselves individually in learning, they create an impediment for others in the classroom which then speaks to what I am going to talk to now,

the reason why we need to act and not take years and years to enact solutions for this particular problem.

Mr. Speaker, if I turn to page 10 . . . I titled it *effective student assessments*. In fact, that is what it says here in this particular document that I have in front of me, the report. It says, with your indulgence, Mr. Speaker, “A major issue discussed by the Committee and executive officers of the BUT was that of effective student assessment. The General Secretary informed the Committee that many of the students in the public system had social issues. . . . He further stated that the Terra Nova assessment test that could effectively identify areas of weakness in a child were received by teachers so late in the school year that it was next to impossible to put realistic individualized programmes in place to address deficit areas. He suggested that the entire system of assessment needed to be revamped then monitored.”

Mr. Speaker, given what I have talked about, the two issues we find with the innate in nature and nurture of the learning disabilities of individuals that go to school, it is imperative, it is paramount that we as the Ministry of Education, that we as a country, that the Government as the one who runs the Ministry of Education, is in tune with and does assessment for those who have learning disabilities.

The Speaker: Do not forget all the recommendations of Dr. Hopkins have been implemented.

Mr. Donte O. Hunt: As long as this does not happen, we have a major issue on our hands. In fact, what we have, and I think the Honourable Member Mrs. Jackson talked about an issue that we saw in the national publication about an individual who fell through the cracks. This is what happens when you do not stay attuned to the learning disabilities that are out there in our community.

It is the school that is the net—that is secondary to the primary net of family, of course, but that is the secondary net that catches those who need that development, who need that special attention. As long as we take three, four, and five years to implement recommendations that were presented many, many years ago (we are talking about four, five, or six years ago) then we are in trouble. We are in trouble, Mr. Speaker.

My honourable colleague, Grant Gibbons, talked about the effect—

The Speaker: Yes, the Honourable Member.

Mr. Donte O. Hunt: I am sure I said that, did I not?

The Speaker: Yes, yes.

Mr. Donte O. Hunt: The Honourable Member, Mr. Gibbons, talked about the effect of those who have slipped through the cracks and what happens to them.

One, if you slip through the cracks you have a higher pregnancy rate. Two, you have a lower salary. Three, you have a higher chance of delinquency.

We have to focus on this so that we remove that. That is what we are finding today with gang violence, Mr. Speaker.

[Inaudible interjections and laughter]

The Speaker: Well, let us not go there now. We can think of all the ills to blame on the system, I know that. But let us see if we can stick to the report though.

Mr. Donte O. Hunt: It is amazing, Mr. Speaker, that the Members on the other side can laugh about such things.

The Speaker: I am laughing.

Mr. Donte O. Hunt: But at any rate, I move on to my next point. The need for action is now, Mr. Speaker, and I can only turn to page 13 to speak to that. With your indulgence, "On the issue of inclusion and behaviour, referring to recommendation seven, Mrs. Figuerido indicated that the education system was not meeting the needs of a significant number of students who had behavioural issues and/or special challenges. She stated that too many children had fallen through the cracks and that individual schools had to decide how to deal with their own matters. She encouraged a comprehensive plan or strategy for system-wide application and implementation."

The Speaker: Yes, do not read the whole thing.

Mr. Donte O. Hunt: This has to happen; this has to happen now.

The Speaker: They were submissions to the Committee, not necessarily those of Dr. Hopkins.

Mr. Donte O. Hunt: Well, Mr. Speaker, I beg to differ.

The Speaker: Carry on. I am just trying to give you some guidance.

Mr. Donte O. Hunt: I think Dr. Hopkins talked about supporting those who have social issues and supporting those who have social issues means implementing a plan. That is what she said, Mr. Speaker, and if that is disputed than it is hard for me to contemplate and actually bring my head around to how anyone can look at this and say, *Well look, that is not something that is hard-coded in this report.*

Mr. Speaker, I will move on. The report also talks about blended education, and this has everything to do, I believe, with those who have learning disabilities, because many who have learning disabilities may not be . . . that learning disability label is typi-

cally associated to ability to learn in an educational environment. You have vocational skills that a lot of these persons with learning disabilities can do in spades.

So when it talks about blended education on page 9, I will not read it, but when it talks about blended education, which is in fact utilising the elements of traditional education as well—

The Speaker: Academics and tactical. I think this is what they had in mind.

Mr. Donte O. Hunt: Academics and tactical, that is right. You get that blended situation and when you do that, then you are able to find sometimes the diamond in the rough, that individual that may not have science and chemistry down pat, but when they get their hands on something vocational, something technical, they can excel way better than anybody else who can do algorithms or anything else. So my point is, let us get blended education going. I hear it, I see it, let's do it.

Mr. Speaker, the bottom line (and I have said it already in my introduction and throughout what I was talking about here) we have to . . . what we find from this particular report is that our Government has been asleep at the helm. There have been recommendations that have come through which have not been attended to.

Dr. David Hopkins himself indicated his surprise that these recommendations had not been addressed. There is time and it is time right now for this Government to take responsibility for their lack of action, and that action begins to happen now.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Hunt, the Honourable Member from St. George's South.

Any further speakers?

I now recognise the Honourable Member, Mr. T. Lister, from Sandys South.

Mr. Lister, you have the floor.

Mr. Terry E. Lister: Thank you, Mr. Speaker.

It is a joy to be able to speak tonight. I have not spoken for a couple of weeks, in fact, and this matter is something that we on this side, despite the chuckles that are heard, take very seriously. The chuckles often are because of the things that are said on the other side that . . . well, maybe I will not say any more. They speak for themselves.

Mr. Speaker, first of all, I want to thank Minister Horton for being brave enough, bold enough, to go down the path of Joint Select Committee. When I spoke to Mr. Horton, I asked him if he had lost his mind, because I do not believe that. I believe that when we are elected to Government we need to get on with it. Mr. Horton wanted to open it up and give everybody a chance.

Let us remember what happened. Here is what happened: The Joint Select Committee got opened up, Minister Butterfield ran it—she was not a Minister then. Good stuff is happening; everything is being shared. The Opposition Members stood in this House week after week and criticised the Government based on what they were learning in the meetings.

Oh, we have forgotten that, haven't we? Oh yes, it was a torrent of attack. That is why I am opposed to Joint Select Committees. You share the information, and rather than handling it in a professional manner, we use it to make cheap shots across the floor when we are supposed to be working together, Mr. Speaker; supposed to be working together. That is exactly what happened. I was ashamed of the Members who did it, because I expected them to be better. I expected them to be better.

[Inaudible interjections]

Mr. Terry E. Lister: No, everybody knows who they were. When they stood up today they have called their names and said "I was on the Committee." Well, that is who I am talking about. That is who I am talking about.

Thank you, Minister Horton, for openness and the invitation, I am just disappointed there was the fuss. We did not need it. Education does not need it. Someone said, *Oh, how many more ex-Education Ministers do you have to speak?* Probably one or two more, and we are not ashamed of that. People come and go for various reasons. The key thing is that we keep things moving forward.

Mr. Speaker, when Hopkins was invited here, I had just been the last Minister. I was very disappointed that we went down that path, and let me explain why. Education has been a football for a long time, and I do not mean 1998, I mean 1985. 1986 is when it really started. It started because we had a Minister who was brave enough to stand on this floor and say, *All is not well.* A Minister that I personally fought with as Chairman of the Board of Berkeley. Some of you may remember the battles we had. A Minister who in the press said some pretty nasty things about me in that battle. A Minister who is a good friend of mine today; then and now, all the way through, because we are both gentlemen. I am a gentleman, yes? He is a gentleman.

That Minister, for those who do not know, was Gerald Simons.

The Speaker: I figured.

Mr. Terry E. Lister: I will always pay tribute to Gerald Simons for having the guts to take on a massive task, and he stayed at it for a long time. I can remember saying to Gerald, probably around 1985, "You know, Gerald, I have a daughter that was born last year (1984) and she will probably be out of the system be-

fore you even get this going." Well, CedarBridge was built in 1995, and that daughter left the country and went away to school in 1999, four years after CedarBridge was built. That is how long it took.

I say that to say [that] it takes time to move ahead. You have to at the same time be able to say we are making accomplishments as we go. Gerald Simons did not get it done in one year; he did not get it done in seven years. There are bits and pieces left of his ideas for Tim Smith to take care of and for Tessie Tessera to take care of.

An Hon. Member: Well spoken; a good balance in this discussion.

Mr. Terry E. Lister: We remember that. We remember that. Then we came in and we said, *My gracious, it is far from over. There is a lot needed.* So we kept on at it.

Are we at the point of perfection yet? No, no. I am going to talk about some of the things I am not happy with. None of us are happy about education. And when I say "happy," [I mean] none of us are prepared to say it is 100 per cent right. But is it better? Yes, it is better. Are there some flaws? Yes, there are some flaws. Our job, as a team up here of 36—not of 24 and 12 . . . is it 12 or is it 10 and 2? 10 and 2. No, it is a team of 36 who have to pull together for the sake of the country.

Education is so important because if you talk to people, like Minister Butterfield, like the Honourable Member Ashfield DeVent now in his present role on the Parole Board, what they will tell you is just like what people around the world will tell you, that the prisons are filled with uneducated men. Average reading ability is that of a 10 year old in some cases; many times the reading ability is that of a five, six, or seven year old. I am not talking about those who have learning problems. I am not talking about disabilities that are health related or mentally related, but I am taking about uneducated people.

Therefore, if we want to turn the country around and get away from this tremendous problem we are having right now with violence and with guns and crime of that nature, we have to educate. It is as simple as that; we have to educate. So we take this very seriously. When I say "we," again, I mean all 36 of us. We all have to take it seriously and try to get it right.

Mr. Speaker, although I was not in favour of Hopkins, I support implementation. I believe we have to take the good. When I look at the report, I say take the good. There are things in that report that in my view are not right. They are not right. This idea that children should have their own individual plan . . . hang on, what are you talking about? Individual plans came in place in the early 1990s—am I right?—and every child had them. When the child moved from

primary to middle, there was an assessment and a handover, am I right?

So what is Hopkins talking about? When I read this I said, *Mr. Hopkins, you are out to lunch*. We have been doing this for years. Now, does it get it right every time? Of course not. There are children who go from P6 to M1 and no one even knows where they stood. Somebody did not pass the ball properly. But for the rest, it flows the way it should flow, okay?

So if you take the time to go point by point by point through that report you get three things: One, things that need to be implemented, accepted by us, and already in place (put a big tick there); things that should be implemented and are being worked on—future tense, not done yet (put a tick there); and third, things that are erroneous in the report and should never be there, and therefore let us not waste time addressing them because they are done. That is the way it works out. That is the way it works out.

Mr. Speaker, a lot has been said about the consulting—was there enough consulting, was it the right consulting, all of that. Well, I think we could debate forever as to the degree and state and quality of the consulting that took place in 2008/09. However, during the time that Minister James was the Education Minister, I recall that he had a weekly meeting with the BUT—a weekly meeting. I said, *Boy, this is a brave Minister*. Every single week you are going to open yourself up to those who could criticise you and tear you apart, and you are allowing them to do it. And he did it. I give him a lot of credit for doing it.

So the consult piece has to come off the table. You cannot meet every single Wednesday and then say we are not consulting. Please, Mr. Speaker, it is impossible for that to be true.

Hon. Dale D. Butler: Not consulting enough.

Mr. Terry E. Lister: Ah, “not consulting enough,” Mr. Butler says. It should not be every Wednesday; it should be Wednesday and Thursday.

Hon. Dale D. Butler: Yes.

Mr. Terry E. Lister: Okay, I understand. But you see it is there, it is happening. Why is it happening? Because the reforms that are being made, as always, require complete buy-in. Again, I will go right back to 1985. The Honourable Minister Gerald Simons—tie-in, consultation, talking to everybody who will listen, and the same thing is being done today. It is vitally important.

Mr. Speaker, I think that we as a House should give our full support to step-by-step implementation. I think we as a House should demand that the Minister come here on a regular basis and, via Ministerial Statements and other means, report on progress in the implementation. We have the right to know. We have the right to know. The public has the right to

know, through this forum. We are the leaders of the country. We are responsible for deciding the fate of the nation. Come here weekly, monthly, whatever it takes, and tell us how it is going. Then we can buy-in. Nothing wrong with that; I support that. I want that.

But what is it we really want, Mr. Speaker? You have heard me say before that there are many cases where parents deliver their four year old to a preschool, hold hands with him or her through primary, wave to them as they leave the house in the morning, and attend graduation at senior. The next September, the child is in university in the States or Canada. What more do I want as a parent than that? The system delivers that. As long as we continue to deliver that, the system is doing its job.

Now, here is the debate: Are we doing it in enough cases? We have 700 children born in Bermuda every single year. It varies a few, but that is the general number. It means that, 18 years later, some percentage of that 700 should be graduating from our schools. Our goal has to be to make sure that that percentage rises every single year. That is our goal—there cannot be any other goal—that the number and percentage graduating every year goes up.

So, how do we do it? We do it through, again, holding hands. We work with our teachers. First of all, the selection process—we have a mentor programme that was put in place more than 20 years ago, so that every Bermudian who graduates from college with the qualifications and says, *I want to be a teacher* is allowed into the school three-year mentorship programme. What we have to do is ensure that those who cannot cut it after three years are invited to take on another career. Too often, people have been allowed to stay in and float, not develop, and they are hurting a class of children.

First year I was Minister I had to do a Long Service Awards [ceremony] down at Camden Grounds. I was down there giving out the awards, and one of the teachers came up there. When I had to give her an award, I almost burst out laughing. I could not believe she was still in the system—moved around, moved around, moved around, a failed teacher. And here she was getting a Long Service Award. I thought, *My gosh! This is awful! This is really awful*. That sort of thing has to stop. It has to stop! Three years—in and out. If you have got it in three years, get on with it and retire 30 years from now if you want. But if you cannot cut it in three years with a mentorship programme, then let us call it a day. Do something else.

Training—we have spent a fortune training people. And yes, the budgets have been cut from time to time, but we are still cutting-edge. That means that people have the opportunity to grow and develop. Quite smartly, we have invested at the primary and middle school level heavily in the literacy programmes, the Literacy Collaborative and this sort of thing. What I would love to see us do is to be able to

put the same energy into our math programmes. We have “math phobia” in Bermuda. It is everywhere. Teachers are afraid of it. Adults are afraid of it. I do not know what is wrong with math! You know, maybe because I was an accountant, maybe because when I went to school, I loved math. It was great. So I do not understand the phobia, but I know it is there. So, let us put special effort in to raise the standard of our math. Give our children the foundation that they need. Ensure that our teachers have the skills to teach at the level we need.

Mr. Speaker, promotion—who gets promoted to be headmaster? How do we make that decision? Let us look at that a lot more closely. Let us come to a point where, if the Minister has a meeting with the headmasters, the Minister looks around the room and says, *These are leaders. These are leaders.* The Minister should not look around the room and go, *Hmm . . .* *Hmm . . .*

[Laughter]

Mr. Terry E. Lister: That should not be it. We have to ensure that we have leaders who can manage a school and handle themselves. It is not about being the best classroom teacher. Many times we suffer because we take excellent teachers and make them principals. They do not have to be principals. What they have to be are excellent teachers. I give praise and honour to those teachers that I came across who are 55, 60, 63 in the classroom, because that is where they wanted to be. That is where they were effective. The fact that they will never be able to say, *I was a headmaster*, did not bother them. They wanted to work with children and help them. So, let us ensure we get that part of it right.

Mr. Speaker, it has already been mentioned that we have first-class facilities. Anything that any school in the world could want, we have right here. Now, I do not have a CNN report like the last speaker. I will go home tonight and get on the Internet and try and find one. But I would venture to say that probably only Singapore has better facilities than us—probably Singapore, maybe somebody else. But ours are first-class. So, we have the facilities. Let us use them to the full. Let us not have children say, *Oh, we have a whiteboard in our room, but we do not use it. You know, we have this, but it has not worked for awhile.* If we are going to be at the top, let us stay at the top.

Mr. Speaker, I have not heard many speakers today talk about one of the key problems. That is, what goes on outside of the school. Our teachers can only teach children who are ready to be taught. When that child has horrible things happen to her or him after four o'clock on Tuesday and before eight o'clock on Wednesday, he is hard to teach at nine o'clock on Wednesday morning. She is hard to teach at nine o'clock on Wednesday morning. There are children in this country; there are children in other countries for

whom school is a refuge. They would rather be at school than be at home. Those children are hard to teach because they are carrying heavy burdens. We have to recognise that that impacts on school results.

Of course, we have to put programmes around to shelter and support, and I think we do a pretty good job of that. Minister Blakeney has a team called CMIT. (Is that right?) CMIT—CMIT has been in place since about 2002, Cross Ministry Intervention Team. They all get together and try and solve the problem or burden or soften the blow for these youngsters who find themselves in these difficult situations. I respect that; I admire it; I support it. But we have to recognise that all of this impacts on results. So we cannot just look at them nakedly. There has always been a cry for releasing results so we can compare schools. But you cannot always do that.

When I was Minister of Education, I happened to know personally that there was a certain school where they had a P4 class of 18 students and 4 of them needed learning assistance. When they did not get it in the right way, they became very disruptive. End of the year comes around, I get the CAT scores, and I look at them, and sure enough, that school had the worst P4 performance for the year. Well, I knew what was going on! I happened to know what was happening in that classroom. So, should I have condemned the headmaster? Should I have said, *Get rid of that teacher?* No! Although they were last, their performance against what they were dealing with might have been a very good performance. Do you follow where I am?

So we cannot just throw numbers out there to the public and say, *Compare West End with Prospect Primary.* No. There is a lot of fine print that has to be understood and appreciated, and the Ministry is responsible for that.

Mr. Speaker, the last thing I want to talk about brings me in conflict with my cousin, my favourite cousin, Minister Butler. We are not on the same page. I will not vote for and support a technical school in Bermuda, ever. Never! Let me tell you why. Because we have two technical schools already, CedarBridge and Berkeley, who have facilities that would make a technical institute look like rubbish. Okay? So we do not need a technical school. We need people to commit.

We need to ensure the programmes are there. When I hear people say that the programmes are not working yet in Berkeley and CedarBridge, it annoys me, Mr. Speaker. It annoys me. It annoys me because I had the opportunity in 2004 to walk into Education and carry behind me on a string the National Training Board [NTB]. I set the two down and said, *You are in a marriage. Now, let's get on with it.* Let me tell you, you have to be very, very clever, hard-working, determined and sometimes rude in order to get results when people do not want to give you the results.

Let me tell you what happened to me. The very first year, I walked in there and I said, *Look. Technical education is here. I am bringing NTB in here, and I want this to happen.* [They said,] *Yes, Minister.* Okay, sounded good—this is January. All year I am hearing all the right things, and we are agreeing on the types of courses that are going to be put in place. *This is how it is going to be lined up.* Sounds good! August comes. I say, *Right. Now, are we ready?* [They said,] *Oh, Minister, the da-da-da-da committee that approves courses did not look at this.* I did not know there was such a committee! Nobody told me. So the committee has not looked at it, it cannot be done. It cannot be done!

Mr. Speaker, there was smoke out of my left ear. There was smoke out of my right ear. There was smoke everywhere, but that did not change anything. There were no courses in September because it had not gone to the committee. Okay? I was five years on the job, thought I knew what a Minister was supposed to know, thought I knew how to handle these things. No, sir, boy! They were quicker than me! They had me beat! So, I said, *All right.* Walked away licking my wounds. I am hurt now, you know. I am wounded! I said, *Next year, we will fix you.* Next year we got about half the courses in that I wanted in.

There is a mindset in education which I hope has changed. There is a mindset that says, *We will compete successfully against the private schools.* And I go, *Huh?* Let me tell you what happened, Mr. Speaker. The first day I went down on the job, the very first day, I sat the PS and the Chief Education Officer down, and I said, *Listen. There is something I need to tell you.* They said, *Oh, yes, Minister!* (They are very attentive; they want to please.) I said, *There is no such thing as a private school in Bermuda.* [They said,] *Oh.* They looked at me. How do you respond to that? And after they have looked at me long enough, I say, *Or at least, I do not know about them. And that is how it is going to stay.* We are not going to sit here and try and compete against somebody who has a totally different programme. They hire and fire principals. You thought this principal at Saltus is doing well, and he is gone! He is only 53. *What do you mean he is gone? Leaving Bermuda? Nobody leaves Bermuda!* I am just using that as an example, right? I do not know of any, or if that happened at Saltus last year or the year before, so please do not write that up.

