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BERMUDA
HOUSE OF ASSEMBLY

OFFICIAL HANSARD REPORT

13 through 27 MAY 2011
(pages 1677–1802)

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

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****13 MAY 2011****10:02 AM***Sitting Number 22 of the 2010/11 Session**[Hon. Stanley Lowe, Speaker, in the Chair]***PRAYERS***[Prayers read by Hon. Stanley Lowe, Speaker]**[Gavel]*

The Speaker: I am waiting for Honourable Members to find their places.

*[Pause]***MOMENT OF SILENCE IN MEMORY OF
MR. AUSTIN R. THOMAS, JP**

The Speaker: Please observe with me a moment of silence for former Member Mr. A. R. Thomas, Austin Randolph Thomas, who was funeralised yesterday.

One minute silence, please.

[The House rose for a moment of silence]

The Speaker: Thank you. You may take your seats.

We had intended to do it a little differently, but since I do not see members of Mr. Thomas's family, we will just carry on and we will do it when we come to the appropriate part of the Standing Orders of the day.

**ANNOUNCEMENT BY THE SPEAKER OR
MEMBER PRESIDING****RESIGNATION LETTER FROM FORMER DEPUTY
SPEAKER, HON. W.N.M. PERINCHIEF**

The Speaker: Members will be aware that the Deputy Speaker, Mr. W. Perinchief, tendered his resignation. And it does read: "Hon. Speaker of the House of Assembly:

"I am instructed to inform you that I must request from you, my resignation from the position of the Honorable Deputy Speaker; I do so with deep regret.

"I have been reliably informed by the Premier, the Hon. Paula Cox, J.P., M.P., that I shall be appointed to the position of Minister of [National Security] . . .

"Kind regards,

"Wayne N.M. Perinchief, J.P., M.P."

So that means that the floor is now open for election of Deputy Speaker.

I recognise the Honourable Member Mr. M. Bean. The Honourable Member, Mr. M. Bean, has the floor.

NOMINATION FOR DEPUTY SPEAKER

Mr. Marc A. R. Bean: Good morning, Mr. Speaker, and good morning, honourable colleagues.

Mr. Speaker, I would like to nominate Mr. K. H. Randolph Horton, elected Member of Constituency 32, Southampton West, to be the Deputy Speaker of the House of Assembly.

The Speaker: Thank you, Mr. Bean.

That's a second?

An Hon. Member: Yes, sir.

The Speaker: I recognise the Honourable and Learned Member Mr. J. Barritt.

Mr. John Barritt: I did not know that [INAUDIBLE]

ELECTION OF NEW DEPUTY SPEAKER

The Speaker: It has been seconded by the Honourable and Learned Member, Mr. J. Barritt, that the Honourable Member, Mr. Horton, become the Deputy Speaker.

Are there any further nominations?

There being no further nominations, I duly declare that the Honourable Member, Mr. Horton, from Southampton West, has been duly elected to the position of Deputy Speaker.

[Desk thumping]

The Speaker: It is quite fitting for the new Deputy Speaker to express his vote of thanks to the Members of the House on being elected to this high office.

Hon. K. H. Randolph Horton: Mr. Speaker and Honourable Members of the House, I am indeed honoured to have been given the opportunity to serve this House in this way. And I can certainly assure you that you will get the very best from this Member in carrying out those duties.

The Speaker: Thank you, Mr. Horton, the newly elected Deputy Speaker.

CONFIRMATION OF MINUTES

2, 4, 7, 9, AND 11 MARCH 2011

[14 March 2011 Deferred]

The Speaker: The Minutes of the meetings of the 2nd, 4th, 7th, 9th, and the 11th of March have been circulated. The Minutes from the 14th of March are being deferred.

Is there any objection to the confirmation of the Minutes that have been circulated?

Agreed to.

[Motion carried: Minutes for 2, 4, 7, 9 and 11 March 2011 confirmed.]

MESSAGES FROM THE GOVERNOR

The Speaker: There are none.

ANNOUNCEMENTS BY THE SPEAKER OR MEMBER PRESIDING

APOLOGIES

The Speaker: I have to inform the House that the Honourable Member, Mr. H. K. Swan, Leader of the Opposition, from St. George's West, regrets his absence in the House today, as he is away attending the funeral of his father-in-law.

Also, we have a letter or an e-mail from the Honourable Member Mr. D. Butler, from Warwick North East, expressing his regrets in not being able to attend the House today. I am told that it is a very happy occasion for him. It is his son's graduation, and I am sure all Honourable Members want to join me in expressing hearty congratulations to him on his son's achievement.

[Desk thumping]

PASSING OF SIR CURTIS STRACHAN, KT., CVO

The Speaker: I have got just one other communication of which we should inform the House.

I had a letter here from the Clerk of the Parliament of Grenada:

"Dear Honorary Secretary:

"I have the duty on behalf of the Grenada Branch of the Commonwealth Parliamentary Association to advise that Sir Curtis Strachan, former long-serving Clerk of Parliament and former Speaker of the House of Representatives of Grenada, died on April 26th at the age of 86 years old.

"The late Sir Curtis served for 42 years as Clerk at Parliament, Procedural Advisor to the Presiding Officers, and Honorary Secretary of the Grenada Branch of the Commonwealth Parliamentary Association. Upon his retirement as Clerk in 1991, he served as Parliamentary Consultant and thereafter was unanimously elected as Speaker of the House of Representatives in 1995, from which office he retired on January 1, 2003.

"The House of Parliament of Grenada will pay tribute to the late Sir Curtis during a joint sitting at 9:00 AM on Monday, 9th of May. His funeral service will be held at the Methodist Church, Green Street, St. George's, at 10:00 AM on Tuesday, the 10th of May, followed by a private burial. It will be therefore greatly appreciated if this information is communicated to the Members of your Branch.

"Kind regards, [signed] Adrian C. A. Hayes, Clerk of Parliament"

We certainly want to extend our deepest sympathy to the Grenada Branch of the CPA on the passing of the former Member Sir Curtis Strachan. Because I knew him; I have met him on a few occasions. He may not be as well known to some of our new Members of Parliament.

We will move on.

MESSAGES FROM THE SENATE

MESSAGE NO. 4 RETURNING BILL ENTITLED "THE CONSUMER PROTECTION AMENDMENT ACT 2011", WITH RECOMMENDATION OF AMENDMENTS TO THE BILL

The Speaker: I have the following message from the Senate: "TO HIS HONOUR THE SPEAKER AND MEMBERS OF THE HONOURABLE HOUSE OF ASSEMBLY:

"The Senate has the honour to return to Your Honourable House the accompanying Public Bill entitled 'The Consumer Protection Amendment Act 2011', recommending the concurrence of Your Honourable House in the following suggested amendments, which it is proposed should be made to the Bill:-

"That Clause 3 of the Bill be amended as follows:

"1. By deleting and substituting clause 3(a) with the following:

'(a) by repealing and replacing subsection (2) with the following: "(2) A person who makes under section 11, a consumer representation or performs any act shall be deemed to be engaging in an unfair business practice."'; and

"2. In clause 3(b), by deleting and substituting subsection (4) with the following:

‘(4) Where a person is found guilty of engaging in an unfair business practice, the court may, in addition to imposing a penalty under subsection (3) make an order for the payment of compensation for the loss suffered by the consumer.’”

“[signed] Senator Dr. Idwal W. Hughes, C.B.E., J.P., ACTING PRESIDENT.”

The Speaker: I now recognise Minister M. Weeks from Pembroke East Central.
Minister Weeks.