But my point is, the principals went. We cannot do that that way. Teachers—you look around our system, you look at the training we have, there are many Bermudian teachers, black, white and otherwise, who have been trained by this Government, paid for, and then they go to the private schools. They have taken some of our brighter teachers. The teachers who do not cut it, they are dismissed. We cannot do that. They offer scholarships at P6 and grab some of our brightest students away. And the students who cannot cut it get sent back to us. When they come

back to us, they come back feeling like they have failed. If they are boys, the only way they can deal with it is to put their fists up. They become the most disruptive students we have, ex-private school students.

Am I right, Minister Butler?

[Inaudible interjection]

Mr. Terry E. Lister: Yes, you know about this.

So we are going to compete against that. Sheer stupidity! Do not compete. Organise your programme, set your goals and work towards them. That is what we have to do. Figure out what it is we want to accomplish for our students, and get them there. Raise them all up, and ensure that success has a way of being measured that makes sense. For me, success is our boys and girls, having come to us at four, leaving us at eighteen, going to technical college, any tertiary institution. However, if they choose to go to work because in the area that they want to be in, work is the best place, then there they go.

Mr. Speaker, I am going to end. Before I end, it would not be right for me not to talk about it. We must—we must recognise that we are in crisis with our boys. We must do everything we can to bring up graduation rates of our boys. Again, pushback—if you can remember, I ran around for two years talking about how we would take people from the private sector, men, and turn them into teachers. We had some—called them BEST [Bermuda Education Strategic Team], a few others.

But males were 18 per cent of the teachers. I sat down and talked to the person which was responsible for hiring, and I said, *When you get on that plane and go overseas to hire, if you have a male teacher and a female teacher who are equal, you hire the male. And you do it every time, because we have got to do something about this 18 per cent.* Well, the first two years I was there, they hired just about all female teachers. They do what they want to do! End of conversation, Mr. Speaker. They do what they want to do.

[Inaudible interjection]

Mr. Terry E. Lister: Yes, Mr. Butler says he thought I was the Minister. I was the Minister, yes. But when I find that it is done, contracts are signed. You know, contracts are signed. I am saying, *What? What? Have I been talking to myself? Nobody hears me?* Did not listen. Did not pay me any mind.

Mr. Speaker, the result of that *don't-pay-you-no-mind* is what we have got in the streets today. We need males in those classrooms dealing with our young men in a way that they appreciate, respect and enjoy. They want to learn, too. But if we do not make any attempt, but instead we make it our goal to dismiss those who are failing as soon as they turn 16, the country will go to pot. We have to commit to find-

ing a way to get each and every one of our boys educated, capable of holding a job, capable of being a valuable member of our society. When we get there, all the money that Minister Blakeney is investing in saving people will be reduced and can be put into something else, because those people will not need saving in that same way. All the time we spend talking about the failures of School "A" and [School] "B" will start to diminish because we will be getting the results we want because we recognise the needs of our boys.

Mr. Speaker, if we would have statistics put in front of us here today that tracked our boys and girls who entered the school system in, say, 1994, and followed them right through, we would probably find that the girls graduated at a rate of 70 [per cent] to 75 per cent. We would probably find that the boys graduated at a rate of 40 [per cent] to 45 per cent. You see, when we get into these adult conversations about businesses not hiring blacks and not putting black men in management and all of that, the truth of the matter is, you cannot hire a black man to put in a management job if he does not have a business degree, and you cannot hire him with a business degree if he does not go to college.

If they cannot graduate from Berkeley, or CedarBridge, how is the business community going to get them and put them in these great jobs that we are talking about? We need our senior schools, our middle schools and our primary schools to commit to success for Bermudian males, black, white and green, for that matter.

Having said that, I will take my seat. Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Mr. T. Lister, from Sandys South.

Any further speakers?

I now recognise the Honourable Member, Mr. C. Cannonier, the Honourable Member, Mr. C. Cannonier, Leader of the Opposition.

Mr. L. Craig Cannonier: Thank you, Mr. Speaker.

Let me first say that I want to congratulate the Chairperson, the Honourable Neletha Butterfield, for taking on a mammoth task, and the rest of her team. After having gone through the report the first time and then a second time, I once again want to congratulate this committee, because this report is painfully transparent. It takes a strong stamina to accept some of the things that have been written in here. But I believe that because it is painfully transparent, it is also giving us an opportunity to right the way. We have already heard that progress has been made—not enough, but progress is being made.

I think the fact and the truth is that progress has been made, but it has been slow. Slow progress has been made, Mr. Speaker. Because as I go

through the report and I look at [Recommendations] one, two, and three, just starting out, all of us reading it see that, dramatically, words like "move quickly," things like "radically improve" are words of urgency. They are not words that would conjure up in your mind, *Well, maybe tomorrow if we get to it.* They are words of urgency.

So, the recommendations given to us are compelling us to get a move on. They are telling us this for a reason, and you have heard it already. On page 13 it talks about children falling through the cracks. Now, there are many circumstances as to why in 2012 we are just coming to discuss this matter, the report having been done in 2007, recommendations in 2008. We read on page 6 how after a year only one recommendation had been done. Then, after three years, we finally did get a strategic plan.

Now, regardless of what the circumstances may have been, the truth of the matter is this: It has been slow. I want to say that I recognise the progress that I have heard today. But we must come to the reality that things have been slow, painfully slow. For any of us to slide around that or to find some way to manoeuvre around it is only doing our young people a disservice, because what we should be doing is aiding our children's future through the urgency of what we see happening right now, and that is to get the job done. A lot of work has been done, apparently, in the last year. I do not know how much time to put on it, but I do recognise that work has been done, Mr. Speaker.

I am going to read a quote to you: "Experience is a hard teacher because she gives the test first, and the lesson afterwards." So I hope that, through this process and being painfully transparent that we have learned a lesson, and that we will not continue on as before as we have these committees come together. When you read through the things that were being said in here—you know, people not trusting one another, this person saying that to the union, and back and forth and back and forth—it has made things difficult for us to get to the point whereby we deliver something substantial and that means something.

An Hon. Member: Human nature.

Mr. L. Craig Cannonier: Yes. Human nature. I have learned through my time that human nature will put any theory to the task. You might think it is going to happen in a certain way; throw a human being in the middle of it, and then things get interesting.

But at the end of the day, Mr. Speaker, as leaders, it still falls on us. If our people are looking for us to lead, then we must lead and get the job done. We cannot use the excuse, *Well, this or that or time or whatever the case may be.* It is imperative upon us to get it done.

Now, I recognise that through this process I am hoping that we have learned that maybe we can do things a little more prudently and not allow the process to get in the way. Process can be painful and many times allows for what we read on page 13, Ms. Figueiredo saying that children are falling through the cracks. The time line being 2007, the report and recommendations being given . . . 2008, we have the Select Committee coming together. In 2010, we finally get a plan together, and two years later, 2012, we are discussing it.

So if we all want to be real about this and stop throwing the arrows back and forth, we can all say that we have gotten some progress taking place, but it has been painful in getting there. So it is a reality check on us as leaders that we do have some issues to most definitely address. It is left up to us.

People were asking about some of the countries earlier, of my honourable colleague, and he could not come up with them. But when you look at Canada, Finland, Germany, Hong Kong, New Zealand, these are systems that we should be emulating ourselves after to continue to grow. So I urge our Government to continue to press on and to ensure that our young people, through three things—first of all, we have got to be consistent with our leadership. We have defined the plan; that is number two. What we now need to do is be consistent in implementing the plan—consistent in implementing the plan.

Let me give you a short story, and then I am going to end because I think enough has been said. The Honourable Neletha Butterfield mentioned that Rosemary Tyrrell was involved in helping get information together and the like. I can assure you that if she was involved, she did not waste any time in getting things done. I suffered the wrath of Ms. Tyrrell my third day of school in several beatings. If I did not get my homework done, she would call me into the office and say, *Bend down*. Ms. Tyrrell did not mess around. The point that I am getting to—

[Inaudible interjections and laughter]

Mr. L. Craig Cannonier: Well, you know what? I stand before you as a product of that. If you cannot decipher what I just said, then maybe you need a little help. Ms. Tyrrell wasted no time, no time in not sparing the rod.

[Inaudible interjections and laughter]

[Gavel]

Mr. L. Craig Cannonier: And I believe that it has its place, most definitely.

But be not confused, Mr. Speaker. At the end of the day, you could be guaranteed that this woman was a leader, not just as a teacher, in the community, because she insisted on excellence. Our people are

insisting on excellence from us, as leaders. All of the chuckling can go on, but it ends with us.

[Inaudible interjection]

Mr. L. Craig Cannonier: No one is denying that. We said that progress has taken place. But you cannot walk away from the fact that this was slow and it was painful and it was transparent. So all I am saying to you is, *Let us get a move on. Let us get it done*, because I see the beauty in what has happened. It has shown us what we need to do. Let us get the job done! Not enough has been done. Let us get it done.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Cannonier, the Leader of the Opposition, from Devonshire South Central.

Any further speakers?

I recognise the Honourable Member, Mr. K. Horton, from Southampton West, Deputy Speaker.

Mr. Horton has the floor.

Hon. K. H. Randolph Horton: Thank you, Mr. Speaker.

Mr. Speaker, it would have been very difficult for me to spend the day here and listen to all of the discussion that has taken place and not stand, come to my feet, to make a comment.

The Honourable Member who just took his seat said that much has been said. There is no question about it; much has been said, and I think most of what needs to have been said has been said.

But, Mr. Speaker, it was important for me to stand because, first and foremost, I happen to be the Member who brought the Motion to the floor to ask that this Joint Select Committee be set up in order to look at education, at a time when I happened to be Minister of Education. So this clearly, Mr. Speaker, speaks to the transparency of this Government and the fact that the Government is insisting that we get as much information as we can from a broad section of the community in order to instruct us as we move forward.

Now, Mr. Speaker, let me say this, that I think as we carry out our conversation, as we talk about education, in particular, whatever we say on the floor of the House really should be with the view that at the end of the day we have an education system, we have an education system that is a world-class education system and that we have an education system that certainly prepares our young people to be able to reach their potential. So whenever we stand up, I think that should always be the end product for all of us. Whenever we stand, what we say hopefully will lead to that or provide a little piece that will take us closer to reaching a mission like that.

So, Mr. Speaker, the reason why I in fact stood and asked for this committee to take place was that I indeed, as the Minister, wanted to know what

people were thinking. I wanted to be able to get from people, other than those whom we had heard from, just what their views might be, and indeed how we might move forward.

The only issue, Mr. Speaker, of course—and this has been mentioned before as well—is the fact of the timeliness of the report. It is no fault at all of those who were on the committee of the report. I have to thank them, those members of the committee, particularly the Honourable Neletha Butterfield, who chaired the committee, and all members for sitting and certainly entertaining and listening to all of those people who came and made what I think were absolutely very good comments and criticisms, indeed, of the reform that was taking place, some of the activities that are taking place. We learn from that, Mr. Speaker. That is why we have . . . That is why I believe, different from my honourable colleague, the Honourable Terry Lister, different to that Honourable Member, I believe in the committee system, in order for us to be able to actually get to the bottom of things, to be able to be ensured that we reach a wider community and particularly reach those who want to give some input.

What it does is give people, those who want to, an opportunity to come in. So they cannot say now, *I have had no chance to say anything*. So, I was glad to see that happen. As I look back on it now, sure . . . And there is a lot of criticism about me as the Minister in there. I do not have any problem with that. In fact, I am happy with it, because I learn from it, you know, those things that are said. Some things that took place, yes, I may have done differently as the Minister. But it certainly is good, Mr. Speaker—I say it is good for us to be able to take constructive criticism and then be able to build on it. That indeed is what we need, particularly in this education business!

Mr. Speaker, in this education business, we said it is about our children! It is about our children, and so therefore none of us are to be above criticism. None of us knows everything. Although, Mr. Speaker, the one thing about education is that we have all been to school, all of us up here at least. We have all been to school. Everybody has been to school. So, therefore, everybody knows about education. Everybody is an expert.

[Laughter]

Hon. K. H. Randolph Horton: That is what makes the job of the . . . I tell people, *There is no more difficult job on the floor of this House than Minister of Education*.

The Speaker: Especially us, especially us.

Hon. K. H. Randolph Horton: Maybe Premier is the tougher job. Maybe Premier is the tougher job. But, all you Ministers, there is no . . . And you ask any other Minister about this education business, it is a tough

job. I think in order to do it well, you have got to be open. Open up! That is what we have got to do, open up. Open up. Open up, listen, and build on it because there is so much wisdom in this country, Mr. Speaker, around this country, really. There is a lot of wisdom. And sometimes we do not pick on . . . Yes, all—hey, all of us can say, *Gee! I wish I had taken that little piece of wisdom* at some point in time that maybe we did not.

So, Mr. Speaker, this is how this type of activity can help. I am only, only disappointed in the fact that it had not come earlier so it could have been closer to the time of the events taking place. As a result of it being close to the time, then it becomes even more meaningful to the Minister who happens to be in charge of whatever Ministry. You will know I am all for that, and all for this openness, because not only that, you remember also that I moved for the committee on violence and crime. So I believe in this type of system in order to instruct us as Members of Parliament to be able to move forward and improve on making the best possible decisions for our people.

So, Mr. Speaker, really, that is all I wanted to say. That is all I wanted to say. I am not up here to fight about what has been done or what has not been done. We know we are not quite there, Mr. Speaker. We all know that. We are not quite there. We also know we have made progress, whether it has been slow or not. We have made progress. You know, I do not know about . . . It has not been dead slow, either. All right? We have had much happen in education, where we have seen improvement. Our people—it has already been articulated. I do not need to articulate it. Certainly, the Minister of Education, through the days following this, will certainly be keeping us abreast of all the developments that are taking place in education.

Before I take my seat, I just want to say *Thank you* to all of those people who work in education, to all of those people who work in education who strive indeed to provide the best possible opportunities for our young people. Again, thank you to those people who sat on this committee and all of those who came. And to those who criticised, too, Thank you! Thank you for coming forward and giving the criticism. Even though you spoke out and said, *Minister Horton should not have done that!* Thank you for saying that! Because from that, it is helpful and instructive to me as I move forward in making decisions in the best interests of the people of this country.

Thank you.

The Speaker: Thank you, the Honourable Member, Mr. K. Horton, from Southampton West.

Any further speakers?

I now recognise the Honourable Member, Dame Jennifer Smith, from St. George's North, Minister of Education.

Dame has the floor.

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker.

We have had a very interesting and full debate today on education. I want to thank all of those who have spoken. Mr. Speaker, it is clear that people have strong, passionate feelings about education. I think the fact that people obviously feel that it is so important is a good thing. Certainly, we will not always agree on everything. But I think, bar a few exceptions, Mr. Speaker, who sought to cast aspersions on the teachers and on their ability to teach, the majority of people had constructive remarks to make and certainly did their best not to make our children feel that the system that they are attending is any less valuable, while they discussed the overall policies about education.

Mr. Speaker, I am very conscious that it is important that we separate our politics from our education system. The education system should be supported by all of us. I know one thing: It produced all of us. That is one fact.

Mr. Speaker, there has been much work done. I have heard Members talk about . . . I believe it was Member Butler who talked about how much is in the schools. He is perfectly correct. We have had other Members—I believe it was the Member who introduced the Motion, MP Lovitta Foggo, who spoke about where we are on the recommendations today.

Mr. Speaker, I would merely like to add a few closing remarks. Mr. Speaker, what we have done, I believe, to begin with, is that we have had the courage to acknowledge poor performance where we have seen it and to seek solutions to change it. That is number one. I think we have put in place a system-wide approach to improving instruction, and one that articulates what we expect to see as the end result in terms of assessments. I believe also that the commission and Dr. Glaze are right at this moment, Mr. Speaker, instilling the vision that focuses on student learning and guided instructional improvement. We are making decisions, Mr. Speaker, as we move forward based on data, not on instinct.

I have already announced in previous Ministerial Statements on the floor of this House the new approaches to professional development that will be tied to the teachers' area of expertise or the area of instruction. We have certainly redefined leadership roles with the amendments to the Education Act that were made in 2009.

Mr. Speaker, with your permission, for a moment I would like to read something from the University of Cambridge International Exams result on consultancy for the Ministry of Education. This is something that they did in conjunction with the adoption of the core curriculum, which, as Members have said, was introduced initially by Minister James and by the Board of Education.

Mr. Speaker, the consultant came to Bermuda and noted that a few things had happened since his

previous visit, number one being that there had been a change in the Ministry and a change in the Permanent Secretary. He also noted that the PS and the Commissioner of Education had divided their roles so that there could be attention given to the administration of the department while the Commissioner of Education was focusing on teaching and learning.

Mr. Speaker, the consultant notes in his report that "the Board of Education as an advisory body to the Ministry of Education continues to exert significant influence on the direction of education reform and the drive for accountability within the public education system." They noted that "the major activities required for the implementation of the Cambridge programmes have been largely completed". Many teachers have now nearly completed either two years of experience in the delivery of the Cambridge programmes; the remainder of them have nearly completed one full year. The overall opinion being expressed by teachers noted by the consultant was that the introduction of the Cambridge programmes has been a positive step in the reform of the nation's education system.

In addition, Mr. Speaker, he notes that "School principals indicated that while it had been a tough few years, they were supportive of the introduction of the Cambridge Curriculum and assessments, and the majority viewed the introduction as an important advancement in the quality of education offered to Bermudian students."

Mr. Speaker, the consultant's report in the previous year, in 2010, had highlighted the practice of over-assessing students' learning at the expense of time dedicated to the preparation of learning activities and lessons. You will note that since that time, and as a result of his comment, we had stopped the Terra Nova testing, and so that is no longer a problem.

While the foundation for the implementation and the ongoing delivery of Cambridge has been laid, there are still a few issues that have been recognised and accepted by the Department of Education that can be improved. Although, Mr. Speaker, while there is evidence that there is a reasonable proportion of classroom teachers who are performing at the satisfactory level or better, there remain a few teachers who are not meeting those acceptable standards. Again, that is the exercise in which Dr. Glaze and the Commissioner are joined at this very moment.

He notices that the most pressing need is for a shift in the pedagogy to a student-centred and interactive learning environment. On that point, Mr. Speaker, we are all agreed. The adoption of the preferred pedagogical approach supporting the Cambridge Curriculum has been progressing through the training of our teachers, and it is recommended that the focus of working with teachers in the classroom be considered as an essential part of any future support programme.

Mr. Speaker, you will note, while I have not said it as a separate statement, the involvement of the

BUT [Bermuda Union of Teachers], the ASP [Association of School Principals] and the BPSU [Bermuda Public Services Union] is vital to our progress. They are partners in the business of education. The Department of Education is dedicated to working with principals and other school leaders to advance their professional growth. Mr. Speaker, I think that Mr. Butler, who is the former Chair of the Exemption Committee, did a good job of explaining how that committee ensures that those teachers—whether they are licensed or whether they are given exemptions, are qualified. He explained the rigorous process through which they are put to ensure that, regardless of what some people feel, Mr. Speaker, as we may have read today, all of our teachers, while they may not possess the paper qualification, have the qualifications in the subject area. That is a basic requirement, and where the exemption is given, it is for them to get the teaching qualification—so to be clear about that.

Mr. Speaker, the changes that have been going on in education began a long time ago. So, it is perhaps understandable that people would refer back on a historical basis to what had happened in the 2007 Hopkins Report and then the 2009 “Blueprint for Education” and the 2009 Amendments to the Education Act. But, Mr. Speaker, we have moved on. We are working slowly and quietly to raise all the levels. That is the level of teaching; that is the level of learning; it is the level of administration. Mr. Speaker, I believe, as some people would say, that the proof is in the pudding.

The exploits that I stand up here on a weekly basis to talk about do not happen by accident. Our young people, our teachers and our principals are working on a daily basis to bring out the best, be that in music, in drama, in academics, in sports. Whichever the area, Mr. Speaker, the children in our public school system are excelling.

Do we have a few issues? Yes, we do. What school does not? In fact, I heard someone refer to the grade that we talked about as passing. And we said that a “C” was acceptable. That is because in the Cambridge Curriculum, a “C” is a pass grade. But, Mr. Speaker, beginning this year, the pass grade for graduation is a 2.0. Now, a 2.0 equals 60 per cent. And 60 per cent is considered the average.

An Hon. Member: Seventy per cent.