Hon. Michael Weeks: Thank you, Mr. Speaker, and good morning, honourable colleagues.

Mr. Speaker, thank you for reading that, the Consumer Protection Amendment Act 2011.

Mr. Speaker and Honourable Members of the House, I move that amendments to clause 3 of the Bill entitled Consumer Protection Amendment Act 2011 be passed by this House.

You will recall that when this Bill was debated in the House on March 25th, 2011, there were two suggested revisions. Mr. Speaker, the proposed new revisions seek to remove ambiguity and bring clarity to the provisions in clause 3(a) and 3(b) to remove the award of exemplary or punitive damages; amendment to clause 3 in respect of section 12 of the principal Act, “Unfair business practices prohibited.”

Mr. Speaker, I move that consideration be given to amending clause 3 of the Bill, as follows.

The Speaker: You have consulted with the Opposition?

Hon. Michael Weeks: Yes.

The Speaker: Do you wish to continue?

Hon. Michael Weeks: Yes.

The Speaker: Yes, go ahead.
The Minister is going to continue.

Hon. Michael Weeks: By deleting and substituting clause 3(a) with the following: “(a) by repealing and replacing subsection (2) with the following: ‘(2) A person who makes under section 11 a consumer representation or performs any act shall be deemed to be engaging in an unfair business practice;’ and in clause 3(b), by deleting and substituting subsection (4) as follows: ‘Where a person is found guilty of engaging in an unfair business practice, the court may, in addition to imposing a penalty under subsection (3), make an order for the payment of compensation for the loss suffered by the consumer.’”

Mr. Speaker and Honourable Members of the House, I thank you for your indulgence, and I move

that amendments to clause 3 of the Bill entitled the Consumer Protection Amendment Act 2011 be passed by this House.

The Speaker: Thank you, Mr. Weeks.

Any further speakers?

I recognise the Honourable and Learned Member, Mr. J. Barritt, from Devonshire South Central.

Mr. Barritt?

Mr. John Barritt: Good morning. Thank you, Mr. Speaker.

I just received a copy of the Consumer Protection Amendment Act and I am going through what is being proposed by way of amendments.

I hope Members will forgive me for saying that there is a certain familiarity to this, for me, Mr. Speaker. And some of these suggestions were indeed ones that I made when we debated it in the House. It would be certainly immodest of me to ask them to be called the “John Barritt Amendments,” Mr. Speaker.

[Laughter]

Mr. John Barritt: But I will say that when this sort of dialogue happens and we correct and we amend, that is when I think we prove . . .

The Speaker: You are in favour of it, then?

Mr. John Barritt: Oh, absolutely, Mr. Speaker. Absolutely.

It proves the worth of the process, and if we can do something to facilitate and make that better, it will work even better, Mr. Speaker. So, yes. I am absolutely in favour, Mr. Speaker, having proposed this in the first place.

Thank you.

The Speaker: Thank you, Mr. Barritt. The Government has acquiesced and accepted your amendment.

Is there any objection?

Agreed to.

[Motion passed: The House considered and passed the amendments to the Consumer Protection Amendment Act 2011.]

The Speaker: We were proceeding under Standing Order 31, just so that we can learn some of the rules, some of the Standing Orders of procedure.

[Inaudible interjection]

The Speaker: Yes, Standing Order 31; thank you.
We will move on.

PAPERS AND OTHER COMMUNICATIONS TO THE HOUSE

The Speaker: We will move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS

The Speaker: I am just trying to rein Members in so they do not go off on a tangent.

I now recognise the Honourable Member, Dame Jennifer Smith, from St. George's North, Minister of Education.

Dame Jennifer has the floor.

SCHOOL SUSPENSIONS AND EXPULSION

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

Mr. Speaker, I rise this morning in an effort to clarify for everyone the rights of parents and students with regard to suspension and expulsion. I make this statement in the wake of a meeting held between the Permanent Secretary, the Commissioner of Education, and school principals on the 21st of April, at which time the rules as they relate to suspension and expulsion were clarified.

Here is what the Education Rules 2006 say about suspension: “[26(1)] Subject to section 67 of the [Education] Act [1996], the principal, if he considers it necessary, may suspend a child for a period not exceeding five school days, and shall notify the Commissioner of Education and the relevant School Board of the suspension in writing with reasons.”

It also states: “[2(2)] An appeal against a decision taken under paragraph (1) shall lie to the Commissioner of Education and the relevant School Board who shall make a decision as he considers appropriate under the circumstances.”

With regards to expulsion, here is what the Rules say “[27(1)]: No child shall be expelled except by the Minister”; and “[27(2)] The parent of the child expelled may, subject to sections 58 and 59 of the [Education] Act, appeal [the decision of the Minister] to the Appeals Committee”

Mr. Speaker, the Rules give the principals the power to impose immediate registerable penalties of suspension, corporal punishment, a recommendation for expulsion for acts of violence or acts related to the possession, distribution, or use of any controlled drug, alcohol, tobacco, knife or weapon on school premises or while in uniform on the way to or from school.

It also states “[23(2)] For all other infractions, there shall be a series of progressive penalties imposed prior to the registerable penalties being imposed.”

In addition, the Rules provide “[23(3)] Every child shall have a right to be heard before any penalty is imposed for an infraction, and at his request, may have a right, if the principal considers the infraction as a major one, to be accompanied by another person during the hearing.”

And principals have authority to suspend a child for a period not exceeding five schooldays.

Mr. Speaker, in recent months, I have been reviewing the suspension statistics as produced by the Department of Education staff, based on information provided by principals. I have noted that far too often students are being suspended for such incidents as disrupting class, profane language, disrespect, and bad behaviour.

Unfortunately, in these cases there is no evidence of a series of progressive discipline leading up to the suspension. Mr. Speaker, progressive discipline means that we have exhausted all other forms of intervention, detention, meeting with parents, in-school suspension, or other interventions short of suspension. The intent of this provision is to ensure that the student remains in school and learning is not interrupted.

Of course, there are situations that arise where it is necessary for a student to be removed from the regular school setting. But the Rules make clear the circumstances in which suspension can occur.

Principals have been advised that we expect to see evidence of progressive discipline for those offences not outlined in the Act as meriting immediate suspension. In addition, principals must also provide evidence of progressive discipline in the correspondence to parents when a suspension is imposed.

Mr. Speaker, prior to the previously mentioned principals meeting in April, there existed something called an “extended suspension.” This internal policy provided for the principal to seek a hearing with the Department of Education representative, the parent, and the child in order for the principal to present a case that could see the five-day suspension extended by additional two or three days. This is clearly unlawful, and as a result, the process has been discontinued. The Education Rules set out the rights and conditions under which children may be suspended. Our principals have been advised of these rights and conditions, and it is our expectation that they will adhere to them.

Rule 27(1) notes that “no child shall be suspended except by the Minister.” Rule 27(2) provides for the parent of an expelled child to appeal to the Appeals Committee.

Mr. Speaker, parents need to be aware that if a school is refusing to allow their child to attend, without my permission, this translates to an expulsion. There is nothing in law that gives any principal or school board the authority to refuse to allow a student to attend the school in which they are enrolled.

Having said that, let me be clear. I do not condone bad behaviour. Our principals and teachers have an extremely difficult job. But in setting an example of obeying authority and following rules and regulations, they too must adhere to the law. Principals and school boards are expected to put their case for expulsion to the Minister. If the Minister supports their case, then there is a responsibility on the Minister, as long as the child is of school age, to ensure that he or she receives an education.

I have a responsibility to ensure that any student not in school for legitimate reasons still receives an education. Locking students out with no hope of their engaging in our education system will not solve indiscipline or any other problems in schools, and I might add, might lead to other behaviour.

Mr. Speaker, sometimes students are punished or suspended for not attending school. According to the Rules [21(2)], principals must notify the Commissioner of Education if there is “. . . reason to believe that any child of compulsory school age is wilfully failing to attend the school.” But the Act states that if any child of compulsory school age who is enrolled as a pupil at a recognised school fails to attend regularly at the school, the *parent* of the child commits an offence against this Act.

Earlier, I mentioned the term “corporal punishment.” To clarify for the information of those listening, “corporal punishment” is still allowed under the Education Act. However, it must be administered by a principal or a deputy principal in the presence of another staff member as a witness. And “if the principal authorises another teacher to administer the punishment then the principal or deputy principal must witness the punishment.” [Rule 24(3)]

The Act also provides “A child shall not receive corporal punishment except at the hands of a member of the same sex unless, in exceptional circumstances, the Commissioner of Education authorises a female to administer corporal punishment to a male.” [Rule 24(4)]

Finally, Mr. Speaker, Bermuda’s adoption of the World Anti-Doping Authority (WADA) Agreement will have an impact on our student athletes. Section 67 of the Education Act deals specifically with drug testing and gives us the authority to test students.

This section [67(13)(a)] also defines “drugs” as “. . . any substance, the periodic or continuous use or administration of which (i) results or may result in a person developing a psychological or physical, or both a psychological and physical, reliance on the substance; or (ii) alters or may alter a person’s mood, perception, consciousness or behaviour”

Mr. Speaker, the Department of Education has a responsibility to support our principals and teachers to effectively do their jobs. We must assist them with interventions where and when children have behavioural issues that are outside the scope of schools to handle. All of us, the Department of Educa-

tion, principals, teachers, students, and parents, have a responsibility to ensure that we create the type of environment that encourages our students to put their best effort forward. We also have to make schools a place where students want to be.

Thank you.

The Speaker: Thank you, Dame Jennifer, the Honourable Member from St. George’s North.

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

Minister?

IMPLEMENTING PROVISIONS OF THE BAIL ACT 2005

Hon. Wayne N. M. Perinchief: Thank you, Mr. Speaker.

Mr. Speaker, since this Honourable House rose on the 28th of March, the lives of two young men have been snuffed out. More families mourn losses that seem, and are, quite simply, senseless. Communities struggle to understand how the idyllic setting of this paradise we call home can be the site of such violence and manifested anger.

Mr. Speaker, this is my first opportunity to address the issue of national security from the front bench. Rightly so, the community has looked first to their Government for solutions to meet the need and desire for answers. I have attempted to give voice to the feelings of many in the community, and have put several concepts into the public domain to inspire debate and to raise the level of awareness of the pressing need for such anti-social behaviour to be met with strong enforcement of the law.

Mr. Speaker, I have attempted to bring to bear my 32 years of experience policing Bermuda. In my meetings with the Commissioner of Police and the Senior Commander of the Bermuda Police Service, I have left them in no doubt that their focus must be on enforcing the law and using the tools provided to them by this Government, with the support of the Members of this Honourable House.

Mr. Speaker, Honourable Members will no doubt recall the raft of measures passed in 2009 which came directly from the police wish list. Measures like stop-and-search powers, enhanced security for licensed premises, and the ability to disperse anti-social gatherings were speedily enacted. Mr. Speaker, some of those powers remain to be used. I have urged the police to make use of all the powers at their disposal.

Mr. Speaker, this course is a prudent first step because it would be wrong of me, and would be wrong of this Honourable House, to pretend that we can legislate ourselves out of this period of violence, and gun crime in particular. Passing legislation is only one of the means by which to deal with these issues.

In this vein, Mr. Speaker, I can advise Honourable Members that to give full effect to the Bail Act 2005 and its provisions available to the police, funding will be made available to provide for the electronic tagging and monitoring of those persons arrested with or without charge in connection with firearms offences.

Mr. Speaker, I think it is similarly prudent to remind Honourable Members that the Bail Act 2005 permits the police to prescribe the residence of a person, to impose a curfew, reporting restrictions, and electronic monitoring, all without the requirement to charge an individual. These are significant powers. And in the first instance, they must be used to the fullest extent. If we are to give true meaning to the saying "We know who they are," then we must use the tools we have to deal with them. A fully utilised Bail Act will achieve that.

Mr. Speaker, I can also advise Honourable Members that I intend to commend these identical provisions to the Minister of Justice, the Honourable Member, the Attorney General, for consideration within the parole regime. This is significant because it is a matter of public record that the leadership of the gang culture in this country is now detained within Westgate. If we do not manage their eventual release, we will have solved nothing.

Further, Mr. Speaker, I am prepared to recommend to Cabinet that the restrictive conditions imposed by the Bail Act on arrested persons be made available to the police for use against suspects. In outline, Mr. Speaker, I envision a process similar to that used to secure search warrants where, on oath, a senior officer satisfies the magistrate that the subject is part of a violent or anti-social lifestyle and that the imposition of conditions like a curfew and/or electronic monitoring would necessarily prevent further violence in a particular community.

Mr. Speaker, I know the guardians of constitutional freedoms will have their concerns. I will respect them. But I wish for the community to understand that national security demands that we be prepared to re-examine the balance of freedoms versus restrictions.

Mr. Speaker, the other measures which I have outlined in the public domain remain under consideration and are actively being researched. It is clear that in other jurisdictions, the swift imposition of draconian laws aimed at addressing these issues has not always yielded the best results. Laws have been subjected to challenge, and the importance of getting things right outweighs the desire for haste. I am satisfied, Mr. Speaker, that in the short term the full enforcement of the laws we have will meet the challenge posed by this trend of violence.

Mr. Speaker, so much of the public discourse on these crimes is taken up with the call for tougher laws and enforcement. That discussion is important and necessary. However, it does not complete the circle.

Mr. Speaker, front-end solutions, the isolation of root causes, and the activists in support of those efforts need to be heard with equal volume. If our only solution as a community is the switch, prison, and the restriction of liberty, we have no solutions at all. Mr. Speaker, I will continue to work with my colleague, the Honourable Member the Minister of Education, and include her and her team in every strategy we consider. Education's seat at the table is the best preventive measure we can provide. Young people must be loved and nurtured, taught respect and values, [and must be able to] expect adults to be examples for them and to intervene when they are developing habits that lead to gang affiliation. Only education can lead in this regard.

Likewise, Mr. Speaker, building strong communities is the fundamental premise of an anti-gang strategy. We must empower activists and community-based organisations to build community spirit and create a renewed desire of ownership of communities in this country. This, too, is not my specific remit. But I embrace those concepts because the circle is only complete when enforcement is the tool of last resort and not presented as the solution to the problem.

Mr. Speaker, I am personally committed to renewing the safety and security of Bermuda. This Government has demonstrated time and again that the safety of the people of Bermuda is critical to the quality of life which we work hard every day to enjoy. We will continue to make tough choices and to support the police in what might seem aggressive action. We are about arresting a trend of violence, and in so doing we will devote all our efforts to achieving that goal.

Thank you, Mr. Speaker.

Mr. Speaker, with your indulgence, I have a second paper.

The Speaker: Thank you, Minister.

The Minister has a further Statement.

Hon. Wayne N. M. Perinchief: Thank you, Mr. Speaker.

The Speaker: Carry on, Minister.