Hon. Dame Jennifer Smith: Seventy? I was told it was 60. But if it is 70, that is even better. I was told that that is the average, and the reason it is the average is because that is the mark that the majority of people obtain.

The Speaker: That is like most people, passing, yes.

Hon. Dame Jennifer Smith: Mr. Speaker, we are not going to say that everyone is going to get an “A.” Eve-

ryone does not. But we have certainly raised the standard of what we are expecting from our students. What we have noted, Mr. Speaker, is that when you raise your expectations, the students meet those expectations.

So, we need not talk down about, or talk down to, any segment of this society. I am pleased by the fact, Mr. Speaker, that because of various initiatives through the wider community, there is far greater interaction between public and private school students than there ever was. That interaction is helping some students who previously did not know what public schools offered to be amazed at the facilities and amazed at what was offered. I know—and I could call individual instances—of students who have transferred and who are now performing much better because they are happier.

Mr. Speaker, those are individual cases, and I am not going to call anyone’s name and get in the habit of saying an individual case makes the whole thing; it does not. But moment by moment, day by day, the Ministry of Education is moving forward with education for the people of this country. Mr. Speaker, I can assure you that you will find at the end of the school year that the results prove what I have told you already.

Thank you.

The Speaker: Thank you, Dame Jennifer Smith, from St. George’s North, Minister of Education.

Any further speakers?

There are no further speakers. The debate is concluded on the Review and Report on the Recommendations as Stated in the “Review of Public Education in Bermuda” report by David Hopkins.

I thank you, all Honourable Members who participated. I think it has been a very useful debate.

All remaining Orders 3 to 6, inclusive, are being carried over. There are no further Orders.

I have now caught the eye of Minister Blakeney, Minister Blakeney from Devonshire North.

Minister?

SUSPENSION OF STANDING ORDER 14

Hon. Glenn A. Blakeney: Thank you very much, Mr. Speaker.

Mr. Speaker, I move that Standing Order 14 be suspended to give notice of a Motion.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: Carry on, Minister.

[Motion carried: Standing Order 14 suspended.]

NOTICE OF MOTION

THAT THIS HONOURABLE HOUSE TAKE NOTE OF WHETHER SHARED PARENTING LEGISLATION SHOULD BE INTRODUCED IN BERMUDA

Hon. Glenn A. Blakeney: Mr. Speaker, at the day of meeting, I propose to move the following Motion: That this Honourable House take note of whether shared parenting legislation should be introduced in Bermuda to strengthen families, which would be based upon balanced criteria and appropriately address the concerns and rights of parents and their children.

The Speaker: Any objection?
Agreed to.

[Gavel]

Hon. Glenn A. Blakeney: Thank you, Mr. Speaker.

The Speaker: Madam Premier, there are no further matters before the House.

Hon. Paula A. Cox: Mr. Speaker, I move that the House do now adjourn.

The Speaker: Any objection to that motion?
Agreed to.

[Gavel]

ADJOURNMENT

The Speaker: The Honourable and Learned Member, Mr. Crockwell, is on his feet.

2011 VISITOR ARRIVALS

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker.

Mr. Speaker, I would like to refer to an article that was in the daily *Royal Gazette* on Tuesday of this week, from the Minister of Tourism and Business Development. I do recognise that he is not in the House.

An Hon. Member: He is not here.

Mr. Shawn G. Crockwell: But that does not preclude us on this side from doing our job, Mr. Speaker. I feel that it is important to deal with some of the statements that the Minister made in reference to the arrival figures for 2011.

The actual headline was that the total tourist arrivals for 2011 were up by 12 per cent. There is no question that that is a fact. But the Minister went on to categorise this particular increase by saying that he is eager and excited about this bump in tourism, and he forecasts that this upcoming year we would have an

equal success. And he gave the impression that the increase of 12 per cent from 2010 to 2011 somehow is indicating a revival in the tourism industry. I do not think that was the right characterisation of that increase.

[Inaudible interjection]

Mr. Shawn G. Crockwell: And I am going to explain that, as someone from the other side is prodding me. Because, Mr. Speaker, it is very important to recognise—and we have said this on countless occasions in this Honourable House, not just on this side, but it has been stated on the other side—that it is not just the total arrivals of tourists that is important. What is important is what type of arrivals are coming to Bermuda.

We have said time and time again, it has been established not by just the Opposition, but by the various boards that have been put together to analyse and look at this issue, it has been stated by various tourism Ministers that what is important is that we attract more air arrivals. That is the crux of the health of our tourism industry in this country, the ability to bring in significant air arrivals. What we have seen over the last five years or so is a significant shift from bringing in more air arrivals to bringing in more cruise ship arrivals.

Hon. Zane J. S. De Silva: Should we leave them out?

Mr. Shawn G. Crockwell: We have seen that shift.

Now, the Honourable Minister of Health just asked the question, *Should we leave them out?* And this is the type of stuff, Mr. Speaker, that is unhelpful when we are discussing important issues such as the second pillar of our economy, because that Honourable Minister rightly knows . . . In fact, the Tourism Board that was empanelled by this Government said that we need to strike a balance of 60 per cent air arrivals and 40 per cent cruise ship. That is the formula. That is the formula.

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

The Speaker: What is the point of order?

POINT OF ORDER

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, that formula was years ago when we had 10,000 beds and there was a ceiling put on the number of cruise ship visitors to Bermuda. Now we have 5,000 beds. Certainly that formula has changed, for the obvious reasons.

The Speaker: Thank you, Minister Burgess.
Carry on.

Mr. Shawn G. Crockwell: Mr. Speaker, I do not know what the Honourable Minister is referring to. I am referring to the most recent report of this Government's Tourism Board. Okay? And just last week, when the Honourable Deputy Premier's colleague, Ministerial colleague, Minister Wayne Furbert, in this Chamber said he agrees that the ratio should be 60 per cent air arrivals and 40 per cent cruise. That would be the healthy balance.

[Inaudible interjection and general uproar]

Mr. Shawn G. Crockwell: That is what we should be striving for.

[Inaudible interjections]

Mr. Shawn G. Crockwell: Absolutely. That is what we are striving for. We are not there.

So, Mr. Speaker, what I am saying is this: That is not what Minister Furbert said when he touted out these figures. He did not say that we do not have the right balance. He did not say that we are bringing in too many cruise visitors and not enough air visitors. He did not say that. He gave the impression, he put on the gloss, he put on the spin that because the numbers were up, that somehow the industry was in recovery.

Mr. Speaker, here are the figures: 655,236 tourists came to Bermuda in 2011. Out of that, the cruise arrivals accounted for 63 per cent. Sixty-three per cent of that figure were 415,711 were cruise visitors. And 36 per cent represented air arrivals, 236,038. Now, that 236,038 is only a 2 per cent increase from 2010.

An Hon. Member: But it is an increase.

Mr. Shawn G. Crockwell: It is an increase, and thank goodness we are going in the right direction.

But, Mr. Speaker, 2010 was the worst recorded for air arrivals in our history—in our history! That is the fact, the worst ever. A 2 per cent on the worst ever is nothing to boast about, Mr. Speaker. Let us just be real. That is all I am saying. Let us be real about the state of our tourism industry.

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

The Speaker: There is a point of order. Minister Burgess has a point of order.

POINT OF ORDER

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, the Honourable Member on the other side talks as if Bermuda is immune from everything that happens in this world.

You know, we have unemployment in our major areas where our business comes from. That has to affect us. If you do not know that and do not think that, something is wrong.

The Speaker: Thank you, Minister.
Carry on, Mr. Crockwell.

Mr. Shawn G. Crockwell: With all respect to my cousin, the Honourable Deputy Premier, that was not a point of order, Mr. Speaker. I was not misleading the House and I was not disparaging any Member in this House. It is not right for Members to just get up and interrupt to make a speech.

The Speaker: Well, I think what he was inferring, perhaps you should add some balance to what you are saying.

Mr. Shawn G. Crockwell: Now, if I was misleading, that was right.

The Speaker: This is what he was inferring.

Mr. Shawn G. Crockwell: Mr. Speaker, the Honourable Member would have an opportunity to follow. I am stating the facts, Mr. Speaker. That is all I am saying. The imbalance was when the Minister of Tourism got up and gave the impression that these numbers represent some form of improvement in the tourism industry; that is not the case. 2011, we had—

[Inaudible interjection]

Mr. Shawn G. Crockwell: Well, tell that to the employees of Willowbank. Tell that to the staff and employees who lost their job in 2011 at Willowbank, because clearly there were not enough air arrivals to fill their beds, Mr. Speaker. Go talk to the management at Newstead Belmont, who had to go into receivership in January of 2011, Mr. Speaker. Clearly, there was not enough business to fill their beds in 2011 to revive and rejuvenate the tourism industry.

So, we cannot continue to spin and do the sleight of hand with these numbers. We have to be frank.

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

The Speaker: There is a point of order.

POINT OF ORDER

[Misleading]

Hon. Derrick V. Burgess, Sr.: The gentleman is contradicting himself and misleading this House because he is doing exactly what he is accusing the Government of doing—spinning, right?

Number one, Mr. Speaker, the context upon which he speaks has a relative point. That critical relative point is that the businesses themselves and their business model have to take some responsibility. It is not just up to this Government to promote, promote, promote and the stakeholder not doing their best interest in what they need to do, starting with managing their operation properly.

The Speaker: Thank you, Minister.
Carry on, Mr. Crockwell.

Mr. Shawn G. Crockwell: Yes, thank you, Mr. Speaker. I will allow the speaker that. He can expound on that. I am not really sure what he is talking about.

What I know is that the Ministry of Tourism is still responsible for promoting this country. The Minister of Tourism and the Department of Tourism is still responsible for increasing our air arrivals. They have that responsibility. We have been saying for a long time, it needs to be shifted somewhere else. And I am not getting into that argument again today, Mr. Speaker.

But the fact of the matter is, what we saw in 2011 was an increase in convention visitors by 116 per cent—116 per cent. That is something that we may not see again. That was probably an aberration, but there was 116 per cent increase in convention visitors. The vacation visitors increased by only 1.2 per cent. That was your increase in 2011—1.2 per cent. The truth needs to be told, because when I speak to individuals in the tourism industry, they tell me things are tough! Things are rough. It is not satisfactory, and it is not fair and it is not productive for the Minister to get up and take figures that he very well knows, when you look at them properly, are not representing a revival of tourism. He has a responsibility to be balanced and to keep the record clear and straight.

That is the only way, Mr. Speaker. Trying to befuddle the people, trying to hoodwink the people is not the right approach. Because you know what? The people in Bermuda, in their gut, they know. They can see. They know the state of tourism in this country. To tell them otherwise is not right, and it is a disservice. So I wanted to set the record straight, Mr. Speaker, today, that we are not there. I accept what the Deputy Premier said, that that is what we are striving for. But we are way off. If the formula is 60 per cent air arrivals and 40 per cent cruise, and right now we have 63 per cent cruise and 36 per cent air, we currently have it backwards, Mr. Speaker. That is not where we should be.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Crockwell, the Honourable and Learned Member from Pembroke West.

Any further speakers?

I now recognise the Honourable Member, Mrs. Gordon-Pamplin, from Paget West.

HOSPITALISTS

Mrs. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker.

Mr. Speaker, I am always very reluctant to dilute a message, especially one as powerful as my honourable colleague has just delivered. But I believe that the topic about which I need to speak is as important as the misinformation that the Minister put forward respecting the tourism arrivals.

That is, Mr. Speaker, we heard this morning a rather encouraging and glowing report by the Minister of Health respecting post-hospital care, or hospital care, and post-hospital interviews. It came through, Mr. Speaker, that we are doing really wonderfully well. To the extent that people are having a positive experience in our hospitals, I applaud the hospital.

The Speaker: I thought that was good news, myself.

Mrs. Patricia J. Gordon-Pamplin: I applaud the hospital and the staff. But I believe it is very important for us not to rest on our laurels [when] one segment of the hospital that might be working correctly. Let me just speak to the issue that we have discussed previously, and that is that of hospitalists. Mr. Speaker, I have had a personal experience over the course of the last four weeks—

The Speaker: You've been in the hospital?

Mrs. Patricia J. Gordon-Pamplin: —in which my mother was hospitalised for four weeks. On the Tuesday four weeks ago, she was put in the hospital, and tests were run and the like. She was admitted to the hospital. On the Friday, a doctor said to me when I . . . I was going twice a day, Mr. Speaker, to make sure that my mom was fed, at lunchtime and in the evening. I have to say that I applaud the staff, because on the one day that I had a meeting, they made absolutely certain that my mother was fed and fed on time. For that, I am deeply appreciative.

But I went twice a day because it was important to me to recognise that, although my mom had somebody to look after her to take care of her and us, there are other people who do not have family members to come. Therefore, it is incumbent upon me to relieve the staff from looking after my mom so that they can look after people who are in more dire straits.

But I can tell you that, from the first Tuesday until the Friday, I had conversations with the nurses every day to find out how my mom was doing. On the Friday, the doctor, the hospitalist, came to say to me that if the nursing home will take her back on Saturday, they will be releasing her on Saturday. If not, she will be released on Monday, which would be six days into her stay.

Well, Mr. Speaker, Monday came, and the rest of that week came and my mom was still there. I had words with the nurse, and I said, *Can you tell me what is happening?* And she just said, *No change.* I still do not know, up until this minute, no change from what or what was expected. So I asked, after 10 days, *Can somebody at least get the doctor to speak to me? Can I speak to the hospitalist who is responsible?* I was then . . . The doctor on duty at the station said, *Your mom is not my patient, but I will call the doctor who is.* With that, she called the doctor, who said that if I had a half an hour to wait—now, this is at the end of my hour that I have been there already to feed her—if I had a half hour to wait, he would be on the ward. Other than that, he will give me a call. Well, unfortunately, I had to go back to work. So I said, *Please give me a call.*

Mr. Speaker, from that minute until this, I have yet to hear from that hospitalist. Now, my mom was released, thank God, last Tuesday. On the day of her release, I had three phone calls from a different doctor, who said that *I want to give you an update.* He was very thorough. I said, *I am just curious as to why I have not had some kind of communication for the last—he says to me, Mrs. Pamplin, I just inherited your mom's case two weeks ago.* I said, *Well, two weeks and three days ago, I asked for a phone call to give me an update.* He said, *I do apologise.* He was most apologetic. He had no idea. So somewhere, with this first hospitalist, there was not any response to a direct request. I knew he got it, because he said if I waited half an hour he would be on the ward.

Mr. Speaker, somebody said to me, *Well, did you call the Minister?* And the answer is no. There is a reason for that. Because I believe that a system has to work effectively for everybody, and not just because I happen to have the e-mail address for, or direct contact with, the Minister in charge. That cannot be the way that people need to go. I think that we have to ensure that, while we tout the benefits of these hospitalist programmes, we do not permit the patients to fall between the cracks in the interim. I think that is vitally important. I would ask that the Minister make the necessary interventions in terms of patient quality care. When he comes to give a Statement to this Honourable House as to how well the hospital is doing, ensure that it embraces all of those areas that are more directly involved with the day-to-day patient care, because I believe that that is what is critical.

The Speaker: You have to remember that that is one personal case.

Mrs. Patricia J. Gordon-Pamplin: Yes, it is. But what I have been made to understand is that—

The Speaker: You should not hold the whole thing to ransom for that.

Mrs. Patricia J. Gordon-Pamplin: No, it is not isolated. Mr. Speaker, I can tell you that had I thought for a second that this case was isolated, then trust me, I would not be on my feet. But as I spoke to different patients while my mom was in the hospital over that four-week period of time, the story was consistent. The story was, *We cannot get information. The hospitalists tell us nothing.* With the exception of one of the things that I found out—and I am not certain, but I was told—

The Speaker: And it is usually more helpful to talk with the Minister privately on these kinds of matters, really.

Mrs. Patricia J. Gordon-Pamplin: Yes, on situations like that. And I am willing to do that.

The Speaker: But I am not going to stop you, but that is what should—yes.

Mrs. Patricia J. Gordon-Pamplin: And actually, I am going to take it offline for the situation in terms of whether hospitalists are paid per case or not, because I think the Minister may be able to give some input into that. I just want to make sure that patients in the hospital receive not just the level of care—and I have no doubt that my mom—I mean, my mom was released and it worked out well. So I have no doubt that the standard of care—

The Speaker: Yes. See, we should not be having these personal cases aired on the floor of the House.

Mrs. Patricia J. Gordon-Pamplin: But, Mr. Speaker, believe me, it would not have been necessary had it been isolated. But when you listen to people after people after people saying the same thing, then clearly there is a systemic problem. It is that to which I am speaking, but only to underscore what happened by giving my personal example.

I will deal with that. I will end with that.

The Speaker: Thank you, ma'am.

BERMUDA SUN EDITORIAL: "OBA ACCUSED OF 'DISGRACEFUL' TACTIC ON PAY CUTS FOR MPs"

Mrs. Patricia J. Gordon-Pamplin: The other situation—and I think I still have a few more minutes, Mr. Speaker—is with respect to the issue of salary decreases that have become the subject of a newspaper article.

The Speaker: Let us be careful, because you may be anticipating something that may come later.

Mrs. Patricia J. Gordon-Pamplin: Okay. I will take your guidance, Mr. Speaker.

The Speaker: Do be careful.

Mrs. Patricia J. Gordon-Pamplin: I will take your guidance.

But the situation to which I would like to refer, if I may, Mr. Speaker—and I will take your guidance on it—is a statement that was in the *Bermuda Sun* by a Member of the Government which indicates that “the OBA once again show their true face as opportunists less interested in the public good than in their own political agenda.”

Mr. Speaker, I find it offensive that a Member of the Government would make such a statement. They then went on to say, “They are more keen on increasing their fortunes in politics and their pockets to the detriment of the public good.”

Now, Mr. Speaker, I know that I find that statement to be completely offensive. Firstly, as backbenchers of the Government and Members of Opposition, you will recall a few years ago, Mr. Speaker, when there was a review of salaries. This is the historic aspect, and I will not speak to anticipatory situation. But at that time, a Member of Parliament was earning somewhere in the vicinity \$39,000 a year. The committee that sat recommended that pay go up to \$50,000. Ministers were earning \$78,000, and the committee recommended that they would earn \$150,000, up from \$78,000. The Premier at the time, who was earning about \$115,000, would be compensated for \$200,000.

Now, for somebody to then stand, having been the beneficiary of that level of largess in the differentials relating to Parliamentary salaries, who could make such an inane statement and try to mislead the public at the expense of the One Bermuda Alliance, or any Member of Parliament, is inexcusable. The Premier has said—and I take her point—that there are some things that you do not utilise the *Ah-ha!*-type moment for. I think this was one of them. Because what that Honourable Member indicated from his public comments, open comments, was that they on that side have the benefit of discussion of a different set of circumstances that we on this side did not have. Notwithstanding that we have put a public position to indicate that we were more than willing to pull our weight respecting how we are able to balance the budget, we know that there will be some pain for everybody.

The Speaker: See, you are going to get—

Mrs. Patricia J. Gordon-Pamplin: No, I am just going to refer to it.

The Speaker: We call that anticipation in here.

Mrs. Patricia J. Gordon-Pamplin: I will not go any further.

The Speaker: Yes.

Mrs. Patricia J. Gordon-Pamplin: But I just think that it would behave—

The Speaker: You will have ample opportunity in the next week or so.

Mrs. Patricia J. Gordon-Pamplin: But I just wish, Mr. Speaker, that Members would be mindful that when they choose to throw out such barbs that they are being disingenuous, that it is not fair, it is not right for them to make those types of statements unchallenged in a public arena, and then we have to be tainted—

The Speaker: I doubt if this debate is going to help what is going on amongst the people who need to make a decision if we act like that.

Mrs. Patricia J. Gordon-Pamplin: Mr. Speaker, I am certain.

The Speaker: So we need to be careful.

Mrs. Patricia J. Gordon-Pamplin: I will be, Mr. Speaker, and I honestly respect your ruling.

But I tell you where it is important: It is important to people who somehow think that as Members of Parliament, we are here to increase our fortunes in politics.

The Speaker: Right. Well, you yourself know that is not the case.

Mrs. Patricia J. Gordon-Pamplin: Mr. Speaker, God only knows that we come to this Honourable House to give and give and give.

We know it is not the case, Mr. Speaker. But when such comments come from Members of Government, it is looked at as having truth behind it, and therefore, the public can be forgiven for believing that a Member of Parliament has led them correctly.

The Speaker: Well, it is not very helpful—

Mrs. Patricia J. Gordon-Pamplin: And that is not the case.

The Speaker: You are not being—

Mrs. Patricia J. Gordon-Pamplin: And I would like for the Honourable Member to withdraw those types of comments, because it is totally unacceptable.

The Speaker: Your debate is not being helpful at this point, yes.

Mrs. Patricia J. Gordon-Pamplin: Thank you.

The Speaker: Thank you, Mrs. Gordon-Pamplin, the Honourable Member from Paget West.

Any further speakers?

I recognise the Honourable Member, Mr. D. Burgess, from Hamilton East.

Minister Burgess, you have the floor.

Hon. Derrick V. Burgess, Sr.: Thank you, Mr. Speaker.

Mr. Speaker, let me say that my honourable colleague, the Minister Wayne Furbert, can certainly hold his own on the floor. But as we all know, he is away promoting Bermuda.

The Speaker: Yes?

2011 VISITOR ARRIVALS

Hon. Derrick V. Burgess, Sr.: Since he has been Minister of Tourism, I know he has spent more time out of this country promoting Bermuda than here on-Island. Even the former Minister, Minister Patrice Minors, had the same schedule. I do not know how they keep up with it, because they do have a personal life; they do have a family. But this is a commitment they took, and they do it admirably. So, that is what Mr. Furbert, the Minister, the Honourable Member Wayne Furbert is doing right now.

As far as the formulas are concerned, Mr. Speaker, these formulas that were set in place years ago are probably ideal for Bermuda, if you can accommodate it. Because as we all know in this House, the former Government, OBA/UBP had a number—a number as far as the maximum number—

The Speaker: A cap.

[Inaudible interjections]

Hon. Derrick V. Burgess, Sr.: What is that? Okay. Okay. Well . . . Mr. Speaker, they are entitled to their comments, and I respect that.

But it is what I see, right? I see it, right?

[Inaudible interjections and crosstalk]

Hon. Derrick V. Burgess, Sr.: So, Mr. Speaker, we have to get revenue into this country.

[Inaudible interjections]

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, I will wait until they finish. I will wait till they finish.

[Gavel]

The Speaker: Let us be courteous.

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, we have to get revenue coming into Bermuda. I know Honourable Member Crockwell did not mean it the way it sounded, that, *That's all you've got, a 1 per cent increase?* An increase is good in this climate, in this world climate that we depend on. When you hear of people in the United States, Canada and England losing jobs, that has to affect our tourism market in Bermuda. We, the Government, promote Bermuda. We are not responsible. I mean, we will do as much as we can to promote the individual hotels. But the hotels have got to market their own business, and they are doing that, Mr. Speaker. If they could do better, it will show. So it is not like Newstead and the rest of them are sitting down, not doing anything. They are doing the best they can. But the market is only giving what it is going to give right now.

So, Mr. Speaker, you saw . . . If people do not know, for the last three years the wages in the hotel industry by the workers have been frozen. It has been frozen to try to entice tourism in Bermuda and try to keep the costs down. Bermuda is not a cheap place to visit. It is very expensive, travel and everything else, everything else. But, Mr. Speaker, let me say this here. We cannot compare ourselves to the Caribbean, or the Bahamas. You know our season weather-wise. We only have—what?—four or five months a year to promote this country to get some really good numbers. Those other places have got 12 months; the weather is great for them. We have got some competition. And these folks have got to understand that. When we do have our peak months, as far as weather-wise, they are still competing with us because they have great weather.

So let us not come down on tourism. We are doing our best to get tourism in this country. We are doing our best to get more beds in this country. As long as we have 5,000 beds, we are going to try to get 350-plus cruise ship visitors in this country, so the taxi drivers and restaurants can earn some money. That is what a responsible Government will do, and that is what we are doing, Mr. Speaker.

So, let us not come down on the Minister. The Minister is trying very hard, as the previous Minister had done. Hey, what more can you do? Anybody can criticise. Anybody can criticise. They cannot do any better. If they could, they would be where we are, Mr. Speaker.

So, Mr. Speaker, let us understand that the world is suffering right now. You have countries going bankrupt, right? I mean, it has got to affect us. Sometimes the other side will say, *Well, Bermuda should be doing—it should not affect us.* I know we are God's country! But it affects us. Got to wake up. Wake up! It does affect us. It affects us! Just wake up on the other side. Live in Bermuda. Experience Bermuda. Just don't visit Bermuda on Fridays. Experience Bermuda, and you will understand. You will wake up and you will come to your reality and make some sense.

The Speaker: Thank you, Minister Burgess, the Honourable Member from Hamilton East.

Any further speakers?

I now recognise the Honourable Member, Mr. W. Perinchief, Pembroke Central.

Minister Perinchief has the floor.

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker, thank you very much.

I want to support the Honourable Minister for Transport in defending the Honourable Minister Wayne Furbert in tourism. But I really want to say to the Member on the other side, the Honourable Shawn Crockwell, that we have to recognise that there is a new paradigm when it comes to tourism. We do not have enough beds, as we just heard, 5,000 beds. Development capital, venture capital, it is scarce and hard to come by, and Bermuda is an expensive destination to build—not only to travel to, but to build.

We only have two pillars to our economy, international business, which we know has its challenges, nevertheless, and does not employ blue-collar workers; and tourism, which does actually deal with that sector of our industry, our people who can be considered blue-collar—taxi drivers, minibus drivers. I will state my interest. For at least two years, I drove a minibus. If we as a Government had the foresight to build Heritage Wharf—and those are contentious issues, because it was so (quote/unquote) “expensive.” Nevertheless, if we had not built it to accommodate the cruise industry, where would our economy be?

Now, we know that we are much better than most Caribbean countries, in that we derive a substantial income per capita from our cruise ship visitors. I think something like 413,000 landed in Bermuda last year. What we must do as a country is recalibrate, and as our Honourable Premier likes to say, reset the dial. Stop hearkening back to days gone by when we had 10,000 beds and the support staff in the hotels to support the industry, and move forward to how we can extract every dollar from the cruise ship passenger. I will not go to gaming; that is something that we have not legislated for. But I will say this: At present, we can extract more from cruise ship visitors. How? By putting on more tours. By opening up boardwalks and open-air venues on our beaches.

We have heard, consistently, people in this country refusing to change, refusing to move their feet, refusing to move with the way that the industry is going. You do not tell your passenger, your tourist, your visitor where to travel and how to travel. We always feel—I do not know why—as a small country that we actually direct the market. We do not! If the tourism industry worldwide has shifted to cruise ships, that is what you cater to. Do not tell me that 413,000 people who landed on our shores were not impressed to the degree where even a small percentage of them

would return, once they got more disposable income. So it is a ready-made advertising, if you like. In addition, we have the direct revenue gathering from cruise ship industry.

We need to reset the dial. We need to change our attitude and now cater properly to cruise ships. Some Caribbean countries have no option, nothing else. Cruise ships come in for one day, and they are gone. Here, they stay two, three days. We have an excellent opportunity. We are just not capitalising to the greatest degree on that tourist who comes on a cruise ship. We need to embrace them, not treat them like second-class citizens. Now, if we change our attitude toward tourism, if we recalibrate how we balance out our tourist numbers and now shift to extracting every dollar from that tourist, the guest of a cruise ship, welcome them with open arms, then we will start to win with tourism.

That is all I have to say, Mr. Speaker. Thank you very much.

The Speaker: Thank you, Minister Perinchief.

Any further speakers?

I now recognise the Honourable Member, Mr. H. Swan, from St. George’s West.

Mr. Swan, you have the floor.

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker.

Mr. Speaker, let me declare my interest. I work in the tourism industry at this present time. I teach golf freelance, and I am around working-class folks. I am around visitors on a more frequent basis than I have been in recent years, although I spent my whole life in the tourism industry.

I am sad, Mr. Speaker, because I would have thought that I would hear a Cabinet teeing itself up for the possibility of doing the right thing. Mr. Speaker, let me just share some numbers with you. I mean, it is about understanding numbers sometimes. I am just a country fellow. But 200,000 air visitors that spend \$1,200—on an average, \$1,200 each, translates into \$240 million in the economy, nothing to sneeze at. Twice that many cruise ship visitors translates to one-sixth of that, \$48 million. The problem with the mindset . . . It is a mindset problem we have. It is because I have heard time and time again Government Ministers justify the fact that . . . And the immediate past speaker said this a couple of weeks ago. He said, you know, *That is revenue for Government*. The problem we have is that we are caught up on revenue for Government, and Government is not an industry! That is the mindset problem. We need to empower the private sector in order for this country to get back on the good foot!

Mr. Speaker, I know the time for a Tourism Authority has come around, because all the indicators are there.

The Speaker: Well, let us not have that debate again. We just had it.

Hon. Hubert (Kim) E. Swan: I am not having that debate, Mr. Speaker. But it is so fundamental to the success of this country, the fact that the private sector . . . Do you think the taxes belong to the Members that sit on the front benches? It belongs to the people of this country! My employers are the people of this country, Mr. Speaker, the people that cannot work, the people that cannot afford to eat in this country! It is more critical than a Government defending policies gone wrong!

Mr. Speaker, let me just . . . Before I go further on this, let me just give the Government a solution, because Government has made some bad decisions that have come back to haunt them, one being coming back here in September of 2008. Well-intentioned, we all came back here in September in 2008. Almost four years later, we have not seen any type of movement on the Park Hyatt Hotel or the St. George's Golf Club. I give those folks in St. George's who took it upon themselves to try to resurrect some semblance of a golf club—I give them full kudos. But having been one who knows what it takes to run a world-class golf course, one who has been trained at a former world-class golf course by top professionals, I know that sometimes you can—and all best intentions just are not good enough. You certainly need expertise.

Right now, we have a golf course that is still available to be maintained, but is in a deplorable state, St. George's Golf Club. Well-intentioned persons just are not cutting it. It is a clover field right now. The clovers . . . A friend of mine said, *Listen. I do not have to worry about losing golf balls now in St. George's.* I said, *What do you mean?* [He said,] *I went up there the other day, hit my ball down the fairway and found six in the clover!*

But the point is this, that working in the industry, some of my colleagues who are major players at the other golf courses are saying that overseas, that is not good for the other courses, who are challenged with customers. Because if you are over there selling golf—and Port Royal is a world-class golf course, Mid Ocean is a world-class golf course, Tucker's Point is a world-class golf course. Belmont Hills has been recently upgraded within the last 10 years to be better than it ever was, most enjoyable. To have a course with a flag in the hole on the green, with the greens unacceptable, is not good enough.

The solution is this, Government: Take St. George's Golf Club and find a way to renovate it within the next three months. Get it playable. Use it as a loss leader. Employ some Bermuda golf pros, some seniors. I know a couple of them that are around that are very capable. And offer . . . If you are going to go away and try to resurrect College Week, that is only a one-off hit. But you can use golf as a loss leader for a

training facility by employing some golf pros like Frankie Rabain, like Leo Custodio, just to name—not just particularly them, but persons of their calibre. There are a number of them around in this country. And offer persons the opportunity to come to this country, stay at a hotel, at Grotto Bay or anywhere in this country, and they can enjoy golf at the best deal possible—training facility. That is the type of mindset that it is going to take to get the people off of the East Coast to come to this country! You have to offer them something, something that when they get here is going to cause them to want to come back!

The success of a repeat visitor is not getting them to come here once and not be happy so that they go back and tell six people not to return. It is to give them the quality experience on-Island. It has been our on-Island product that has been lacking a great deal. When you shifted your mindset, when the Tourism Minister was able to come to this House and come to your caucus and go to your Cabinet and convince you that, *Listen. Do not worry. I can achieve the greatest numbers ever than 1980*, and convince you that to do it would be to get 400 cruise visitors to compensate the 200 air visitors—he sold you a bad set of goods! Because the numbers just do not add up, Mr. Speaker.

If, in 1980, you can have 600,000 visitors come to this country and the economy be buoyant, and you get the same number of visitors come to this country and you have a recession, then your policy was wrong! And what is it going to take to change that, Mr. Speaker? To change that, you need to empower the people that think differently than bureaucrats! The Minister of Tourism made a statement recently, and I wish he was here, and I know he is away. Every Minister of Tourism—

The Speaker: So you could have saved that for next week when he is here.

[Laughter]

Hon. Hubert (Kim) E. Swan: No! It is too important today, Mr. Speaker. It is too important today. Every Minister of Tourism since Deforest Trimmingham to Jim Woolridge to Harry Soares—every one of them, to Dr. Ewart Brown to Renee Webb, have been well-intentioned, well-meaning. But the Minister of Tourism came and made a Statement recently, saying that we are going to get the staff of the Tourism Department to think outside the box. It is Government that needs to think outside the box!

[Gavel]

The Speaker: Keep it down a little bit.

Hon. Hubert (Kim) E. Swan: The Cabinet Ministers, Mr. Speaker, are the ones that need to start thinking

outside the box! The box they need to get out of is the box that thinks that they have the answers for an industry. That the answers are in the taxi drivers, they are with business people!

Mr. Speaker, just a few minutes ago I had to go pay a visit to the home show. Business person trying to think how to survive in a dying economy—that is the mindset up at CedarBridge today and tomorrow that is going to help this country. Their success is going to bring more taxes and revenues to the Government! But the Government is in a pickle. The pickle that the Government needs to get out of, it needs to give to tourism. The taxes, Mr. Speaker, that the Government has at their discretion is the people's money! There are people, Bermudians! We do not need another consultant. We do not need to pay 182; we do not need to pay 1.2 to another consultant. We need to empower Bermudians that are out of work, that are hungry. A hungry man is the spirit of innovation! And we have got them here because there are enough of them hungry today!

[Gavel]

The Speaker: Keep it down a little bit.

Hon. Hubert (Kim) E. Swan: And we need to empower them! Musicians, taxi drivers—you know, I went to a funeral yesterday, Mr. Speaker. I looked at that obituary of the late Dr. Paul de la Chevotiere. We have had doctors that have worked as taxi drivers, barbers and the like, and we have got them here. We have got accomplished people that work as plumbers, but also could do other things in life.

But what we need to do to get our people working again is to empower them, empower the private sector. Cabinet, I am speaking to you. Empower the private sector! The private sector would get St. George's Golf Club functioning again, would help revive the town of St. George's again. Even more so, private industry thinks differently than bureaucrats. I have no disrespect for bureaucrats, but they do not think like a person that is a private entrepreneur! A private entrepreneur—look at the successful people in business! Some of them did not even go to college, Mr. Speaker! But they have a risk taking about them that allows others to work.

I went up to the homes, so I have got to go back. We have got them in Bermuda. Turn to them, PLP Government. They will help you! I am giving you this for free, because we, this country, is sinking today!

The Speaker: Watch out.

[Inaudible interjections and laughter]

Hon. Hubert (Kim) E. Swan: We are sinking today. And you know it, Honourable Member. You are a

businessman. You know, you do not have to go to . . . It helps, but the successful businesspeople throughout the world are risk takers. They think differently. They make decisions based on information, and they demand greater.

We had a good debate today on education. You know, we keep hearing about, *The bar needs to be raised up here*. It is not acceptable to have a sub-standard golf course in this country dragging down the high-quality golf courses in this country. This Government can make that decision and get St. George's Golf Club up and running tomorrow as a great golf course. Not tomorrow, but within three months—within three months.

An Hon. Member: Three months, a top golf course, Kim? Come on. Come on. That sounds silly coming from you. Come on. Come on.

Hon. Hubert (Kim) E. Swan: Thank you. Thank you for the help. That means they are paying attention.

Within three months, we can get St. George's Golf Club well on the way to being a playable golf course with the right equipment, the right staffing. It certainly could be the type of encouragement that would encourage the visitors that already stay at St. George's Club and Grotto Bay in the East End, and other locals to get excited about the game.

From just a country boy like me, I think that has some merit. I take the point. It may take six months to a year to get it where it rolls smooth again. But it is going to be a far better facility.

Let me say this. The Honourable Minister today came here with a policy that encourages the yachting community. The Minister stated that \$10 million in revenue comes from 4,000 folks. You know, that is a spend of twice the amount of the average visitor that comes in the air. But, yet, where did our focus go? Cruise ships. Where is the greatest spend? I asked the Minister the question before. I appreciate that he was the Minister for Tourism. But the answer is this: If it is \$10 million for yachts, and you get 3,700 in one year and you get a bumper, what you do is, you count the stats for cruise visitors that is on a two-year roll—one year for Newport, one year without—and you average the two. Okay?

It is not good enough to come here with visitor surveys that [are] only 10 and 11. You cannot do a trend unless you are a person that keeps your own stats. We need to do better than that. That is where a Tourism Authority in Hawaii—I can go on the website and get all of these numbers. That is where a Tourism Authority is different from a Government.

Finally, Mr. Speaker, because these are solutions . . . But the time has come, because the revenues that we need to make this country tick are going to come from the private sector rejuvenation. Their mindset, Mr. Speaker, if it is anything that I have said—their mindset is different from the good civil

servants that we have serving us and the well-intended Ministers that we have leading them, and in some cases, unfortunately, micromanaging them.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Swan, the Honourable Member from St. George's West.

Any further speakers?

I now recognise the Honourable Member, Minister Z. De Silva, from Southampton East Central. Minister?

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I will not talk too much about tourism, because the Minister . . . I am a little disappointed in the Opposition [that they] do not wait until the Honourable Members in this House to be able to refute or reply to some of the things that have been said.

[Inaudible interjections]

Hon. Zane J. S. De Silva: But, Mr. Speaker, let me just say this. There has been a lot of talk tonight on the other side about the cruise ship versus air passenger. Everyone in this House, Mr. Speaker, and indeed in Bermuda, knows how important the air visitor is. We know that. We know that, we know that, we know that. But, Mr. Speaker, I am very disappointed in Members opposite, when they cry down and criticise the fact that we have been encouraging and have been successful in attracting cruise ships to this country, Mr. Speaker.

Mr. Shawn G. Crockwell: Point of order, Mr. Speaker.

The Speaker: What is your point of order?

POINT OF ORDER

[Misleading]

Mr. Shawn G. Crockwell: Mr. Speaker, the Honourable Member is grossly misleading the House. No one, and especially myself, ever criticised the Government for attracting cruise visitors. We simply stated that their own board stated that the right balance is 60 air, 40 cruise, and we do not have that today. That is all we said.

The Speaker: Yes.

Carry on, Minister De Silva.

Hon. Zane J. S. De Silva: Mr. Speaker, let me put it to you this way. The Honourable Member, Mr. Crockwell, who just took his seat, I will use his words, *gloss and spin*, Mr. Speaker. Mr. Speaker, that is a misleading statement to the people of this country. When the Honourable Member gets up and gives sta-

tics, Mr. Speaker, 600 or 1,000 tourists were in this Island, that is not gloss, it is not spin—it is fact.

Mr. Speaker, if 600,000 tourists come to this Island every year by cruise ship, I will tell you what. I will be happy, and I will tell you why. Especially in these times . . . The Members opposite are saying, *Yeah, right*.

An Hon. Member: You are okay, Jack.

Hon. Zane J. S. De Silva: *You are okay, Jack.*

An Hon. Member: You are going against your own board.

Hon. Zane J. S. De Silva: *You are going against your own board.* Let them keep coming, Mr. Speaker. I will repeat it.

You know what, Mr. Speaker? Lord knows where the people of this country would be if we did not have those cruise ships in the last three years. [They are] quiet now, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: You know why, Mr. Speaker? The cruise ships have been a lifeline during these tough economic times, Mr. Speaker. They may not want to admit it. Ask the taxi drivers. Ask the entrepreneurs up in Dockyard, Mr. Speaker. Ask the people in Somerset Village. Ask the folks down in Horseshoe Bay, where the tourists get trucked in by 4,000 per day.

An Hon. Member: Ask the hoteliers.

Hon. Zane J. S. De Silva: Mr. Speaker, the Honourable Member says, *Ask the hoteliers*.

An Hon. Member: Ask the restaurateurs.

Hon. Zane J. S. De Silva: *Ask the restaurateurs.* They come to the restaurants. Speak to any of the restaurants in town. When the cruise ships are in town, Mr. Speaker, the restaurateurs love it.

An Hon. Member: Not for dinner.

Hon. Zane J. S. De Silva: Oh, yes, they do, Mr. Speaker. They love it.

But, Mr. Speaker . . . So when we talk about gloss and spin—and I will let the Honourable Member . . . I am sure the Honourable Member is going to love responding next week. But, Mr. Speaker, let me say this. I applaud Minister Minors. I applaud Minister Furbert. Because you know why, Mr. Speaker? We have had a lifeline during these tough economic times. And many Bermudians, many Bermudians

have had a great advantage because of that. They say, *Lord knows where we would be without them.*

Not to mention, Mr. Speaker, that in fact those cruise ships brought in between, I think, \$60 and \$80 million per year for taxes. Okay?