POLICE COMPLAINTS AUTHORITY UPDATE

Hon. Wayne N. M. Perinchief: Mr. Speaker, I rise again this morning to inform Members of the House and the general public of current matters regarding the Police Complaints Authority.

Firstly, I wish to confirm the appointment of Mr. Anthony Whaley as Chairman of the Police Complaints Authority. Mr. Whaley is a partner of Conyers Dill Pearman. He is an experienced lawyer who has 25 years call in Bermuda and in the UK. Already it is evident that the appointment of Mr. Whaley has brought a fresh perspective to the Authority.

Mr. Speaker, I would also like to bring the attention of the House to section 27[(1)] of the Police Complaints Authority Act 1998, which legislates that “. . . the Authority shall in each year furnish to the Minister and to the Governor a report on the exercise of its functions under this Act.”

And in turn, [section 27(2) states], “The Minister shall lay a copy of every such report before both Houses of the Legislature as soon as practicable after the date on which it is furnished to him.”

Mr. Speaker, contrary to this legislation, the reports of the Authority have not been submitted to the Minister responsible since 2008. Work is ongoing by the Authority with the encouragement of the Ministry of National Security to produce the reports before the upcoming summer recess.

Mr. Speaker, the Ministry of National Security is examining the Police Complaints Authority legislation with a view to prescribing a more final determination of complaints. Presently, where the Authority and the Bermuda Police Service disagree, there is no real mechanism for the complaints to be disposed of. After careful analysis, it is intended that the resulting amendments made to the legislation will support finality of the Police Complaints Authority decisions, in order to discourage the trend of complaints lying on file with no final resolution.

Additionally, Mr. Speaker, in an effort to make better use of police resources, the Ministry is considering engaging retired officers with investigative experience to conduct investigations into complaints, on a part-time as-needed basis. Consequently, the officers currently responsible for handling police complaints will be free to perform other operational duties. This will put more officers on the streets while also saving the Bermuda Police Service and the Bermuda Government the cost of hiring and training new officers to meet the Service’s current demands.

Mr. Speaker, the Police Complaints Authority serves as an important accountability measure for the Bermuda Police Service. I am confident that these adjustments will make the Police Complaints Authority more effective in their tasks that it performs.

Thank you, Mr. Speaker.

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

I now recognise the Honourable Member, Minister P. Minors, the Minister of Business Development and Tourism.

Minister Minors, you have the floor.

BERMUDA ASSET MANAGEMENT TASK FORCE INTERIM REPORT RE OPPORTUNITIES FOR THE FURTHER DEVELOPMENT OF BERMUDA’S ASSET MANAGEMENT MODEL

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

Mr. Speaker, I am pleased to be able to inform the House of the outcomes of the Asset Management Task Force interim report on the opportunities regarding further development of Bermuda’s Asset Management model.

Mr. Speaker, the Asset Management Task Force was established by me in January 2011. The committee was engaged by the Ministry to identify the key developmental drivers and to review potential impediments to being able to continue to successfully market Bermuda as a jurisdiction for the investment fund sector. In particular, the committee was invited to explore how the Bermuda model could be enhanced in the wake of the changes undergone by this industry since 2007.

Mr. Speaker, the report also included a review of the impact that the local environment and competition has had on the hedge fund sector. Mr. Speaker, the committee comprises members of the asset management sector, the banking sector, the legal sector, and the accounting sector. The committee also comprises members of the Bermuda Monetary Authority, as well as representatives of the Ministry of Business Development and Tourism.

Mr. Speaker, by way of background, the regulation of the asset management sector has been in place for more than 40 years. Presently, investment funds, investment fund administration, and asset managers may be established in Bermuda under the Investment Funds Act 2006 and the Investment Business Act 2003. The Bermuda Monetary Authority is the body responsible for the oversight of these sectors by additional provisions that have also been set down in the Companies Act 1981 as well as the Bermuda Stock Exchange Company Act 1992 to meet market demands as well as to provide a regulatory framework for entities which are exempted or excluded from the licensing provisions.

Mr. Speaker, unlike our reputation as a leading reinsurance market, Bermuda is not considered to be a major player in the asset management sector. The present register of investment funds indicates that there are 904 entities licensed in Bermuda. The net asset value of this sector is \$186 billion as of the third quarter 2010. In addition, the present register of asset managers indicates that there are 56 licensed entities registered in Bermuda. The net asset value of this sector was \$1.2 billion as of the 31st of December 2009. There are currently 42 licensed investment fund administrators in Bermuda.

Mr. Speaker, notwithstanding the aforementioned, the report debunks some of the longstanding myths and preconceived notions about the regulatory framework. Bermuda is regarded as the jurisdiction of choice for investment funds that have an insurance focus, given Bermuda’s leading position in the insurance industry. The report notes that while the asset management sector can provide tremendous opportunities for Bermuda to be competitive, the Government

may need to consider new ways to attract more of its business to Bermuda.

The report also notes that, while Bermuda's trust in private-client business continues to grow, the investment industry has failed to leverage off of contacts in this area, given the nexus between private wealth and the investment industry.

Mr. Speaker, the financial services policy approach does not impose a limit on the number of funds that may be incorporated in Bermuda or the number of asset managers that may establish a physical presence in Bermuda. This policy approach creates different opportunities for different industries within the same sector. It is generally agreed that there is no requirement to alter this policy at this time.

Mr. Speaker, the committee has submitted recommendations covering a variety of matters, including, but not limited to:

- vision and strategy
- development and implementation of a new plan
- talent development
- commercial advocacy, and
- other matters

In order to ensure that there is coordination with the Government on matters outside of my direct remit, I can advise the House that the Cabinet has been informed of the committee's recommendations accordingly.

Mr. Speaker, the report states that the future success of Bermuda's asset management sector hinges on our ability to attract international investors as well as additional expertise. For Bermudians who have an interest in this sector, it is noted that companies that undertake advisory work would require persons with experience in portfolio management, investment research, trading and security settlements, IT, as well as other corporate management functions. For those companies that undertake fund administration, such companies would require persons with experience in financial and portfolio accounting, regulatory and compliance duties, marketing and product development, as well as investor communications.

Mr. Speaker, every aspect of our financial services policy objective is designed to emphasise that a competitive, efficient, and stable financial centre, operating with integrity, is in Bermuda's best interest. The key components of Bermuda's financial services policies are as follows:

- sustainability objective, which means economic expansion with minimal impact;
- brand objective, which means well-known respected global financial services corporations;
- diversification objective of the financial sector by activity, industry, product, and geographic origin; and
- the employment objective, which includes up-scaling of the labour force as well as long-term creation of employment opportunities.

Mr. Speaker, the Government welcomes the outcome of the Asset Management Task Force Interim Report. I believe that this is yet another major milestone in the Government's diversification plans. The expansion of the asset management sector supports the Government's mandate to expand the economy, to create jobs for Bermudians, and to increase revenue through the continued promotion and development of Bermuda as a first-tier international financial sector.

Thank you, Mr. Speaker.

And if you may oblige me, I can present yet another Ministerial Statement.

The Speaker: The Minister has a further Statement. Carry on, Minister Minors.

UPDATE ON TOURISM VISITOR STATISTICS

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

You will recall that I delivered some positive news a few weeks ago indicating that air visitor arrivals had increased by almost 7 per cent, the first positive trend in winter business in four years. Each successive month has recorded gains, with March experiencing an increase in new arrivals by 10 per cent.

Mr. Speaker, I also indicated then that the majority of member hotels were reporting positive advance bookings for the summer period. These major hotels have indicated approximately 20 per cent more business on the books, all the way to August 2011, when compared to the previous year.

Mr. Speaker, I am pleased to report that this positive trend continues, and some of this must be attributed to the very aggressive marketing efforts that the Department of Tourism has been carrying out over the past several months, with key advertising and marketing initiatives.

Mr. Speaker, preliminary results for February indicate more positive growth. Air arrivals increased by 14.9 per cent during this month, with the United States up 12 per cent, Canada up 28 per cent, and the UK up 14 per cent. Mr. Speaker, I am also excited to tell you that the results from our first-quarter 2011 exit-survey flash report show that the average per-person online expenditure ranges from \$1,135 to \$1,270. This is up from a range of \$913 to \$1,026 for the same period last year.

Mr. Speaker, further, the estimated total visitor expenditures for the first quarter 2011 increased when compared to the same period last year, and currently range from \$34.8 million to \$38.9 million. Last year's first-quarter expenditures ranged from \$26.3 million to \$29.6 million. The increased personal spending is most evident for accommodations, meals and beverages in restaurants, recreational or leisure activities, and other shopping purchases. Most notable is that, for that period, the per-person recreation and leisure activity spending is up by 54 per cent, from \$39 to

\$60, and meals and beverages in restaurants is up by 23 per cent, from \$255 to \$313 per person.

Mr. Speaker, I would like to thank all of you for the time in letting me share an update on our efforts, and I can assure you that we consider these positive trends as only the beginning in our quest to turn around this all-important tourism industry.

Thank you, Mr. Speaker.

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

Any further speakers?

I now recognise the Honourable Member, Minister D. Burgess from Hamilton East. Minister Burgess has the floor.

CURRENT WATER SITUATION IN BERMUDA

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

Mr. Speaker, this morning I will provide this Honourable House with an update on the current water situation that has been in the news in recent weeks.

As indicated by the Bermuda Weather Service, the current rainfall in Bermuda is well below normal. The total rainfall for the year to date has been just over 55 per cent of what we would usually experience. In terms of inches, the total rainfall recorded is approximately 11.5 inches, whereas the normal average is approximately 20 inches.

This shortfall has caused an unusually high demand early in the spring season. During the months of March and April alone, approximately 28 million Imperial gallons of water were sold by the Ministry of Public Works, with 3 million of this total sold to the water truckers.

Mr. Speaker, the Ministry of Public Works is currently supplying water at five water treatment facilities and four water truckers' outlets across the Island, and we are currently managing this demand on the system.

The Eastern Zone service is at St. George's Parish and has one treatment facility which supplies water through a pipeline to the individual properties, as well as a temporary water trucker's outlet. Due to the current demand on the system, we have opened the temporary outlet on Mondays, Wednesdays, and Fridays for seven hours daily, until further notice.

Mr. Speaker, there are several sources of water available in the Central Zone including the three treatment facilities owned by the Ministry. These are the Tynes Bay Water Treatment Plant, the Prospect Water Treatment Plant, and the Devon Springs facility. These facilities service Pembroke, Devonshire, Smith's, and Hamilton Parishes and provide water to the North Shore and Prospect truckers' outlets, respectively.

The Ministry also has a connection to Bermuda Waterworks Ltd., which can provide an additional water source if required. The Western Zone is serviced by a single water treatment facility which provides water to the western portion of Southampton in Sandys Parish. The level of production available has realised challenges for the Ministry in meeting the demands produced in the West End. The West End system is currently being run under the normal operating conditions—eight hours daily. And the Government is continuing to manage the entire western distribution system in order to allow their tanks to maintain adequate water levels for distribution into the pipe system and truckers outlets as much as possible each day.

We are working to keep this outlet open longer. However, at present we are mindful to manage this to ensure the tanks have the necessary time to be replenished.

Mr. Speaker, the Ministry continues to monitor the current water production, supply and usage at our facilities across the Island. In addition, we are managing the existing resources to ensure that all residents have access to potable water. The Ministry, while managing the water situation as best as it can, is currently working with ways to mitigate the effects of the reoccurring water shortages across the Island, which are as follows:

In the Eastern Zone, the Park Gates temporary water trucker's outlet in St. George's is providing a source for water trucking companies to provide for clients in the Eastern End of the Island. This seems to be working quite well in providing greater availability of trucked water in that end of the Island than has been seen for several years. Additionally, the containerised seawater RO [reverse osmosis] plant at Marginal Wharf will increase the water supply to their potable water system and, by extension, to the existing water trucker's outlet. This will now increase production from 35,000 to 130,000 gallons per day.

In the Central Zone, the completion of the second phase of the Tynes Bay water treatment plant facility will be completed in the coming months.

In the Western Zone, a Memorandum of Understanding (MOU) between the Bermuda Government and the Bermuda Waterworks Ltd., which was approved by Cabinet, has already increased water supply to the Western End of the Island. This MOU has a direct impact to the western parishes and Government's western distribution system.

The current phase of this MOU sees the Government's western distribution system being supplemented with potable water by Bermuda Waterworks Ltd., as well as providing for the residents that are connected to the system. This supplementary supply will allow the Government to better meet the current and future demands required by its clients in the Western End of the Island, which will include the water truckers. These changes will take place through a

phased approach and should be completed over the next five years.

In addition to Bermuda Government and the Bermuda Waterworks initiative, there is a resource-sharing arrangement between the West End Development Corporation and the Bermuda Government. These entities will provide potable water to each other's distribution system if either has excess supply.

Mr. Speaker, managing Bermuda's water system does not come without its challenges. We have customers calling to express concerns that they are not receiving water at times, as well as concerns from the water truckers that they cannot fill their trucks from various distribution plants mentioned earlier in my comments. However, I would like to advise the listening audience, without making excuses, that we do have challenges to ensure all points of access to water to remain open.

One of the major challenges we are faced with is the fact that some parts used to repair and maintain the water systems are so specific that they can only be made by the manufacturer. So, therefore, they cannot be bought over the shelf. This means that when something goes wrong at the plant, the engineers have to remove the faulty part and send it overseas to have it specifically made. In the worst-case scenarios, this may take upwards of several months before we can have the part repaired.

Mr. Speaker, I opened my remarks by advising the Members of this Honourable House and those listening by way of radio that the Island was experiencing below-average rainfall. I can assure you that the Ministry is doing all it can to maintain supply and to increase supply where possible in these trying times. However, I must state that to increase supply indefinitely, in response to a sharp demand such as this, is neither practical nor sustainable.

The first and best solution still remains the same as used by residents for generations, and that is to simply control our water usage. Therefore, the Ministry is pleading with all residents to manage the water consumption as much as possible to ensure the effects of the current water shortage are not exacerbated and to ensure our water infrastructure is not further strained. Managing water consumption is the key.

We would also encourage residents to monitor their water tank levels and not to let them run empty before placing an order from a water trucker, as there is no guarantee of instant delivery due to the demand on the trucking services.

So, please endeavour to give your trucker at least seven days notice to avoid being caught without water, as this will lessen the effects of a sharp spike in demand and reduce the backload in orders.

Mr. Speaker, I can tell you that the communications with the water truckers and the Ministry has not been the best. However, in recent times, there has been remarkable improvements made, so much that

we have agreed to have open dialogue and ongoing meetings at our Ministry, and pledge to provide the truckers with as much access to our facilities as possible.

With that said, I would like to thank the water truckers and staff and all those who have expressed their concerns to me in recent weeks regarding the services that they have been receiving. We are working even harder to improve upon this communication by sending out broadcast text messages to the water truckers through a point of contact so that they will be aware of any issues sooner than in the past.