An Hon. Member: No, no, no.

Hon. Zane J. S. De Silva: Yes, sir. Yes, sir.

So, Mr. Speaker, that money goes towards our people, our infrastructure and our social programmes. The social programmes that the former Government/present Opposition (I get confused every time, Mr. Speaker; they have been playing Scrabble for three years and I do not know what they are these days) . . .

[Laughter]

Hon. Zane J. S. De Silva: But, Mr. Speaker, what I am saying is that we are, and we will continue to invest in our people and our social programmes.

[Inaudible interjection]

Hon. Zane J. S. De Silva: Now, Mr. Speaker, let me . . . The Honourable Member said, *What do I call Darius Tucker and Wayne Furbert?* I heard one of the Honourable Members say the other week, they mentioned the word “flip-flop.” They mentioned the word “flip-flop,” Mr. Speaker. They were talking about Mr. Tucker and Mr. Furbert. But I will tell you what. We might play a little flip-flop, but you know what, Mr. Speaker?

[Inaudible interjections and laughter]

[Gavel]

Hon. Zane J. S. De Silva: They call my honourable colleagues “flip-flopers”? Well, it beats “jumping jackers.” Because, Mr. Speaker, they are going from UBP to BDA to OBA. Next thing you know—I do not know what they are going to come up with next, Mr. Speaker. They are jumping jacks.

[Inaudible interjection]

Hon. Zane J. S. De Silva: So, Mr. Speaker, like I said, I applaud, certainly, Minister Furbert, who is off the Island and continues to do his very best. He is working very hard, Mr. Speaker. That is why he is not here today.

HOSPITALISTS

Hon. Zane J. S. De Silva: Now, Mr. Speaker, I do have to respond to my honourable colleague, and I am glad to see that her mother is back, and I think she

is at Matilda Smith. I did have occasion to visit that place, not as often as the Honourable Member was. But I am glad to see that she is back, and she is doing well, I hope.

But, Mr. Speaker, the Honourable Member, I really do not think listened to my Ministerial Statement this morning. I had 10 pages, 11 pages this morning, Mr. Speaker. I do not think the Honourable Member listened. In fact, I think she received copies. Do all Members receive copies, Mr. Speaker?

The Speaker: Yes, indeed they do. Yes, they do.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, the title on that Ministerial Statement is “Patient Satisfaction Results at King Edward Memorial Hospital.” Now, let me say this again, Mr. Speaker: “Patient Satisfaction Results,” Mr. Speaker. So, the Honourable Member seems to not really get that—“Patient Satisfaction Results.” That is what those results were, Mr. Speaker, “Patient Satisfaction Results,” from the patients.

Now, Mr. Speaker, the Honourable Member began her little speech tonight by saying, *The hospital is nice to produce these reports, but do not rest on your laurels.* Mr. Speaker, I no less than five times said this morning, it is also true to note that no health system is perfect, and we are one of them. Mr. Speaker, I also said that I would like to thank the patients for participating. Every voice counts, and every patient who has spoken up has contributed and helped the hospital improve, especially those who have identified issues that need attention.

Mr. Speaker, think about that for a minute—those that have identified issues that need attention. This is an Honourable Member of this House, Mr. Speaker. I would think that she has a little bit of wits about her and would know how to deal with a difficulty, as she explained. Mr. Speaker, I have read a Ministerial Statement. I remember cutting the ribbon for the Patient Family Lounge, Mr. Speaker. Mr. Speaker, the Patient Family Lounge was opened last year, and the Honourable Member, Mrs. Pat Gordon-Pamplin, I am sure, must remember when that lounge was opened.

[Inaudible interjection]

Hon. Zane J. S. De Silva: The Honourable Member says she was not invited, but she must have been here when I read out the Ministerial Statement, Mr. Speaker.

Mr. Speaker, that Patient Family Lounge is very ably run by Ms. Toni Bridgewater. Folks know that that is the lady—one of the people—you can go to if you have a problem.

Mrs. Patricia J. Gordon-Pamplin: And I would know how?

Hon. Zane J. S. De Silva: Now, Mr. Speaker, the Honourable Member says, *And I would know how?* I do believe she said she was quite concerned about her mother. She went to ask for the hospitalist or someone she could call.

The Speaker: Well, I would not enlarge upon that because it is a personal kind of . . .

Hon. Zane J. S. De Silva: Yes.

The Speaker: We just regret that she did not come directly . . .

Hon. Zane J. S. De Silva: Yes, yes. Mr. Speaker, let me say this. In the Patient Satisfaction Results, you might recall that the patients had a 90 per cent satisfaction result with the hospitalists—90 per cent. It disturbs me, Mr. Speaker, when I hear, especially someone who sits in this place, say people after people after people after people had complaints.

Mr. Speaker, I would ask that Honourable Member—and this is no politics here. I would ask that Honourable Member and anyone in this House, any Bermudian that is listening, that if they have any difficulties at the hospital, whether it be with hospitalists or otherwise, all my numbers are public. I take hundreds of calls a week. My e-mails are published. You know how to get Zane De Silva if you want him, Mr. Speaker. If you have any issues, you can reach me, if you cannot reach anyone else, Mr. Speaker.

Mr. Speaker, I do have a few other things I would like to say about the hospitalists, in particular. It is just coincidental, Mr. Speaker, I was in the hospital myself just two days ago for the simple—

The Speaker: You were not sick, were you?

Hon. Zane J. S. De Silva: No, I was quite well.

[Laughter]

Hon. Zane J. S. De Silva: Well, I was sick, Mr. Speaker. I was sick. I was sick. Mr. Speaker, I will tell you what.

The Speaker: Carry on. I am sorry, Minister. I could not resist that.

[Laughter and general uproar]

Hon. Zane J. S. De Silva: Mr. Speaker, you are right. I was sick. I was sick. And I was sick and tired of hearing a lot of nonsense, especially from Members opposite, but tired of hearing from opposites, Mr. Speaker, in reference to the hospitalists.

Now, Mr. Speaker, I went to the hospital. I said, *Now, I want you to walk me through every step*

of the process when someone comes in the hospital. Do not let me hear anyone ever again, ever again say that they cannot, their family doctor cannot visit them, patient, whether it be family member, friend or otherwise, Mr. Speaker. Let me state for the record: A family doctor, if he has his credentials and he has his privileges, he can visit his patient 30, 40 times a day. Let me stop that myth once and for all.

Let me answer the Honourable Member, who asked the question, *What are the charges for the hospitalists?* Let me put that myth . . . I am not going to call it a lie. Let me put that myth to rest. Mr. Speaker, a hospitalist, if he visits 10, 20 times a day, there is one charge to the patient, one and one only. One and one only for that visit if five hospitalists go.

Now, if the hospitalist goes, if Mrs. Gordon-Pamplin is wheeled in and the hospitalist comes up to check her and see what is happening, and all of a sudden she needs a neurologist, which is probably (you know) . . . But then what they will do, Mr. Speaker . . . Now I am answering the question. If a neurologist, just as a point of order, if he has to come and visit, there is a charge for that. It is no different if you go see your family doctor, Mr. Speaker, and you say, *Look. I have got a problem with my heart.*

The Speaker: They have all got to get paid.

Hon. Zane J. S. De Silva: That is right. He will charge you for that visit, and he will say, *You had better go see Dr. Wong or Dr. Marsh or one of those fellows,* and they will charge you, too, Mr. Speaker. So it is no different. So I hope I put that to rest, Mr. Speaker. And just so that everyone else knows, if you are wheeled into the hospital via ambulance or if you check in through the front door, Mr. Speaker, the first thing that is done is the doctor on duty, he asks you, *Who is your family physician?* You know what they do, Mr. Speaker? If—if the doctor supplies the information, whether it be e-mail or phone—if they supply it, because not all the family doctors want their e-mails or phone numbers given out, believe it or not, Mr. Speaker. They do not. But that is the first thing that is done. An e-mail is sent to the family doctor, if he has one, to say, *Listen. Pat Gordon-Pamplin just came in. We are going to assess her.*

The Speaker: *Your patient.*

Hon. Zane J. S. De Silva: *Your patient, yes, your patient.* That is what they do, Mr. Speaker. The second thing they do, Mr. Speaker, is—and I looked at the directory myself—they have a full list of the doctors that supplied their phone numbers, if they supply them. I looked at the list. That is the next thing they do, Mr. Speaker. So the e-mail goes. The e-mail goes on file, so there is always a paper trail. The phone number—all phone numbers are done.

That is not it, Mr. Speaker. That is not all they do. Mr. Speaker, they keep a record of the e-mails and the phone numbers, and it goes in a file. From January 1st this year to Thursday, they had 600, Mr. Speaker, and I fanned through every one of those. So, the myth, the stories that your family physician cannot visit, he or she is not contacted—Mr. Speaker, if anyone—anyone in Bermuda—can tell me that that is not happening, I need to hear from them. Because I can say without a shadow of a doubt that if anyone enters that hospital, e-mails are sent if they are available. Phone calls are made if they are available, Mr. Speaker. Family physicians can visit their patient 20, 30 times a day, Mr. Speaker, if they so desire and if they have their privileges.

Mr. Speaker, it is quiet, and I am glad that Honourable Members opposite were listening. I am glad, and I would just like to encourage my honourable colleague, Mrs. Gordon-Pamplin, that if she should ever have any difficulties in the future, she certainly knows how to call me for anything else, Mr. Speaker. Do not be afraid. Do not be afraid.

[Inaudible interjections and laughter]

Hon. Zane J. S. De Silva: Now, I am not going to tell you guys why she calls me. If she wants to call me, Mr. Speaker, she can reach me most times.

The Speaker: Now you are telling it.

Hon. Zane J. S. De Silva: She can reach me.

But, Mr. Speaker, I myself cannot understand why the Honourable Member did not call Aunt Louise, because I am sure she would have been able to direct her in the right direction, because one thing about Mrs. Jackson, the Honourable Member, Mr. Speaker, she knows that hospital inside and out.

But, Mr. Speaker, let me just end by saying this: I would like, while I have the opportunity, to congratulate the staff at the hospital yet again, including the hospitalists and all the staff at the hospital. Because, you know, we talk about international business in this country, but I tell you what. If you travel anywhere, Mr. Speaker, and you are going to stay for a year or so, I think one of the things you would like to check out is what the hospitals are like just in case something should happen. I think we have a first-class hospital, Mr. Speaker. I think we have first-class staff—1,800, and I think they are first-class, Mr. Speaker. I would like to congratulate all of them for the great work that they have done and what they will continue to do, Mr. Speaker.

The Speaker: Thank you, Minister De Silva. The Minister has been very helpful.

Any further speakers?

I recognise the Honourable Member M. Bean.

Minister Bean, from Warwick South Central, has the floor.

Minister?

2011 VISITOR ARRIVALS

Hon. Marc A. R. Bean: Good evening, Mr. Speaker. Good evening, honourable colleagues, or good night.

Mr. Speaker, on this Motion to Adjourn, my Honourable and Learned Member and colleague, Mr. Crockwell, stood to his feet to speak and to wail about arrival figures for our tourism industry. Now, Mr. Speaker, just two weeks ago—and I stand to be corrected. But we had the opportunity in this Chamber to have a full and robust debate on the state of the tourism industry just two weeks ago. Now, fast-forward two weeks, and our Minister of Tourism presents arrival figures—not cooked figures, just, it is what it is.

An Hon. Member: The facts.

Hon. Marc A. R. Bean: The facts. Stats. Numbers. Transparency. Open. This is what it is, this is the results of past performance.

An Hon. Member: Mischaracterised.

Hon. Marc A. R. Bean: The Honourable and Learned Member said that it was mischaracterised. Now, I consider that to be a subjective value judgment, very subjective. I would not say “disingenuous,” but just very subjective. Because what else do we expect any Minister of Tourism to do? Mr. Speaker, can you imagine if these figures actually came out to be a 5 per cent reduction from last year’s figures? Can you imagine the outcry from the Opposition benches and some parts of the media? It would be horrendous. The world would be coming to an end because of a 5 per cent reduction in figures.

But, lo and behold, our Minister of Tourism presented the facts for what they are. Yet, the Opposition somehow, some way, but being consistent, they find that the cup is half empty instead of being half full.

Now, I know one thing the Opposition would agree with me on, Mr. Speaker, is that tourism is of strategic national interest to the country, and at some point we have to actually rise a little higher than the petty political discourse as it relates to the tourism industry. We spent a whole debate two weeks ago weeping and moaning of all the negatives associated with the tourism industry.

I got up, in fact, and in my normal fashion, presented what I thought we needed to do to move away from the stiff-necked, hypocritical conservatism that besets this country that we all know hinders any future development in any marketplace. People are looking for action. But I am not going to stand up here today and repeat—

The Speaker: That we call reflecting on something that we just did. So let us stay with the stats.

Hon. Marc A. R. Bean: Absolutely. Mr. Speaker, I am batting fair. I am batting fair. I am not swiping. I am just giving it, just laying it out as I see it.

What I find through this whole debate at this point in the evening is very disappointing to me. There is a saying that *Misery likes company*. Are you all that miserable being perpetual Opposition politicians, that miserable that you want our Minister of Tourism to join you in your company?

The Speaker: I do not think we should use a word like that.

Hon. Marc A. R. Bean: But, Mr. Speaker, I say “miserable” because—

The Speaker: That is being a little discourteous.

Hon. Marc A. R. Bean: —as a person thinketh, they becometh. A person speaketh what they think.

All I hear coming out of the Opposition’s mouths is doom and gloom!

The Speaker: That is all right.

Hon. Marc A. R. Bean: And it is consistent. No matter what the issue is, you are professional—Mr. Speaker, the Opposition are professional problem-seekers. Not once do they ever offer any constructive solutions.

[Inaudible interjections]

Dr. the Hon. E. Grant Gibbons: Mr. Speaker, Mr. Speaker, point of order.

The Speaker: There is a point of order. Yes?

POINT OF ORDER
[Misleading]

Dr. the Hon. E. Grant Gibbons: I think the debate is deteriorating. The Honourable Member is misleading the House. We have offered any number of solutions on this side. That is a little unfair, even at this late hour. Thank you.

The Speaker: Yes, yes. That is so. I uphold Dr. Gibbons’ point of order.

Hon. Marc A. R. Bean: Mr. Speaker, they might perceive their weeping and wailing and dooming and glooming to be constructive solutions. Right? But the reality is, it is not. Well, yes, it is subjective. But I think the people of this country who listen to you realise the reality, too. I am still listening for solutions.

Now, the Honourable Member, Mr. Swan, got up and he said, *Listen. We need to put our trust in the private sector*. Check. I agree. *Listen. We need to put our trust in our own people*. Check. We agree. He talked about St. George’s golf course. Okay. But at least in his attempt to criticise us, he also provides for what in his mind it would take for the industry as a whole, in terms of national strategic interests, for it to evolve.

[Inaudible interjection]

Hon. Marc A. R. Bean: Well, the Honourable and Learned Member is asking me if I agree with the UBP. In fact, with the division that Mr. Swan—

The Speaker: The Honourable Member, the Honourable Member.

Hon. Marc A. R. Bean: —the Honourable Member, what he presents, I have to question whether he actually should take the title of OBA, and you all keep your title of UBP.

[Laughter]

Hon. Marc A. R. Bean: That is really the question. Because what comes out of the Opposition’s One Bermuda Alliance mouth is truly old wine in old bottles, nothing new under the sun, but problem-seeking. I say that because I think it is our responsibility, not just the Government, not just your side, but it is our responsibility to take the discourse higher.

I mean, this all started off with you basically saying that our Minister of Tourism is spinning the facts.

[Inaudible interjections]

Hon. Marc A. R. Bean: Good gracious me. That is unbelievable.

[Inaudible interjections and crosstalk]

[Gavel]

The Speaker: The Honourable Member, Minister Bean, is on the floor.

Carry on, Minister.

Hon. Marc A. R. Bean: Thank you, Mr. Speaker. I realise that many people have a tendency to rely on reports, right? I say many people have a tendency to rely on reports. But I think we all recognise that for the tourism industry to rebound, it just takes common sense and the willingness to free up. It is not rocket science. You can have a 1,000-page report and the report could say we need a ratio of 60:40 air arrivals

to cruise arrivals. But the reality is right now that we have 60:40 cruise to air.

Do any of us think that by standing up in this House and speaking doom and gloom, spinning and putting a negative spin on what are just the facts—

Mr. Shawn G. Crockwell: Point of order, Mr. Speaker, point of order.

The Speaker: Take your seat, Minister.

What is the point of order? The Honourable and Learned Member, Mr. Crockwell.

POINT OF ORDER

[Misleading]

Mr. Shawn G. Crockwell: Thank you, Mr. Speaker.

The Honourable Member consistently is misleading this House. We have only spoken the facts. The facts are, Mr. Speaker, I have said it before, that at present the numbers represent 63 per cent cruise, 36 per cent air. How is that speaking doom and gloom? That is speaking the facts. The Minister gets up and says that is what they are doing, speaking the facts. All we are doing is speaking the facts.

[Inaudible interjections and crosstalk]

The Speaker: Thank you, thank you. Take your seat. Take your seat.

Minister Bean, do you wish to continue?

Hon. Marc A. R. Bean: Mr. Speaker, if this was euchre, I would say *Boo, exposed*. Because he just accused me of misleading the House. But then the facts were stated by the Minister of Tourism, and you got up, or the Honourable and Learned Member got up and said the Minister of Tourism was spinning the facts. You cannot have it both ways.

An Hon. Member: You said he was spinning!

Hon. Marc A. R. Bean: If this was euchre, I would say *Boo, exposed!* I would say, *Get up from the table. Next.*

[Inaudible interjections and general uproar]

[Gavel]

Mr. Shawn G. Crockwell: Point of order, Mr. Speaker.

The Speaker: What is your point of order, Mr. Crockwell?

POINT OF ORDER

[Misleading]

Mr. Shawn G. Crockwell: The Honourable Member continues to mislead the House. Now, I am not sure if he has read the article or even heard his colleague's statement. The Minister never made the statement and he never spoke the fact that the cruise arrivals were 63 per cent and that air arrivals were 36. What he said was the overall numbers were the second-highest in our history and that tourism is going forward in a positive direction.

That is what we refute. We are setting the record straight today that it is not going in the right direction. If this Government thinks otherwise, then so be it.

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

The Speaker: What is the point of order?

POINT OF ORDER

[Misleading]

Hon. Zane J. S. De Silva: The Honourable Member said the numbers are not going the right way. Mr. Speaker, it might be 1 per cent, but they are going the right way.

Would you prefer them to go the other way?

[Laughter]

The Speaker: Thank you, Minister. Take your seat.

[Inaudible interjections]

[Gavel]

The Speaker: Continue, Mr. Bean.

Hon. Marc A. R. Bean: Mr. Speaker, so as not to descend, right, but just to reiterate the point that I think the Honourable and Learned Member is saying, the point is that our Honourable Minister of Tourism presented the facts. The Honourable Minister Furbert presented the facts. Not all the facts that the Honourable and Learned Member spoke of in terms of the cruise-to-air arrivals ratio. But what he stated were the facts. What he stated were the facts! The Honourable and Learned Member then decides that his camp brings some other facts. The other fact is that the ratio is 60 per cent cruise, 40 per cent air arrivals. But then, Mr. Speaker, he goes and he includes his own opinion that we are not going in the right direction. Now, that is a fact. So I do not know who is misleading whom.

But you cannot criticise the Honourable Minister of Tourism. You cannot criticise our Honourable Minister of Tourism and then, in his next breath, speak about some ratio and then not expect myself to get up and say, *Listen. Everything that you are speaking with is framed in dark clouds.* It is framed with the intention

to destroy the spirit of the people. Why? Because I heard it earlier. I was told that someone said that they took offence to what one of our Members said in the newspaper last week. But it is true. It is true. By your works you shall be known. By your words you shall be known.

An Hon. Member: Nonsense.

Hon. Marc A. R. Bean: Nonsense?

[Inaudible interjections and crosstalk]

Hon. Marc A. R. Bean: One thing, Mr. Speaker, as a boatsman one thing I really do not tolerate too much, you know, are people who are on the boat who are so desirous to become the captain of the boat that they will sink the boat just to get to the cockpit. That is the point.