Mr. Speaker, I would like to conclude by emphasising the fact that if residents and businesses do not manage their own water supplies, the Ministry will continue to have the issues we experience.

Mr. Speaker, so we are asking again, please help us to help you. Thank you.

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

Are there any further Ministerial Statements?
We will move on.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: The Honourable Member, Mr. M. Bean, from Warwick South Central, wishes to pose a question to the Minister of Education.

QUESTION NO 1: SCHOOL SUSPENSIONS AND EXPULSION

Mr. Marc A. R. Bean: Yes, thank you, Mr. Speaker.

And honourable colleagues, good morning again.

Mr. Speaker, this question is directed to the Minister of Education. In light of the Minister's Statement in regard to expulsion, Mr. Speaker, in light of the incident that was reported in today's *Daily* that occurred yesterday at CedarBridge Academy and was also, Mr. Speaker, more relevant, so reported to me by my two children, who attend CedarBridge Academy—

The Speaker: Question!

Mr. Marc A. R. Bean: Yes. The question is, Mr. Speaker, to the Minister, what is her position as a result of yesterday's incident in regard to her policy on expulsion?

The Speaker: The Minister of Education, Dame Jennifer, is going to reply.

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

Mr. Speaker, let me say that my position remains the same as that reiterated in the Statement. But for the sake of clarification, the principal did inform the Ministry that she met with the parents of two of the students yesterday—which is according to the policy, according to the law—to advise them that their students were going to be suspended, and that when she had made a recommendation for expulsion, at that time there would be a hearing.

Having heard that, apparently, it is my information, according to the principal, that the parents of those two students opted to withdraw their students from the school.

The third student, the principal did not get an opportunity to meet with the parents. However, she was informed by a counsellor that, when the parent came to collect the student, the parent told the counsellor to tell the principal, “I will be withdrawing my child from the school.”

Having said that, let me say that if these students are within the school age, the Ministry is still responsible for ensuring that they receive education. So, once we have determined what age they are, we will be following this up because we have a responsibility to see that they continue in school.

Let me say that we are not condoning their actions. But one would hope that they will have learned from these incidents and that they can, if we intervene in the right way, go on to achieve great things.

The point we want to make is that we are not throwing anyone away because they make a mistake. You do have to be punished; you have to face that. But, at the same time, we have a responsibility to ensure that you continue your education, and that this is not the end date for you and you see no future and you therefore are open to other temptations.

The Speaker: Thank you, Dame Jennifer.

The Honourable Member, Dr. Gibbons, from Paget East, has a question to the Minister of Education.

Dr. Gibbons, what is your question?

QUESTION NO. 2: SCHOOL SUSPENSIONS AND EXPULSION

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

Mr. Speaker, again pertaining to the Minister’s Statement this morning, the question is, Have arrangements been put in place in all schools to separate a student who is extremely disruptive or demonstrating serious behavioural problems from the rest of their class, as required?

The Speaker: Thank you, Dr. Gibbons.

The Minister of Education is going to respond.

Minister of Education, Dame Jennifer.

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

Mr. Speaker, I am informed that all schools have arrangements for in-school suspensions, which is what they are called. And what we are planning to do . . . You have heard us refer to placing student services onsite in the schools. It is so that there will actually be behavioural therapists at the school site, so that we can have interventions happen on a much quicker basis.

The Speaker: Further question?

SUPPLEMENTARY

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

The Speaker: Supplementary number one.

Dr. the Hon. E. Grant Gibbons: Just by way of further clarification, Is the Minister saying that when a student is suspended for in-school suspension, there is a separate room that has been put aside particularly in schools, and there is either a member of staff or a behavioural therapist who is there with the student while they are either suspended or separated?

The Speaker: Dame Jennifer, the Minister of Education.

Hon. Dame Jennifer Smith: I cannot say that those exact things are in place. What I can say is that schools have in place a plan for in-school suspensions. We have in place plans to increase the type of help that they get in school, which is the behaviour therapist being located there.

The Speaker: Is there a further question?

Dr. the Hon. E. Grant Gibbons: Yes. There is a further question, Mr. Speaker.

The Speaker: All right.

QUESTION NO. 3: SCHOOL SUSPENSIONS AND EXPULSION

Dr. the Hon. E. Grant Gibbons: How many students have been expelled from public schools so far this year?

The Speaker: The Minister of Education, Dame Jennifer, is going to respond.

Hon. Dame Jennifer Smith: Mr. Speaker, if I can refer to my notes. Let me see. There were 44 suspensions in the month of April; 70 per cent of those students received out-of-school suspensions; 29.5 re-

ceived in-school suspension. None of them had extended suspension. Of these students, 70 per cent were boys.

And expulsions—I am not finding any expulsions. I am not finding any expulsions yet.

The Speaker: Yes. Thank you, Dame Jennifer.

Sir, you have had two questions.

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

The Speaker: Supplementary?

Dr. the Hon. E. Grant Gibbons: Yes.

The Speaker: There is a supplementary.

SUPPLEMENTARY

Dr. the Hon. E. Grant Gibbons: Yes. My question was, Have there so far this year been any expulsions? If the Minister does not have the information at hand, perhaps the Honourable Member could get back to me with that information.

Hon. Dame Jennifer Smith: Mr. Speaker, I am reliably informed that the answer is that there have been no expulsions this year.

The Speaker: Thank you, Dame Jennifer, Minister of Education.

All right. We will move on.

The Honourable and Learned Member, Mr. J. Barritt, wishes to put a question to Minister Perinchief, the Minister of National Security.

Mr. Barritt, what is your question?

QUESTION NO 1: IMPLEMENTING PROVISIONS OF THE BAIL ACT 2005

Mr. John Barritt: That is right. If I may direct you, sir, and the Minister, to the bottom of page 2 of his Statement over onto page 3 where he refers to some of the powers that have been given to the police. And then he says, at the top of page 3, "Some of those powers remain to be used."

I wonder if the Minister could tell us which of those powers that he listed there have not been used by the Bermuda police.

I see him looking at his Statement, Mr. Speaker, and I will just help him. He referred to stop-and-search powers, enhanced security for licensed premises, and the ability to disperse anti-social gatherings. These were all in legislation we passed in 2009. Then he said, "Some of those powers remain to be used."

The Speaker: Yes. Question, Mr. Barritt?

Mr. John Barritt: Yes. I am helping the Minister.

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

Hon. Wayne N. M. Perinchief: If you would go further up the page where we say that a raft of measures were passed in 2009. And I, at the bottom, called off some of them.

Nevertheless, I will sort of wade into somewhat murky waters when you put the question, that I personally, as the Minister of National Security, have suggested to the Commissioner of Police that with the knowledge and identity of some of the purported gang members that I wished stronger action; in other words, more warrants executed, et cetera, et cetera, and more targeting of specific individuals known to the police. So that was what I was referring to, Mr. Speaker.

The Speaker: Thank you, Minister.

Mr. John Barritt: Supplementary.

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

SUPPLEMENTARIES

Mr. John Barritt: Yes. Minister, what I wanted to know was, you stated, "Some of those powers remain to be used." And I wondered specifically, which powers are the police not using that we gave them under legislation?

The Speaker: Minister Perinchief is going to reply.

Hon. Wayne N. M. Perinchief: In 2009, with the amendments to the Bail Act, the police were given powers—the Government was given powers, and the police indirectly given powers to actually start to tag people under the Bail Act. As it stands right now, we, the Government and the Ministry of Justice, have started to engage a particular firm who can carry out this tagging. The initiative has gotten as far as purchase of some of the hardware.

Now, the systems that are attached to the actual tagging of bailees are being presently put in place and have not, at this time, been used. So it is actually a combination of things that not only the police, but also the Ministry of Justice . . . We are now developing and carrying out some of the things that were allowed under the 2009 amendments.

The Speaker: Thank you.

Mr. John Barritt: Thank you, Minister.

The Speaker: Further question?

Mr. John Barritt: If I may, just one further supplementary with respect to that, exhausting the three that, I think—is it? Am I entitled to three supplementaries, Mr. Speaker?

The Speaker: I thought it was two. But go ahead. Try.

Mr. John Barritt: A good try?

The Speaker: Try. I am going to indulge you. I will indulge you.

Mr. John Barritt: Thank you.

If I could just ask the Minister then, for instance, how many instances have the police used this ability to disperse anti-social gatherings?

The Speaker: The Minister is going to reply.
Minister Perinchief?

Hon. Wayne N. M. Perinchief: I put (to the question) that that is almost asking, “How long is a piece of string?” Because, as you know, on an ad hoc basis, the police deal with many gatherings of individuals and disperse them. So whether they keep a specific record, I would imagine they would. But it would mean some research of their database, and I do not have the exact answer.

The Speaker: Thank you, Minister.

Mr. John Barritt: A new question, Mr. Speaker.

The Speaker: All right.

QUESTION NO 2: IMPLEMENTING PROVISIONS OF THE BAIL ACT 2005

Mr. John Barritt: And I did want to come on to this. The Minister has mentioned it already and saved me exhausting the limited number of questions I have.

Can the Minister confirm for us that the electronic tagging and monitoring is in place and already in operation?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: The law has been passed. There has been the purchase of some of the electronic tags. At present the process of getting a proper contract to deal with the monitoring is now ongoing. So it is an incomplete process, but it is in process of being brought to fruition.

Mr. John Barritt: Supplementary, Mr. Speaker?

The Speaker: There is a supplementary from the Honourable Member.

SUPPLEMENTARY

Mr. John Barritt: Did we or did we not authorise this in legislation six years ago now? No?

The Speaker: Is that the question?

Mr. John Barritt: Yes!

The Speaker: Minister, do you wish to respond to that?

[Inaudible interjections]

Hon. Wayne N. M. Perinchief: No, I do not think it went back further than 2005. I do not think it went back further than 2005. Nevertheless, I will do that research and find out exactly. But it did not go back any further than that, I would say.

The Speaker: Take your seat, Mr. Barritt; no more questions.

Mr. John Barritt: One more supplementary!

The Speaker: The Minister has given an undertaking to find the answer to that.

Mr. John Barritt: I have a supplementary—could he—

Hon. Wayne N. M. Perinchief: If you would yield, I will give you a close answer. I have been informed that it was 2008, by a previous Minister of National Security.

Mr. John Barritt: Fair enough, Mr. Speaker. I am not going to pursue that line. I accept what he says. I just wonder whether the Minister can ensure us that the necessary funding is in place for this to go forward from this date.

The Speaker: Well, that is not a question either.

Mr. John Barritt: Yes, it is. Can the Minister assure us that the necessary funding is there for this to happen?

The Speaker: Take your seat, Mr. Barritt.

Mr. John Barritt: Yes or no?

The Speaker: Take your seat.

I now recognise the Honourable Member Mrs. Gordon-Pamplin from Paget West. Mrs. Gordon-Pamplin has a question to Minister Minors.

Mrs. Patricia J. Gordon-Pamplin: The Minister of Tourism; the Minister of Works first. I have two questions, yes.

The Speaker: Oh, I am sorry. She has a question to the Minister of Public Works, Minister Burgess.

QUESTION: CURRENT WATER SITUATION IN BERMUDA

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

Mr. Speaker, my question is just a very simple one. The Minister Mr. Burgess on page 7 mentioned the breakdown of equipment. The question is, Are we presently experiencing any breakdowns? Because the question speaks about the eventuality. Are we presently experiencing any breakdown in the capital equipment?

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

Hon. Derrick V. Burgess, Sr.: Yes. We have a breakdown at the marginal wall, and we should take possession of the part very shortly. Once we have that part, my people say they can be up and running in three days.

The Speaker: Further questions?

Mrs. Patricia J. Gordon-Pamplin: No further question for that Minister. I have a question for a different Minister.

The Speaker: All right. Mrs. Gordon-Pamplin has a further question, but this question is for the Minister—

Mrs. Patricia J. Gordon-Pamplin: It is for Minister Minors with respect to her Statement on Business Development and Tourism.

The Speaker: Minister Minors. Yes? Question?

QUESTION NO. 1: UPDATE ON TOURISM VISITOR STATISTICS

Mrs. Patricia J. Gordon-Pamplin: Yes. The question with the tourism numbers is, Could the Minister advise, with the increase, the preliminary results for April . . . Could the Minister advise us what the hard numbers are rather than the percentage increases?

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

Hon. Patrice K. Minors: I do have access to that. Unfortunately, I do not have it on me. But I can get that to you.

The Speaker: The Minister is giving an undertaking to supply that to you.

So, further question?

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

The Speaker: Second question?

QUESTION NO. 2: UPDATE ON TOURISM VISITOR STATISTICS

Mrs. Patricia J. Gordon-Pamplin: Yes, from the same Statement, Mr. Speaker. Does the Minister have information as to whether the ranges of expenditure per person on Island from \$1,135 to \$1,270, as opposed to \$913 to \$1,076 for the prior year . . . [are based on] an inflationary process or the evidence of more bodies spending more money?

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

Hon. Patrice K. Minors: My understanding is that that is attributed to not just the increase of bodies, but the affluence of those persons coming in. It does not include the inflationary component. I can confirm that, but that is my understanding.

The Speaker: The Minister is giving an undertaking to supply you with the correct information.

I now recognise the Honourable Member Mr. N. Simons. The Honourable Member Mr. Simons has the floor, from Smith's South.

QUESTION: BERMUDA ASSET MANAGEMENT TASK FORCE INTERIM REPORT

Mr. Nelson H. Cole Simons: Thank you, Mr. Speaker. Again, this is to the Minister of Business Development and Tourism in respect of the Bermuda Asset Management Task Force report.

My first question is, Where can the public find a copy of the report, and when will the report be tabled in the House of Assembly?

The Speaker: The Minister is going to respond.

Hon. Patrice K. Minors: Mr. Speaker, the report is not in a place—we are not prepared to make it public at this time, but we are seeking to proceed with the recommendations, and those things will be acted upon and implemented and, obviously, shared.

The Speaker: Thank you, Minister.
Further question?

Mr. Nelson H. Cole Simons: Supplementary.

The Speaker: Supplementary, Mr. Simons?

SUPPLEMENTARIES

Mr. Nelson H. Cole Simons: As the report will not be made public, what does the report say on why other jurisdictions are more attractive than Bermuda in regards to the asset management industry?

The Speaker: Minister Minors is going to respond.

Hon. Patrice K. Minors: In drawing the comparison to Bermuda to other jurisdictions, some of the observations that were made pertain to the accessibility to the skills set, the ease of employment and setting up of the business, and things like that. Many are the things we already know that exist as comparison items, and the cost as well.

Mr. Nelson H. Cole Simons: Supplementary.

The Speaker: Mr. Simons has a supplementary. What is your supplementary?