So let me reiterate my point that this Motion to Adjourn was kicked off with accusations that our Minister of Tourism is misleading the public or is spinning the facts. Right? And I got up and said, *Listen. I am getting sick and tired of the consistent doom and gloom negativity that emanates out of the Opposition.* Now, when Minister De Silva was on his feet . . .

The Speaker: Yes, well, we cannot be repetitious in here. I have heard all of that. I have heard all of that in the last—

Hon. Marc A. R. Bean: I am not. I am certainly not repeating it. Mr. Speaker, I have not said anything.

The Speaker: Let us move on.

Hon. Marc A. R. Bean: All right. I am moving on. I am getting to this point. If the Opposition are desirous of ever one day becoming the Government of this country, then first you have to be worthy Opposition Members. In other words, in addition to pointing out problems, come with a solution for the sake of the next generation.

An Hon. Member: They do not have any. That is the problem.

Hon. Marc A. R. Bean: See, every time . . . It seems like many of them are talking to themselves in the mirror. And when they talk to themselves, they feel that they are offering solutions. That is called “delusion.” It is self-delusion, because I am sitting there, Mr. Speaker, and I am listening. As one of the youngest Members of this House who has a responsibility not for today, but for tomorrow, I am listening for solutions.

An Hon. Member: You are the Government! Produce solutions!

Hon. Marc A. R. Bean: So, Mr. Speaker, again, if the Opposition have a desire . . . Because their Leader did speak of working with collaboration. He did say that, right? Right, right, right. But I do not see that being actioned by those whom he leads.

Now, certainly, you can reflect and go again.

An Hon. Member: You do not want criticism.

Hon. Marc A. R. Bean: No, look. I do not mind criticism. Look, I criticise my Government more than you can ever do. But I do it in-house.

Some Hon. Members: What is the difference?

Hon. Marc A. R. Bean: It is called “effectiveness.” You know how empty vessels make the most noise, silent rivers run deep? Hmm. Right. It is called “effectiveness.” It is called “effectiveness,” Mr. Speaker. Trust me. Whatever changes that are going on in our Government—

[Inaudible interjections]

Hon. Marc A. R. Bean: —whatever changes are occurring within our Government, rest assured, it is not coming from the intellectually bankrupt Opposition side. It is not.

An Hon. Member: Intellectually bankrupt?

Hon. Marc A. R. Bean: Yes. Intellectually bankrupt.

Mrs. Patricia J. Gordon-Pamplin: You are a joker.

Hon. Marc A. R. Bean: I am a joker. The Honourable Member, Madam Pat Gordon-Pamplin, just called me a joker. Like I said, intellectually bankrupt. Keep chirping and let the public know. Just reveal what I just said. Expose yourself.

[Inaudible interjection]

Hon. Marc A. R. Bean: While not great, we serve the people. The fact of the matter is that at some point it is going to have to have some political maturity on the Opposition side. Because right now they are doing a disservice to this country. We understand that the ratios could be better. We understand that we all need air arrivals. We understand that we could still use more cruise arrivals.

But then again, the Opposition, you are not into the \$300 a day spend. You like to beat-box.

[Inaudible interjection]

Hon. Marc A. R. Bean: Because you are just into the, what, the trickle-down economics? You like the

crumbs. You do not consider the taxi driver, as Minister De Silva said. You do not consider the water sport operators, the minibus operators, the restaurants, the beaches. You do not understand the plight of the small entrepreneur. Even when a young entrepreneur wants to put up something on the beach to offer a service to improve the tourism product, here they go, following the same old narrative: *There is something wrong with it; no, you can't do it.* But then out of the next breath, they are going to say, *Listen. We need to do more for tourism.*

[Inaudible interjections]

Hon. Marc A. R. Bean: So if all the onus, Mr. Speaker, is on the Government to do what we have got to do, then what the Opposition says carries no weight. We should not even listen to what you have got to say. We should not even stand up and respond to what you have got to say. Okay? But we do because we give the Parliamentary form of democracy in this country respect. That is why we sit up and we talk to each other and we debate.

I am asking you. I am appealing to you, though, you know. I am appealing to your higher conscience. Maybe not some of you, but those who do have a higher consciousness, I am appealing to you.

[Gavel]

The Speaker: Now, now, but just try to lower the decibel.

[Inaudible interjections]

Hon. Marc A. R. Bean: Sure, sure. Sometimes, Mr. Speaker, when you have hyenas barking around on your African prairie, sometimes the lion has to roar. Sometimes the lion has to roar, Mr. Speaker.

[Gavel]

The Speaker: But you have to follow my direction in here. Thank you. Carry on, Minister.

Hon. Marc A. R. Bean: Thank you, Mr. Speaker.

Mr. Speaker, I think it is just essential, because, again, two weeks we debated it. We understand we have to do more for the tourism industry. But when the Minister of Tourism comes out and he comes out with arrival figures that are an improvement, then let us look at it in a positive light. If it is a negative decline year over year, then we speak to that. But we just do not need to find criticism and negativity for every single thing! Next thing you know, the Opposition is going to be criticising the Government because the sun rose in the east and set in the west! They are going to criticise us for everything.

An Hon. Member: That is highly intellectual, highly intellectual.

Hon. Marc A. R. Bean: Yes, it is. It is. It was intellectual enough for you to relate to. Sometimes I have to speak simple for the simple-minded.

So it is intolerable, in fact. It is a disservice to the people of this country that we have to deal with such negativity on such a consistent basis. I appeal to the Opposition—

An Hon. Member: Point of order, Mr. Speaker.

The Speaker: What is the point of order?

POINT OF ORDER

[Disparaging Comments]

An Hon. Member: That the Honourable Member was making disparaging comments to the Members of this side by referring to us as “simple-minded.” Mr. Speaker, that is out of order. He needs to retract that statement. He is out of order.

[Inaudible interjections]

[Gavel]

The Speaker: Of course, I missed that. If you did say that, that is being discourteous. You should not say that.

Hon. Marc A. R. Bean: It is not out of order if it is true!

SPEAKER'S RULING

The Speaker: No, no! You should not say that. You should retract it and apologise. You should retract it and apologise.

[Inaudible interjections]

Hon. Marc A. R. Bean: Sorry. I apologise, Mr. Speaker, if that appeases the Opposition.

[Inaudible interjections]

The Speaker: No. You apologise because it is the right thing to do.

Hon. Marc A. R. Bean: Mr. Speaker, yes, okay. I will do the right thing.

Take note, though, that I mentioned three minutes ago there was an Honourable Member on the other side who called me a joker while I am on my feet speaking.

An Hon. Member: That should be an apology too.

The Speaker: Yes, yes, yes.

Hon. Marc A. R. Bean: So that is the theme! But I would do the right thing and apologise, Mr. Speaker. I will do the right thing. I apologise.

The Speaker: Thank you. Minister, I thank you, and your time is up. Thank you, Minister.

Hon. Marc A. R. Bean: Thank you.

The Speaker: We have all got to somehow work on our tolerance level in here. We must try. The interpolations that I have been hearing in the last few minutes, they are simply interruptions. They are not helpful. So let us try to be respectful of each other. We may not agree with each other's points of order, but let us try to be respectful.

I recognise the Honourable Member, Dr. Gibbons, from Paget East.

Dr. Gibbons, you have the floor.

Dr. the Hon. E. Grant Gibbons: Thank you, Mr. Speaker. I concur completely with what you have just said. The level of debate, I feel, has deteriorated a little bit. Unfortunately, sometimes we get into this shoot-the-messenger approach, which may make us feel good from time to time, but which is not terribly effective. I do not think it provides a very good example to the community out there, either.

At the invitation of the former speaker, I will try and bring a little bit more maturity to it.

I just rise on a couple of issues here. I think it is important because I think we lost the thread of it in the last two or three speakers. My honourable colleague, Shawn Crockwell, was simply saying and drawing a contrast with what the Minister of Tourism had to say. Mr. Speaker, without reflecting on it, a couple of weeks ago when we did debate the Tourism Motion, and it was Volume I and it was the Tourism Board, there was a very clear sense in there that they were making a recommendation about what they felt was the appropriate ratio for cruise versus air. They were saying it should be 60 per cent air and 40 per cent cruise.

My honourable colleague, Mr. Crockwell, simply drew attention to the fact that in the recent numbers that the Minister reported, we were actually up to 63 per cent cruise, 36 [per cent] or 37 per cent air, and he was concerned, given that report, that the Minister had made no mention of it, simply talked about total numbers.

All Honourable Members on that side needed to say was, *We hear you. We are a little concerned about that ratio as well*, if they in fact agreed with the report. I think the issue here that disturbed some of us on this side was, subsequent speakers who started to talk about getting more out of those cruise visitors as

opposed to the issue of—you know, look. What we really need to do here is start to build the air side. We were not saying absolutely decrease the cruise side. But we want to fix that ratio.

Mr. Speaker, I recently came back—actually, last night—from the Bahamas. In fact, that Honourable Member who just spoke, I know, has a particular affection for Bahamas. I was in Nassau.

An Hon. Member: So do you.

Dr. the Hon. E. Grant Gibbons: I do. I am there three or four times a year. I was not poking at the Honourable Member. I just acknowledged the fact that he has an affection for the Bahamas. I am down there on a regular basis on business, insurance business. So I, obviously, pay attention to what is going on down there.

The interesting contrast, at least in my mind—and I do not know if that Honourable Member, Mr. Bean, will agree or not. But there is a real sense of optimism in the Bahamas now, which is completely missing in Bermuda. They have got an enormous amount of inward investment by the China Development Bank, I think it is. Mr. Speaker, you may have heard of the Baha Mar investment. They are working very hard to improve their landside infrastructure with the redevelopment of Cable Beach. There is a new four-lane highway going in from the airport to downtown Nassau. And apart from the fact that they are a little concerned about 7,000 Chinese which have descended upon their shores—I am not sure they are all there now. But the fact of the matter is, they feel that they are sort of heading in the right direction, which is in some respects a little bit of a contrast with what I think people feel in Bermuda right now.

The interesting thing about it is, they have a distinct sense they are headed in the right direction. They are building up their air arrival product, if I can put it that way.

The interesting thing that I wanted to report was, I was speaking about two weeks ago with a gentleman that some of you may know. He is not Bermudian, but he has been involved with the international business sector for many, many years here. He is not here as much as he used to, but he said . . . Because I said I was going down to the Bahamas. He said, *You know, I was just there a little while ago*. He said, *They have really, really improved their product*. He said, *I and a number of people—they were staying at (some of you may be familiar with it) a hotel called the Colonial Hilton, which has been around since Genesis almost and has been fixed up in the last couple of years. But he said, We are staying at the Colonial Hilton. They have done a nice job improving it*. He said, *A number of us walked down Bay Street to go and have dinner*. I said, *Well, that is interesting. I am not sure I am quite there yet. Bahamas has a little bit more of a crime problem than we do, at least from my*

perspective. He said, *No, no. We did it two nights in a row. We felt perfectly safe.*

And here was the kicker: He said, *I have not been in Bermuda in a couple of months. He said, But you know what I am hearing? I am hearing that a number of international business companies are advising their clients and some of their members not to walk from their hotel in Hamilton to restaurants downtown. I said, Why is that? He said, It is because they are very concerned about the crime in Bermuda right now. I said, You have got to be kidding. I said, You walk down Bay Street at night, and people are advising some of the people in Bermuda, visiting international business, to take a taxi from the hotel to the restaurants? He said, Yeah. He said they are very, very concerned about it.*

At that point I recognised that, no matter how we may feel about it, there is an awful perception here, and we have a real job on our hands if people feel it is not safe to walk from the Princess or Rosedon or Rosemont or other hotels to go downtown to a restaurant and eat dinner here.

So there are some real issues we face here. Maybe Honourable Members on that side will say, *Look. That is just doom and gloom.* But I think the fact of the matter is, I am simply reporting what I was told. Somebody who has known Bermuda over probably 30 years, has done an extraordinary amount of business here, has brought a lot of business to our shores, was a big supporter of Bermuda, and is now talking to me about the concern that they have about the tourism product and how we are starting to stack up against others.

One of the reasons that I think this cruise issue is so important—and I mention Bahamas again—is because the Bahamas went through a period where they did not have a lot of air arrival infrastructure, and they were very, very dependent on cruise arrivals. They were probably at about the same ratio we are now. What happened was the hospitality the retail and other sectors changed slowly to accommodate the type of visitor they got. I am not trying to be condescending here, but we all know that cruise ship visitors, depending on the ship, perhaps are of a different socioeconomic level than some of the air.

The concern that some of us have, and maybe the Minister's Tourism Board as well, is that if that ratio stays at a high cruise level for too long, then other things—we were talking about entrepreneurs earlier—other things change to reflect the dynamic of that customer. Whereas what we are really looking for is to be able to provide services to those air arrivals, because as we all know, the multiple benefits that air arrivals provide, both in terms of hotels, people who work in hotels and others, is appreciably better.

So, Mr. Speaker, I will end there on that particular note.

HOSPITALISTS

Dr. the Hon. E. Grant Gibbons: One more comment I wanted to make, and that was really to come to the defence of my honourable colleague Pat Gordon-Pamplin. Again, I think all the Minister of Health (this time) had to do was stand up and say, *I am sorry to hear you had that issue in the hospital. I just read out a Ministerial Statement this morning talking about patient satisfaction. It was at very high levels. I am sorry to hear you had that issue. But, you know, I recognise that all is not the case, and I will look into it for you.* That is all that needed to be said—

Hon. Zane J. S. De Silva: I would have been happy to do that, but it was all the other things that came along with it, Grant. I am not going to let you stand up there and put a lot of mistruths out there, you or anybody else.

[Gavel]

Dr. the Hon. E. Grant Gibbons: —as opposed to going after that Honourable Member for raising the issue and saying that she had heard about it from some other people as well.

Now, maybe the Honourable Member felt . . .

Hon. Zane J. S. De Silva: That was four weeks ago. Why bring it to my—

Dr. the Hon. E. Grant Gibbons: Well, it is her mother, for one thing. I can see why she would bring it.

Hon. Zane J. S. De Silva: That was four weeks ago, Grant.

The Speaker: I say she should have gone directly to the Minister. See, those kind of matters, you do not want it debated on the floor of the House.

[Inaudible interjections]

Dr. the Hon. E. Grant Gibbons: I know my honourable colleague, and I think we need to maintain . . . I am not trying to be pious here, Mr. Speaker.

The Speaker: But the Minister is giving an undertaking.

Dr. the Hon. E. Grant Gibbons: Yes. I think that is good. I am not trying to be pious. I mean, I give as good as I get. But I do think it has gotten a little out of hand tonight. I do not think that helps any of us, frankly.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons.
Any further speakers?

Minister, were you trying to get in before I recognise Madam Premier?

Minister Blakeney. Minister Blakeney has the floor.

2011 VISITOR ARRIVALS

Hon. Glenn A. Blakeney: Thank you very much, Mr. Speaker. I am not going to be very, very long. The hour is getting a bit late.

The interesting thing is that the Opposition in endeavouring to do their job sometimes, I think, get just a little bit over-excited or over-involved in their own spin. As a result, they are throwing all kinds of salvos and expecting Members on this side of the House not to defend, not just our record, but what it is that we are not only endeavouring to do out of good intent, but meaningfully. No one can deny that. They can try and spin it any way they want, that it is never going far enough, it is never ever good enough. But we do not control all the forces of market. We do not.

I think we have all heard where everyone has a role to play, not the least of which is the stakeholder community who, for the most part, have their challenges, but to a great degree have been disingenuous, whether you look at it as being a strategic approach to doing better business in a very challenging economic climate or whatever.

But when it comes to the disparity with the ratio of guest workers that are required in this country, it is not just because Bermudians do not want to work. There are root problems there. Bermudians are not stupid people. So if you are going to pay a pot washer \$8 when it is a \$15 or \$20 job, a Bermudian realises that more than anyone else. They are not getting any stipends to underwrite the cost of living in the country relative to accommodation or rentals. Certain market forces drive the economy in ways that have been extremely challenging for Bermudians, particularly the grass-root Bermudian.

So we are charged with finding that very delicate balance. With regard to the twin pillars of our economy, it is most challenging. The people that come here to enjoy the amenities and the professional career path as international business experts, they come. They sign a contract. They know before they come what they are entitled to. They agree to six years. That is not good enough. They then want 10. Where does it stop?

On the tourism side, Mr. Speaker, yes, it would be an ideal world if we could attract the air visitor in the numbers that we need to sustain our economy and the balance and in the scheme of things relative to us not having any other natural resources and base our survivability on a consumption-based tax regime, where we had to get ours first so that we could continue to provide the kind of services that the people of this country expect without compromising the quality of life.

With a depressed economy globally, it is hugely challenging. As an example you have the Americans flip-flopping now in the Republican Party, because the Presidential candidate completely denigrated the stimulus package that bailed out the motor vehicle industry in the United States, which has now turned around and is enjoying billions of dollars profit because a leader dared to be different and dared to take risks and became a true game-changer. Now, everybody is looking to flip-flop.

Now, if we are looking at our feeder markets on the Eastern Seaboard, and we understand the kind of demise that the people that would choose a Bermuda vacation are experiencing as a result of downsizing and redundancies, et cetera, et cetera, how can we expect them to even consider the country, notwithstanding the millions of dollars that we are spending to attract them? Now, you talk about a Tourism Authority. Well, you know what? I have sat on the Board of Tourism even before I was a Member of Parliament, and some of the contemporaries that I sat on the board with were indeed the very same stakeholders that have the vested interests in the hotels and hospitality industry. It was the collective brainpower of those same individuals that is indicative of the makeup of the board as I speak today.

There is no franchise on intellect. As a result of the collective gathering of members that are deemed qualified or appropriate to serve on that particular board, we would expect them to do what they are mandated to do. But it takes more than two, in this situation, to tango, because we have got real problems that are just not generic to this Island. So we have to be a little bit more sensitive to the fact that it is going to take a holistic and a total collective approach by all individuals in this country, from the realm of dysfunctional families to crime, to the entrepreneur, to the businessperson who is an international businessperson that has the confidence and faith in Bermuda to not only bring his business model here, but also the expertise that makes us number one in a certain sector of international business, that being captive insurance.

So, Mr. Speaker, I do not think any of us in here do not realise that we have some real challenges. And as opposed to just pointing fingers and trying to stick pins in everything to deflate ourselves even more, not the least of which is the attitude of the people, the mood of the people, through the kind of negative discourse that we have—it does not make sense!

An Hon. Member: Do not blame us!

Hon. Glenn A. Blakeney: You can say, *Do not blame us*. Well, you know, I thank God that the people of the country do not blame us, which is why we are here still charged with the reins of power in this country to do the right thing for the right reasons. We do not get it right all the time, but it is not due to lack of effort.

Right now, as we speak, this Government is committed to consulting with the stakeholders of this country at every single level, through town hall meetings and sessions, through taking all kinds of issues to the people and providing opportunities, for the first time in this country, for people in the public forum to give their feedback, their suggestions, to share their pain, to ask questions.

So, no one in this country can say that this Government is not seriously and genuinely endeavouring to do good by its people—no one. We are spending millions and tens and hundreds of millions of dollars looking out for our people. We get the kind of criticisms with regard to the capital expenditures, and one school of thought might be, *You know what? This Government has it figured out right.* They are building buildings, notwithstanding there might be an overrun here or there that comes to this House and is passed because of a change order.

[Inaudible interjections]

Hon. Glenn A. Blakeney: Because at the end of the day, if you take and divide 50 years hence on a yearly basis what it costs to build the capital project, notwithstanding that overrun, somebody might say, *You know what? How wise that Government was, notwithstanding!* Do you know why, Mr. Speaker? Because there are tens of millions of dollars savings as a result of the capital expenditures building buildings to house our Government departments, that we are saving the taxpayers of this country. We are quantifying that year over year over year as a result of not needing that municipal building that is owned by the private sector to house our Government departments.

Indeed, we have invested the taxpayers' money in purchasing some of the municipal buildings because it makes prudent fiscal sense for the kind of accommodation that we are going to need as we move forward.

So, yes, this Government has vision. And yes, we have challenge. And yes, we have various schools of thought even within our own membership. As a result, we look to take the best ideas from the brightest brains. We—God only knows—have brought pieces of legislation through amendment bills out the yin-yang to address the challenges we are facing on a daily basis, and then going beyond, strategising to see how we can even do better. That is how it works.

But with the denigrating of each other in this House, what kind of a legacy will we leave? And how will we implore or encourage or invite or endear the next generation of worthy men and women in this country to step forward and serve in this capacity? When we by example do not take the lead in the role that we have, particularly as an Opposition, who will just throw salvos ad infinitum at the Government of the day in this country? You know, with regard to the technology that is available now, there is instantane-

ous dissemination of information that reflects on the country at large, regardless of who is running it.

So, why would you, for your own political expediency, hoping to win the confidence of the country, fuel the discomfort and lack of confidence of a potential visitor, whether they be a business prospective business or a leisure prospective visitor? Why? Why? I do not think they get it. But the people of the country do, you know, regardless of what they think. When they hear things on the surface, the people of the country peel off the layers, they understand us because we are down in the trenches. We are down in the trenches. We are talking not to and not at our people. We are talking with our people, and we are listening. There is discomfort. There is disappointment. Some of it is very well warranted.

But the people on this side of the House that have been duly elected through a vote of confidence in a democratic country through a democratic process understand challenge. I speak with them every single day with the remit that I have in my Ministry. I touch the grass roots of the grass roots,

An Hon. Member: The sufferer!

Hon. Glenn A. Blakeney: The sufferer.

What I am charged to do is to provide relief. But at the same time, I try to inspire, because with inspiration I can hit the spirit and the soul. If I can do that, I can raise the temperature, where there is hope. That is what we need to give our people.

So I implore the Opposition to start speaking from the premise of giving our people at large hope and give up this exercise of futile activity engaging doom and gloom, even if just for the semantics because it sounds good to the ear. It is disingenuous.

The Speaker: Thank you, Minister Blakeney, the Honourable Member from Devonshire North West.

I now recognise the Honourable and Learned Member, who is the Premier.

Madam Premier, you have the floor.

Hon. Paula A. Cox: Thanks, Mr. Speaker.

Mr. Speaker, next week is budget day. I suspect that because Honourable Members know that they will be subjected to a gruelling three-day-a-week session, perhaps some of the air needed to be let out of the room tonight.

What I want to say is just a couple of points. Reports of Bermuda's demise are much exaggerated. Clearly, competitiveness is an issue. We have some challenges. No one doubts that. There are balance sheet pressures on companies large and small in Bermuda. There is also international economic turmoil. And also we are dealing in Bermuda with the issue of social cohesion and making sure we maintain law and good order.

Notwithstanding that, though, Mr. Speaker, I think it is very important to note that there are seeds of growth and there are also seeds of optimism. Anyone who was at the meeting last night with about 500 people in Somerset, what you would have heard was people who were clamouring for a way to participate. What was also important is that you heard a level of political and economic maturity. Many stood up and said, *We do not want Government to do it. We do not even want Government funding. But talk to us about the opportunities, whether it is concessions at the beach or other potential new business.* That is what I saw and heard—people hungry to find a way to navigate a way out, people looking for a way to succeed and wanting to have an opportunity to participate.

[At 9:53 pm the House stood adjourned until 10:00 am, Friday, 24 February 2012.]

For me, Mr. Speaker, what has been very useful has been the level of commitment and interest and the hunger for information, whether we had the open budget meetings or even the “Let Us Build One Another Together.” That, Mr. Speaker, is where I see the genesis of the rebirth for Bermuda.

The Honourable Member who speaks for Business Development and Tourism, he is not in the Island today. But he will be back soon. What he will tell this Honourable House is the fact that he has been working, working and building on the success and the work done by his predecessor, the Honourable Minister Minors. But he has also been seeking to forge and cement strong social pacts, social pacts with our social partners, the unions. Though he has not sought to tease, he has spoken about the fact that we do have to find a new way of doing things, a way to help reduce the costs and also encourage foreign direct investment.

While others to the south may talk about being competitive and look at us with a lean and hungry look, we are out there getting the job done and it is getting busy.

So, Mr. Speaker, as we have tonight close-out on the prelude and precursor to Budget 2012/13, we will have ample opportunity to debate the issues of strategic national economic interests. But what I also hope is that we do not hear the level of rancour that we heard tonight. It is understandable. We have been talking about issues which are key, issues about moving the country forward in terms of education and the future and our children. But if we really want to talk about being competitive and Bermuda being able to walk forward together, then we are going to have to put the egos, park the egos, wherever they emanate from, and decide that we are going to work together so that we can provide the necessary hope and help.

Thank you, Mr. Speaker.

The Speaker: Thank you, Madam Premier.

The House stands adjourned till Friday next at 10:00 am. Friday next at 10:00 am.

[Gavel]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****24 FEBRUARY 2012****10:03 AM***Sitting Number 10 of the 2011/12 Session**[Hon. Stanley Lowe, Speaker, in the Chair]***PRAYERS***[Prayers read by Hon. Stanley Lowe, Speaker]***CONFIRMATION OF MINUTES****17 FEBRUARY 2012**

The Speaker: The Minutes of the 17th of February have been circulated. Is there any objection to the confirmation of the Minutes?

Agreed to.

*[Gavel]**[Motion passed: Minutes of 17 February 2012 confirmed.]***MESSAGES FROM THE GOVERNOR**

The Speaker: There are none.

**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****NEWLY ELECTED VICE PRESIDENT OF SENATE**

The Speaker: Just for the benefit of Honourable Members in this Chamber, the Honourable Senator Joan E. Dillas-Wright was the newly elected Vice President of the Senate. For some Honourable Members who may not be aware of it, that happened, I believe, at their last meeting.

MESSAGES FROM THE SENATE

The Speaker: That was a message from the Senate, I guess.

*[Laughter]***PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE**

The Speaker: I recognise the Honourable Member, Minister P. Minors.

Minister Minors, you have the floor.

**NATIONAL TRAINING BOARD ANNUAL REPORTS
FOR 2008/09, 2009/10, and 2010/11**

Hon. Patrice K. Minors: Thank you, Mr. Speaker.

Mr. Speaker, I have the honour to attach and submit for the information of this Honourable House of Assembly the National Training Board Annual Reports for the periods 2008/09, 2009/10, and 2010/11. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Minors.

I now recognise the Honourable Member, Mr. Z. De Silva

Minister De Silva, from Southampton East Central, has the floor.

**HEALTH INSURANCE (STANDARD HOSPITAL
BENEFIT) AMENDMENT REGULATIONS 2012**

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I have the honour to attach and submit for the consideration of the Honourable House of Assembly the Health Insurance (Standard Hospital Benefit) Amendment Regulations 2012, proposed to be made by the Minister of Health under the provisions of section 40(1) of the Health Insurance Act 1970.

The Speaker: Thank you, Minister.

Any further papers and other communications to the House?

I now recognise the Honourable and Learned Member from Devonshire North West, Madam Premier.

Madam Premier has the floor.

ECONOMIC REVIEW 2011

Hon. Paula A. Cox: Thank you, Mr. Speaker.

I have the honour to attach and submit for the information of the Honourable House of Assembly the Economic Review 2011. Thank you.

The Speaker: Thank you, Madam Premier.

We will move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS

The Speaker: I now recognise the Honourable and Learned Member, Minister P. Cox, from Devonshire North West.

Madam Premier has the floor.

Hon. Paula A. Cox: Thank you.

I would ask, with your indulgence, Mr. Speaker, that we allow a few minutes for the Sergeant-at-Arms to provide Honourable Members of the House of Assembly a copy of the 2012–2013 National Budget Statement.

The Speaker: Yes, with the indulgence of the House.

[Pause]

The Speaker: I think we are ready to proceed.
Madam Premier?

BUDGET STATEMENT IN SUPPORT OF THE ESTIMATES OF REVENUE AND EXPENDITURE 2012/2013

Hon. Paula A. Cox: Thank you, Mr. Speaker.

National budgets, Mr. Speaker, are more about people and their communities than the numbers that detail the revenue, expenditure and borrowing requirements. While there is rigour to the budget numbers, the main purpose is to meet the dynamic needs of the national economy, satisfy the peoples' aspirations for their community and to preserve the social order for future generations.

Governments lead their countries forward when they do the right thing with their budgets. In these turbulent times marked by disruptions of global proportions which are both interconnected and at the same time disjointed, the Government of Bermuda's 2012–2013 National Budget is focused intently on doing the right thing for Bermuda's people and its businesses. Government does the right thing if our national budget helps to protect Bermuda's vulnerable economy in these difficult times. Government does the right thing if our national budget nurtures and strengthens the social fabric of our community. Government does the right thing if our national budget stabilises existing businesses and ignites the imagination of new entrepreneurs.

The National Budget Statement in support of the 2012–2013 Estimates of Revenue and Expenditure sets out this Government's policy priorities. It portrays Government's understanding of the aspirations of Bermuda's people. It shows how we will meet those goals and objectives in a fiscally sustainable manner over the course of the medium term.

Government believes in the persuasive power of Nelson Mandela's ethos of "*Masakhane*: Let us build one another, together." Mandela said: "*Masak-*

hane is about people taking responsibility for their own upliftment and participating in the governing of their own lives. It is about empowering ourselves by creating good working relationships between government and communities, for the benefit of everybody . . . Co-operation between government, business, workers and other sectors brings a lasting relationship that benefits all. It is the road to creating jobs and business opportunities, reducing crime and improving the lives of people where they live."

Here in Bermuda, we are seeking to promote a culture of enterprise, leadership and self-reliance as a necessary condition for economic growth and development. Promoting leadership is also about developing young people's skills as entrepreneurs. The 2012–2013 National Budget signals an approach that identifies a new growth path to drive faster, more inclusive job-creating growth.

As a Government, we have also announced a new way of doing things. We are setting measurable outcome targets. There are also efforts to reprioritise spending, reduce waste and inefficiency and to make further advances in good governance. This new approach will allow us to do more with less. The introduction of new methods of service delivery and the use of energy-efficient technology (including energy audits of government buildings) will help to reduce the cost of providing public goods and services, going forward.

Mr. Speaker, the framing of this budget has been a tough balancing act because it is set in a global environment in which there is continuing turmoil in financial markets, much of it associated with the uncertain outcome of the sovereign debt crisis in Europe. The financial crisis in Europe has lingered on for nearly two years without effective resolution, and the result has been to limit world economic growth. The global economic and financial malaise characterised by declining or negative GDP growth has had a negative economic impact on Bermuda since 2008 when the bankruptcy of Lehman Brothers, a global investment bank, triggered a global market meltdown.

As a participant in the global economy, there is no escape from the contagious and harmful effects of the economic downturn in those countries with which Bermuda does business. Two hotel properties in Bermuda that were dependent upon Lehman Brothers for development financing were immediately impacted: Coral Beach/Horizons and Southampton Beach (the former Sonesta property). As a consequence of the global economic contagion, Bermuda's economy has declined since 2008 with attendant job losses and business closures.

However, Government's policy response during this very difficult and challenging period has had the effect of stemming the tide of job losses and reducing the risk of an even greater number of business closures than has been experienced. As a result of tax concessions and tax rollbacks, thousands of jobs

have been preserved in key sectors such as international business, hotels, restaurants and retail business.

One of the financial consequences of this policy response for Government's fiscal position has been a widening of the budget deficit in the recent recession years and an increase in debt. In effect, a significant segment of the revenue given up in concessions to businesses and relief to seniors and families was replaced by borrowing. In other words, Government acted as an economic backstop to avoid systemic economic risk to key sectors of our economy. Government was seeking to avoid a deepening of the recession that would take a more severe toll on families and businesses. The cost of this economic backstop over the last two years was \$98 million—\$50 million for the payroll tax rollback in 2011–2012 and \$48 million for tax concessions to the hotel, restaurant and retail sectors and for other forms of relief. In short, \$98 million was added to our debt.

Government considers that it did the right thing. Preserving jobs and helping to stabilise vital sectors of Bermuda's economy was the right thing to do. Some 8,500 jobs were at risk if Government had not responded with assistance. In contrast, some in our community have called for austerity measures including slashing public sector expenditure and shedding jobs in the public sector in an already weakened economy.

The impact of such a policy response on the economy would have been devastating. Most recently, the International Monetary Fund's chief economist remarked that the austerity measures and deficit reduction strategies launched by European leaders over the last two years has not had the hoped for outcome. Instead, the economic and financial crisis has worsened rather than improved in Europe. Austerity fatigue is an emerging concern across Europe, as it is a risk factor for social angst and upheaval.

Mr. Speaker, what of Bermuda, going forward? The Ministry of Finance estimates that our economy will remain weak in 2012, but anticipates a return to modest growth in 2013 and 2014. Can Bermuda get through it? Yes, we can. If we look west to our closest and largest trading and commercial partner, we note that for the first time in three years, the US economy is showing greater signs of recovery. In the last quarter of 2011, US GDP grew by more than 3 per cent. The agreement by the US Congress just last week to extend the payroll tax concession and unemployment benefits will help to fuel the economic momentum.

The *FT Weekend* [February 18/19, 2012] stated (and I quote): "Congress yesterday passed a \$150 billion bill to extend the payroll tax cuts and unemployment benefits until the end of the year, giving the middle class a boost for the rest of the year" (close quotes). There is an expectation that expansion of the US economy could continue in the range of 2.5 [per

cent] to 3.0 per cent in 2012. That is encouraging and is a reason for optimism in Bermuda's medium term, as there may be a lag in terms of the positive knock-on effect for Bermuda, perhaps for 9 to 15 months.

We must not sit and wait. We must work together now to build up one another. For its part, Government will continue to do the right thing and make sound policy choices that seek improvements for the people of Bermuda and its businesses, as set out in the 2011 Speech from the Throne. Job preservation and job creation remain a central theme in Government's economic recovery plan. The clear choice is between growth or austerity. Government chooses growth, because growth puts Bermuda on the right track. So, too, balanced incentives for businesses—the payroll tax concessions for the hotel, restaurant and retail sectors have been extended.

Reducing pressure on family budgets also is a feature of Government's economic recovery plan. In this regard, Government proposes to amend the Occupational Pension Act to allow for a voluntary suspension of employee and employer contributions for a period of one year beginning in 2012. The contribution rate of 10 per cent is shared equally between employers and employees. If the suspension of contributions is taken up across the private sector, it will provide both relief and stimulus to families and businesses. The stimulus to the economy will be generated if some of the savings is converted to consumer spending in the local economy, and business investment in infrastructure and improvements.

In addition, as outlined in the 2011 Throne Speech, Government will amend the Public Service Superannuation Act 1981 during the Budget Session to enable participants who are in financial distress to have access to a portion of their pension assets. Assignments or transfers of mortgages are currently charged at a rate of 1/10 per cent of the sum secured under Head 31(2)(b)(iv) of the Stamp Duties Act 1976. Government proposes to remove this stamp duty charge to encourage mortgage payers to seek the best financing options available to them and to promote competitive lending rates between our local banking institutions. This exemption from the stamp duty charge will reduce the cost to customers when transferring a mortgage from one bank to another.

Government is committed to community renewal and preserving those enduring values that have rebuffed the challenges arising from instances of serious anti-social behaviour and worrying violence. What do I mean by this? Despite the challenges to the social fabric of our community, on Saturday mornings, fathers and mothers, aunts and uncles, and grandparents still take their children, nieces and nephews and grandchildren to youth football games, to dance lessons, to tennis lessons, to the bowling alley, to the Aquarium and to many other forms of positive social activity available in our community. Mondays through Fridays, primary school children walk and skip to

neighbourhood schools with smiling faces or dismount school buses in an orderly manner. On Saturdays and Sundays, many people in our community attend church services around the country.

Such is the essence of a strong community in the face of tough challenges. These are the values and hopes that national budgets must preserve and bolster. Sandys 360 reflects such community values, and Government will provide a capital grant of \$2 million to Sandys 360 in 2012–2013 to assist in defraying the cost of works undertaken.

[Desk thumping]

Hon. Paula A. Cox: Mr. Speaker, the National Budget for 2012–2013 is focused on doing the right thing for Bermuda's people and its businesses. Through the open budget process, Government's interaction with the community has helped to mould and inform the National Budget for 2012–2013. This year's budget has been a collective effort between Government and the community. The community is aware that revenue is required to provide public programmes and services. The community understands that the lingering recession has eroded Government revenue over the last few years. Indeed, while the community would prefer that taxes not be increased, it has also signalled its readiness to accept the rollback of some of the existing tax concessions, as highlighted in Government's Pre-Budget Report released in December 2011.

Mr. Speaker, the revenue estimate for 2012–2013 is \$909.6 million, 3 per cent lower than the original estimate for the previous year. The most significant decline has been in the payroll tax yield, which has decreased by \$38 million, or 11 per cent, compared to the previous year. The loss of jobs in the economy is one of the factors. The other factor is the payroll tax concessions to the hotel, restaurant and retail sectors, which have reduced the projected payroll tax yield in 2012–2013 by an estimated \$21 million.

The yield from land tax will be improved in 2012–2013 by adjusting the ARV threshold that provides an exemption for seniors living in their own homes. The amount of recovered tax is estimated at \$4 million. The effect of the adjustment is that seniors whose properties have an ARV of less than \$50,000 (an estimated market value of up to about \$1 million) will continue to have full exemption from land tax. Seniors with properties with ARVs above \$50,000 will now pay the assessed tax on the portion above the \$50,000 threshold.

The exemption previously provided to seniors for vehicle licences has been preserved for vehicles in classes A, B, C and D. The present regime that provides an exemption for all classes of vehicles registered in the names of seniors has been abused, with the tax loss amounting to nearly \$4 million per annum.

In 2007, Government put into place a policy whereby seniors who owned a vehicle did not have to pay to license their vehicle. Since the exemption came into force, there has been a 26 per cent increase in vehicles licensed to seniors. Further, the largest class of vehicle—class H—that attracts an annual licence fee of \$1,551 has seen an increase of 358 per cent in registrations to seniors. The rollback to cut out the abuse will recover an estimated \$3 million in vehicle licence fees.

Mr. Speaker, most other tax rates will remain unchanged except for an amendment to the customs tariff for personal importation of goods at ports of entry. At the L.F. Wade International Airport, the duty rate will be restored to a fixed rate of 25 per cent, but the allowance will be raised to \$200 per person, with effect from April 1, 2012. The duty rate for personal importation of goods will be harmonised at all ports of entry at the fixed rate of 25 per cent. The duty on cigarettes and tobacco will be raised in April 2012 to achieve additional customs revenue of about \$1 million. The biennial adjustment of Government fees will be increased by about 3 per cent for most fees, and the anticipated yield is an additional \$4–5 million.

Government anticipates \$10 million in receipts from sale of Government property that is surplus to requirements. There will not be an increase in bus and ferry fares, and all other tax rates will remain the same as they are now through 2012–2013. Over the medium term, Government will develop other revenue streams, including the possibility of a public/private partnership to generate additional revenue from Bermuda's commercial airspace. The revenue potential could reach \$18 million per annum by 2017, based on user fees assessed on flight paths through our commercial airspace. In addition, Government has initiated discussions with relevant parties to assess the feasibility of establishing a licensing regime for international fishing vessels taking fish stocks out of Bermuda's 200-mile maritime exclusive economic zone.

Mr. Speaker, as announced in last year's National Budget, the Ministry of Finance has integrated the preparation of the 2012–2013 Budget with a medium term expenditure framework (or MTEF, as we like to refer to it). An MTEF programme allows flexibility in the allocation of resources across a series of annual budgets to meet objectives related to debt service and other Government commitments that cannot be achieved in a single budget cycle. Government's policy priorities in 2012–2013 are the economy, education, youth, seniors, community renewal and law enforcement. The National Budget of \$1.08 billion and associated economic stimulus measures are designed to meet the policy objectives in all of these key areas and provide a bridge of stability to an anticipated return to economic growth in 2013.

In order to provide additional fiscal space in 2012–2013, Government will suspend its matching contribution to the Public Service Superannuation

Fund [PSSF] and pay a portion of the debt service from the Sinking Fund. The contribution to the Sinking Fund of \$30.7 million will be made. The suspension of the matching contribution to the PSSF will enable \$31 million to be redirected to policy priorities in 2012–2013. During the year, Government will commission an actuarial review of the PSSF to ensure its future sustainability. The suspended matching contribution for the upcoming year will be paid into the fund in the future, noting that in recent years Government has paid special contributions amounting to \$87 million into the PSSF.

The overall budget balance, including current account and capital account outlays, debt service, Sinking Fund Contribution and revenue sharing with the City of Hamilton and the Town of St. George, is a deficit of \$172 million. Government proposes to finance this deficit in part by the issue of a local bond at a competitive rate of interest. This policy choice is intended to spur more economic activity in Bermuda and to stimulate local capital markets. Surplus deposits in the banking system will likely achieve higher returns by transferring to the local government bond when it is issued later in 2012.

The statutory ceiling on Bermuda Government debt will be adjusted to \$1.45 billion in 2012–2013. The issue of debt has attracted much attention since the collapse of Lehman Brothers in 2008 and the sovereign debt crisis that has lingered on in Europe for the last two years. Debt is a natural and unavoidable part of economic life. It is neither good nor bad. The key is to ensure that borrowed funds are within an affordability limit and that the funds are used wisely.

For countries, the affordability rule is usually the debt-to-GDP ratio. For many of Bermuda's peers in double-A sovereign rating groups, the debt-to-GDP ratios hover around 30 per cent. With the adjustment of Bermuda's debt ceiling, Bermuda's debt-to-GDP ratio will be about 24 per cent. In December 2011, the Bank of England Financial Stability Report noted that the International Monetary Fund expects gross debt-to-GDP ratios in advanced economies to breach 100 per cent on average for the first time since 1945.

In terms of spending borrowed funds wisely, Bermuda's core debt represents investment in hard assets of benefit to the country for many generations to come. These assets include modern and upgraded school facilities, modern public transportation, other social infrastructure such as public housing, senior care facilities and national sports facilities, and economic infrastructure such as airport works, docks and bridges. Indeed, part of the borrowing requirement in 2012–2013 relates to further investment in economic infrastructure at the L.F. Wade International Airport, namely, building out capacity to take control of Bermuda's commercial airspace. If all goes according to plan, an investment of some \$26 million over a five-year period could pay for itself within two years.

More recently, some of the increase in Bermuda's debt has been to protect vital sectors of the economy through tax concessions and relief, which was financed by borrowing. Is Bermuda's national debt manageable? Yes. It can and will be paid off over time through the Sinking Fund and the development of new revenue streams. Two senior notes fall due in 2014. One is in the amount of \$75 million, and the other is in the amount of \$45 million.

The plan is to pay down both issues from proceeds in the Sinking Fund. The medium-term expenditure framework that has been adopted by the Ministry of Finance will provide for surpluses on the primary balance (that is, revenue less expenditure before debt service and Sinking Fund transfers) through to 2015–2016. This will be achieved by restraining primary current programme spending to 2012–2013 levels over the next several years and enhancing revenue through policies that generate income from Government fixed assets and other new revenue streams—for example, new user fees charged for flight paths through Bermuda's commercial airspace. The pre-set multi-year cash limits will ensure that savings are generated over budget cycles through to 2015–2016. The effect will be to reduce the budget deficit through time, other things remaining equal.

Mr. Speaker, I will provide a few highlights of programmes and initiatives related to Government's major policy priorities in 2012–2013. These priorities are the economy, education, youth, seniors, community renewal, and law enforcement.

The Business Development arm of the Ministry of Business Development and Tourism is implementing programmes to stimulate growth in the economy and strengthen the underlying infrastructure by promoting new ways of enhancing competitiveness and facilitating the establishment of new business by cutting through red tape. Bermuda's present financial sector framework offers the same advantages for Islamic financial products and institutions as it does for conventional financial products. The launch of Islamic financial products in and from within Bermuda is now underway.

The completion of the National Tourism Plan is on schedule for spring 2012. The Plan will provide a vision for Bermuda's tourism industry for the next five to ten years. Also, the plan will outline the path to the Ministry's goal of repositioning Bermuda in the global tourism market and to become a year-round destination, with the required products, services and marketing to support this goal. On completion of the plan, the Bermuda Department of Tourism will launch the new tourism brand for Bermuda, as well as increase market awareness with daily exposure in all media streams. The Ministry has already increased awareness in our key feeder markets through effective television ads.

Also, funding is provided for the Ministry to showcase live Bermudian entertainment at hotel

properties, as well as through hosting tourism visitor events. Additionally, the Ministry will continue to support the broad spectrum of visitor demands in the form of tours, museums and street festivals. The Ministry will continue to support the Bermuda Hospitality Institute with a grant for the purpose of promoting, introducing and encouraging Bermudians of all ages to join the tourism industry.

Bermuda has attracted renewed interest from investors in hotel developments. Recent negotiations spearheaded by the Minister of Business Development and Tourism with a developer and the Bermuda Industrial Union provides reason for cautious optimism that ground will be broken on a luxury brand hotel this year.

Mr. Speaker, the Ministry of Economy, Trade and Industry continues its focus on improving the economy by addressing the needs of local business and realising the career aspirations of Bermudians. The Ministry's short-term budget priorities include job creation and training. Much of the budget will be directed towards preparing people for jobs via the establishment of the One-Stop Career Centre System wherein various Government-funded education, training and social programmes can be cohesively coordinated. The Centre will provide students, job seekers and employers with up-to-date information and referrals. The One-Stop will meet employers' needs for job-ready, competent, skilled workers, and will address the needs of the people of Bermuda through training, education and employment.

The community can expect that the services will be offered out of a new physical plant that is more conducive to serving the needs of those seeking employment and training services. It will include a computer centre with complimentary access to computers for people who need to research job and training opportunities. There will be easy access to photocopiers so that people can print résumés and other information. Finally, the community can expect more employment programmes that include complimentary training so that people are better prepared to take on new jobs, similar to the Waiter/Server programme which pre-qualifies candidates and guarantees a job, subject to successful completion of the training.

To address the "at-risk" youth segment, the services of a US-based Job Corps management company has been contracted to assist with the realisation of the Bermuda Job Training Replication Programme. The primary focus of the Jobs Corps programme will be on low-income and disadvantaged youth between the ages of 16 and 24 years. The programme will be a joint effort in providing our youth with a seamless service referral process and reciprocal services that will achieve greater career readiness and employment opportunities. The programme components will include:

- outreach and enrolment;
- academics;

- career technical training; and
- business partnerships and placement services.

While we expect to expend resources on completing the plan during the next fiscal year, implementation of the programme in the 2012–2013 period will depend largely on private sector support and commitment. Government has committed to underwriting the cost of the planning and programme development phase.

The Bermuda Economic Development Corporation [BEDC] continues the important economic development work with small and medium-sized businesses. The Ministry believes that one of the keys to economic recovery lies with small business owners and entrepreneurs with the imagination and drive to innovate and start small businesses. One of the BEDC's key initiatives is to provide help to companies looking to establish themselves with secure start-up funding.

The public can expect that both EEZ Economic Development Offices will be working with businesses from across Bermuda to develop, cultivate and improve tourism products and services offered by businesses in St George's, Somerset and Dockyard. The Retail Development Programme launched in February 2011 will continue into the new fiscal year. It is designed to educate the small business owner through the provision of business and retail courses, developing skills that they will be able to use [to assist] with increasing sales, improving hiring practices, inventory management, and better customer services.

Mr. Speaker, last year, the Ministry of Education shifted its focus to concentrate on its core functions of teaching and learning. The shift in the Ministry's focus has been very successful. Ministry officials have been able to assess the quality of leadership and teaching in every school and have developed plans to work with all schools to address student performance. The next budget year will see the Ministry continue this focus in recognition with its partners (that is, the board, principals and teachers) that it is headed in the right direction. We are determined to remain consistent, to embed change, to monitor progress and provide support to school leaders and schools as necessary.

In the last year's Throne Speech, it was stated that our focus in the upcoming school year will be the introduction of Career Academies, or what we are calling Career Pathways. There has long been a cry for the reintroduction of vocational education in schools, and the introduction of the Career Pathways in September 2012 offers a Bermudian solution to the need for students to be prepared to take their place in Bermudian businesses and industries. Career Pathways represents a dynamic partnership between Bermuda's industry partners, the National Training Board, the Ministry of Education, the two senior schools and the Bermuda College.

Career Pathways are designed to provide public school students with pathways that ensure greater preparation for career and college opportunities for a fulfilling life beyond the classroom. The Career Pathways will be a seamless part of the curriculum and make up a component of the senior school graduation criteria.

The Ministry of Youth, Families and Sports recognises its responsibility to provide assistance to persons in financial need, and the importance of this role is even greater during these challenging economic times. The Ministry will continue to promote and support programmes aimed at strengthening families and encouraging positive lifestyles among youth.

The November 2011 Speech from the Throne indicated that Government would review the eligibility criteria for financial assistance in order to ensure that the mere fact of home ownership by seniors does not justify denial of financial assistance. The regulations have been amended and will be addressed during this Budget session.

Bermuda will have the honour of hosting the 40th LIME CARIFTA Games at the National Sports Centre from April 6th to 9th, 2012. This will be the fourth time that Bermuda will host these prestigious games, having hosted them in 1975, 1980 and 2004. The games will showcase some of the best youth track and field athletes from the Caribbean region in under-17 and under-20 categories. Many Bermudians who attended the 2004 CARIFTA Games will remember the superb performance displayed by Usain Bolt of Jamaica when he broke the under-20 record in the 200-metre sprint in a time of 19.93 seconds, a record that still stands today. The CARIFTA Games promote qualities of sportsmanship, fitness and friendship among youth from different countries and help to build strong character.

The Mirrors Programme will continue to serve the needs of youth aged 15 to 18 years by challenging them to achieve productive outcomes that are free from gang activity and anti-social behaviour. To that end, Mirrors will engage these youth through its community training sessions, including one residential session and ten follow-through sessions. In addition, Mirrors will also focus on youth at middle school level aged 11 to 14 years via its Coaching for Success programme and will deliver Coaching for Success courses at both Sandys Secondary Middle School and Whitney Institute Middle School.

Mr. Speaker, law and good order is important for community peace of mind and a sense of safety. The exigencies of the economy will not quell the commitment to excellence of the uniformed services, and Government's commitment to the safety and security of Bermuda will not be compromised. Criminal activity has been met with strong enforcement. The nature of crime has changed, and the Bermuda Police Service has engaged in targeted methods of modern

policing that have yielded important arrests, convictions and sentences.

The intensive policing strategy required to achieve these results has come at a cost, and with the Commissioner of Police we continue to look at ways to reduce overtime and other expenditure. In this fiscal year, significant sums have been allocated to new equipment for the police to ensure that they have the tools with which to do the job we ask of them every day. The new Hamilton Police Station has significantly improved the work environment of the service, and this facility is commensurate with the high regard in which we hold the men and women who man it each and every day of the year.

In the post-9/11 world, soft borders are not an option even for a low-risk jurisdiction like Bermuda. Our international relationships and the confidence of travellers must continue to be enhanced by strong border control. Fiscal 2012–2013 will see the opening of the long-awaited x-ray facility at the Hamilton Docks. The ability to x-ray containers coming into Bermuda will provide a unique opportunity to interdict drugs, contraband and other illegal items bound for our streets.

The test for Bermuda is to be strong, but welcoming. The development of our front-line officers will be a continuing priority in this fiscal year as we partner with private sector stakeholders to provide an experience for the arriving passenger that is always cordial, efficient and seamless. In conjunction with the Ministry of Transport's Department of Airport Operations, the arrivals area at L.F. Wade International Airport will, commencing in this fiscal year, feature a "red/green" channel system whereby arriving passengers will have the option of using a "nothing to declare" line, hastening their passage through the airport and emphasising the obligation to properly declare goods.

In a similar vein, the recently announced changes to the area of land policy will also signal a clear intention on the part of the Government to be facilitative to those ideals which encourage economic growth and the pursuit of economic independence on the part of all Bermudians. The sacrifice in estimated revenues is necessary, as stimulating the economy and encouraging confidence through activity in the real estate sector is an important feature of any economic recovery.

The Ministry of National Security is predominantly the enforcement arm of Government's role in the community. However, citizenry cannot be blinkered by a singular focus on law and order. Community building is a concurrent focus of elements of the Ministry. In this regard, the police play a lead role in the Inter-Agency Gang Task Force and have developed significant community relationships through numerous neighbourhood watch groups via the Community Action Teams.

Also, a National Security Council is being formed. The new council includes the Governor, the

Commissioner of Police and senior political leadership, with the Premier, Deputy Premier, Minister of National Security and the Attorney General and Minister of Justice. The council will provide an enhanced mechanism for solution-oriented law and order strategies aligned with the communities' concerns. Government is committed to ensure that the integration of policy actions for funding, legislative initiatives, training and development, and community outreach is effective in reducing unlawful gang activity and providing a way out of the tragic circle of gang violence. Making Bermuda safer is the goal.

Community building and community renewal requires all of us to work together: Government, community organisations, the banks, all businesses including international business, sports and social clubs, churches and schools. Leaders in all of these interconnected segments of our community have a role to play, and many have stepped up. In the 2011 Speech from the Throne, Government invited the private sector to formalise social pacts with community organisations so that limited public and private sector charitable resources could be better focused. The private sector accepted the invitation, and social pacts are being formed with important community entities. Catlin Insurance has become an important sponsor of the Bermuda Football Association's youth programme. Similarly, Ironshore Insurance Ltd. has engaged with Sandys 360 to support and promote its purposes in the community.

People in the community have also shown an enthusiasm and hunger to participate in community development initiatives in their neighbourhoods. There was a record turnout at a recent "Community Speaks" meeting in Somerset. The spirit of self-reliance and self-help was palpable. In this vein, the Ministry of Public Works will assist by providing materials. Labour will be contributed by persons in communities to renovate and build club facilities, where there is a need, an example of which is White Hill in Sandys.

[Desk thumping]

Hon. Paula A. Cox: Our people have the spirit of "Let us build one another, together."

Mr. Speaker I have highlighted just a few elements of the fiscal and economic plan for 2012–2013. Ministers will speak directly to their portfolios in the coming weeks through media conferences, community meetings and indeed through the Budget Debate in this Honourable House.

The open budget process has been a gratifying success. People care, and they have shared good ideas and their prayers. Very recently, a gentleman who described himself as "a proud Bermudian and a true patriot of Bermuda" sent an e-mail to me suggesting how Government could save and get more money into the pot. Thankfully, many of his suggestions had already been implemented. During the process, our

community raised issues in a vast array of policy areas, including trucking, the matter of the Taxi Commission and changes to the Defence Act. Some of the issues raised were not to do with the National Budget. However, they did relate to Government policy, and they will be addressed.

On behalf of Government, I wish to thank all of those in the community who have joined in the open budget process. It is your process, and it was the right thing to do. One can see from that e-mail message that our people want to see our country succeed. Together, we can achieve that goal. Together, we can do the right thing. The National Budget for 2012–2013 does the right thing, as it positions Bermuda on the right track. With your help, it will protect Bermuda's vulnerable economy. With your help, it will nurture and strengthen the social fabric of our community. With your help, it will stabilise business in our community and ignite the imagination of new entrepreneurs.

Masakhane! Let us build one another together!

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Madam Premier, the Honourable and Learned Member from Devonshire North West.

Madam Premier has the floor.

ESTIMATES OF REVENUE AND EXPENDITURE FOR 2012–2013

[Standing Order 39(3)]

Hon. Paula A. Cox: Thank you, Mr. Speaker.

I now would like to present the Estimates of Revenue and Expenditure for 2012–2013, and under Standing Order 39(3), I would request that the debate in the House would be resumed on Friday, 2 March 2012.

Thank you, sir.

ANNOUNCEMENTS BY THE SPEAKER OR MEMBER PRESIDING

VISITORS

The Speaker: Thank you, Madam Premier.

Just before we call the next Order, I just wish to acknowledge very happily the former Speaker of the House, Mr. E. DeCouto, who is sitting in the Speaker's Gallery; the former Member Mr. S. A. Morton; the former Member Mr. M. A. Burgess; and the former Member Mr. J. Simmet, who is sitting in the Visitors' Gallery.

[Desk thumping]

The Speaker: We do thank you for your presence this morning.

We will move on.

REPORTS OF COMMITTEES

The Speaker: I now recognise the Honourable Member, Mr. K. Horton, from Southampton West.

Mr. Horton has the floor.

JOINT SELECT COMMITTEE ON PRIVATE BILLS

BUSS CAPITAL ACT 2012

Hon. K. H. Randolph Horton: Thank you, Mr. Speaker; good morning.

"To the Honourable President and Members of the Senate:

"To His Honour the Speaker and Members of the Honourable House of Assembly:

"The Joint Select Committee on Private Bills has the honour to submit the following report:

"1. The Committee has carefully considered the petitions together with the relative Bill for the Act listed hereunder and is satisfied that the Bill is a Private Bill and that all the rules of both Houses having to do with Private Bills have been complied with.

"Buss Capital Act 2012.

"2. The committee recommends that the Bill entitled Buss Capital Act 2012 be accepted, subject to agreed amendments.

"Subject to the recommendations contained in paragraph 2 above, the Committee recommends that the prayers of the several petitioners be granted and that leave be given to bring in the proposed bill to give effect thereto.

"All of which is respectfully submitted.

"K. H. L. Horton, J.P., M.P., Chairman; Lovitta F. Foggo, J.P., M.P.; Dale Butler, J.P., M.P.; N. H. Cole Simons, J.P., M.P. of the House of Assembly

"Joan E. Dillas-Wright, M.B.E., J.P. of the Senate."

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. K. Horton, the Honourable Member from Southampton West, Deputy Speaker.

QUESTION PERIOD

WRITTEN ANSWERS TABLED

The Speaker: There are questions that were asked by the Honourable Member, Mr. C. Swan, to the Minister M. Bean. I believe they have been circulated.

Mr. Swan, have you received them?

Mr. Charles F. B. Swan: No, I have not.

The Speaker: You have not. All right. Those are the only matters for Question Period.

We will move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: We will move on.

[Inaudible interjection]

The Speaker: Ah, you are a little late.

Minister, that is all right.

Minister Weeks has the floor.

Hon. Michael Weeks: Yes, Mr. Speaker, thank you.

Mr. Speaker, I rise this morning to thank everyone on behalf of my father-in-law, Mr. Howard Outerbridge, my wife and my brother-in-law, Howard, for the well-wishers, condolences, cards, flowers, e-mails and other overwhelming support during the passing of my mother-in-law last week and the burial of her this Wednesday, Mrs. Maisie Outerbridge, nee Burt.

Mr. Speaker, my mother-in-law was the niece of Mr. Reggie Ming, MBE, who is now deceased, I think the former Community & Cultural Affairs Director for the Bermuda Government. Also, Mr. Speaker, Mrs. Outerbridge's brother was the former Bishop of the AME Churches, Mr. Donald Ming, who is also now deceased.

She was a truly virtuous woman, Mr. Speaker, who was active, very active in our community. She was a long-time employee of the Golden Gate, Mr. Speaker. I cannot remember—hopefully, you cannot remember—the Golden Gate. She retired many years later from—

The Speaker: Yes, I am old enough to remember that.

[Laughter]

Hon. Michael Weeks: Yes, Mr. Speaker. Thank you. A little before my time, Mr. Speaker.

She later retired from the Pitt & Company. Mr. Speaker, I recall her fondly laying down the law to me some 35 years ago when I was enamoured by her daughter when I was a student at the Berkeley Institute. Mr. Speaker, I could say now that I ended up marrying her daughter.

The Speaker: Obviously, you won out.

Hon. Michael Weeks: Yes, I did, Mr. Speaker. I am here right now.

[Inaudible interjections and laughter]

The Speaker: Carry on, Minister.

Hon. Michael Weeks: Mr. Speaker, Mrs. Outerbridge was the second-last remaining member of the St. Matthias Guild. Mr. Speaker, I must say as I close, Bermuda has truly lost a phenomenal woman, and may she rest in peace.

Mr. Speaker, before I sit down, I also want to send out condolences to my Permanent Secretary, Mr. Randy Rochester, who lost his uncle last Sunday. His uncle's name was Mr. Dennis Rochester.

Thank you for your time, Mr. Speaker.

The Speaker: Yes. Thank you, Minister Weeks, the Honourable Member from Pembroke East Central.

Any further speakers?

No further speakers. We will move on.

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

NOTICE OF MOTIONS FOR THE ADJOURNMENT OF THE HOUSE ON MATTERS OF URGENT PUBLIC IMPORTANCE

The Speaker: There are none.

INTRODUCTION OF BILLS

The Speaker: There are none.

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: It is moved that those Orders be carried over, Madam Premier?

All Orders for today have been carried over.

There are no further matters before the House, Madam Premier.

ADJOURNMENT

Hon. Paula A. Cox: Mr. Speaker, I move that the House do now adjourn.

The Speaker: Is there any objection to that Motion?
Agreed to.

[Gavel]

The Speaker: The House stands adjourned to Friday next, at 10:00 am.

[At 11:04 am the House stood adjourned until 10:00 am, Friday, 2 March 2012.]

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