Mr. Nelson H. Cole Simons: What does the report say, in regards to recommendations, that Government must do to attract more business? So, what recommendations does the report say for Government to attract more business?

The Speaker: The Minister is going to respond.

Hon. Patrice K. Minors: Those recommendations are being explored internally, and in due course we will comment on them.

The Speaker: Thank you, Minister.
Are there any further questions?
No further questions. Question period is completed. We will move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: I now recognise the Honourable Member, Mr. W. Roban. Minister Roban from Pembroke East has the floor.

Hon. Walter H. Roban: Thank you very much, Mr. Speaker.

I wish to ask the House to send a congratulatory message to the Cathedral of the Most Holy Trinity, Anglican Church of Bermuda, for celebrating the 100th anniversary of their consecration this past

Wednesday. I was asked to attend on behalf of the Government, and I do believe that it was a very poignant and very tasteful service. It was attended by the Bishop of Canada, the Anglican Bishop of Canada, as the speaker. And clearly it was a historic and important date to recognise. And I just wish that we ensure that that important event is appropriately recognised by the legislature.

Thank you very much.

The Speaker: Thank you, Minister Roban.

I recognise the Honourable and Learned Member, Mr. J. Barritt, from Devonshire South Central.

Mr. John Barritt: Thank you, Mr. Speaker.

I know earlier you said that we may be doing something special for former Member of Parliament Mr. Thomas.

The Speaker: Yes, it can form a part of this.

Mr. John Barritt: Can it, Mr. Speaker?

The Speaker: Yes.

Mr. John Barritt: Thank you.

I did, in the three minutes I have today, want to acknowledge and express condolences to the families of the late Austin Thomas, Leslie Wilson, and Doreen Woolridge, Mr. Speaker. I will try to do the best I can in three minutes.

Mr. Thomas, I think, is well known to all of us, including those of us who did not sit in the House when he sat in the House, Mr. Speaker. You know, I think of (is it?) Jackie Robinson's epitaph, that a man's life is nothing save for the impact it has on others. Austin Thomas, I think, cast a great shadow—and not just a shadow, but he had roots in all the things he did, whether in the church, in the school, in politics and in the community. Yesterday at his funeral, all of those things were listed. I think the one thing we can take from him—yes, he was a firebrand. He was steadfast, and he was sure.

And he was a family man as well. And all of that was grounded in his Christian faith, which just was not a belief. I know this myself from knowing Austin Thomas myself. It was not just something he believed in; it was something he practised. And you experienced it every time you met and talked with Austin Thomas. And he will be sorely missed by his family and his community.

Indeed, Mr. Speaker—you know, I have got three minutes in an obituary, and as you know, Austin Thomas would have found three minutes impossible.

You know, I recall, as a reporter he was probably the reason why they changed the unlimited time to speak on the Motion to Adjourn because he could speak at length—for long hours. And I remem-

ber how some Members used to joke. After an hour, they said, "He hasn't even taken off his sweater, let alone started to bowl." And others would complain, "And the trouble is, he thinks he can bowl from both ends!"

But that was his passion, though. That was his passion for what he believed in. And we can all do well to remember that.

Mr. Leslie Wilson, Mr. Speaker, did not serve in the House of Assembly, did not serve in Parliament. But he too was a strong family man, with his four daughters and one son. He started out . . . Well, actually he came from Sabor with an aunt who raised him, Mr. Speaker. He went from having probably not even two pennies to rub together to building a cycle shop. I think he started at Barnaby Cycles; even Court Street Cycles [PHONETIC], I think, is where he started, then Barnaby. Then he started his own cycle shop in his house. Then it was St. John's Road, and then I think it was Union Street. And his wife worked with him and even became a mechanic.

He always had that mechanical aptitude, and I think most boys and girls who grew up in that day knew where to go for service and good cycles. More than that, Mr. Speaker, he was a giant man, much like Austin Thomas in stature. And he cast that type of shadow as well in what he did in his church—at St. John's Church, the first black sideman there—to the PTA at West Pembroke, through many other organisations in which he participated; and he gave to his community.

Again, steadfast, sure, clear direction—as someone said yesterday, it is a lot of what we are missing in our role models today.

If I may, Mr. Speaker, just very briefly, the other person I wanted to acknowledge who passed while we were gone is Doreen Woolridge, the matriarch of the Woolridge clan down there in Flatts, a strong supporter of a cricket club with which I am very familiar, Flatts Victoria Recreation Club. But more than that, she was the heart and soul.

But what she was really known for was not only her passion and her voice at these games, but she also became the first woman umpire in this country. And I was pleased to see a lot of Bermuda's former and best cricketers out to pay their respects to this lady because she gave you her mouth. But she went to the wicket herself sometimes to do that which was required to help that sport. And for that, she is fondly and deeply remembered, and by her family as an excellent cook and a provider for not only her own family, but her extended family and anybody else who was invited to her home. She was very gracious and generous with her invitations.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Barritt, the Honourable and Learned Member from Devonshire South Central.

I am going to take the new Deputy Speaker of the House, Mr. K. Horton, from Southampton West.

Mr. Deputy Speaker, you have the floor.

Hon. K. H. Randolph Horton: Mr. Speaker, thank you. First, I would like to associate myself with condolences to Mr. Austin Thomas. I certainly knew Mr. Thomas well, as well, particularly in his role as an educator. He certainly had some influence on what I did in education with young people.

But the great thing about Mr. Thomas is (and I think the Honourable Member said) that he set an example for people in Bermuda to follow, a good example.

Also, I would like to be associated with the condolences to Mrs. Woolridge, the first woman umpire who, as has already been said, was absolutely passionate about cricket.

I would also like to ask that condolences be sent to the family of another man who was very much involved with cricket, who was a journalist and a statistician. And that is, Mr. Tommy Aitchison was the former *Bermuda Cricket Annual* co-editor. I believe Mr. Barritt would like to be associated with that.

As a result of Emmett Jackson and Mr. Richards [PHONETIC] . . . but I think as a result of the work of Mr. Aitchison, much of the history of cricket and much of, particularly, the statistics with regard to Cup Match, as the Cup Match commentator, he was absolutely wonderful in terms of the information that he offered me in assisting me to bring to the people of Bermuda who were listening what exactly was happening with all of the players who participated in Cup Match.

Mr. James would probably know. He talked with Al James a little bit, not too much.

But certainly, we want condolences to be sent to the family of Mr. Aitchison.

Then finally, for one of my constituents, Mr. Jack Castle. Jack Castle was a former footballer and now a coach, I believe, of St. David's. But Jack had a passion for dogs. And Jack's four-year-old Rottweiler, Tatanka, actually just recently was selected Best Dog and beat out several top German-American dogs in an event in Arizona. So I would like to have congratulations sent to Mr. Jack Castle.

Thank you.

The Speaker: Thank you.

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.

Mr. Speaker, I would also like to be associated with the condolences to the family of the late Austin Thomas and particularly to his wife Eula and daughters Renee and Selena.

I would say, Mr. Speaker, that Mr. Thomas was certainly one of a circle of elder statesmen who helped to shape modern Bermuda, both in terms of his passion, his involvement with the Teachers Union, his strong interest in teaching all of his life. In fact, the last Berkeley function I was at, he was still teaching, even though he was not on the faculty. And I think, as others have said, he was a very principled man and certainly one of very strong Christian faith. He certainly will be missed for his great contribution to public service in Bermuda.

Mr. Speaker, while I am on my feet, I would also like to ask that condolences be sent to the family of the late Victor Bridgewater, very much a family man, a keen golfer, father of Craig and Kyle, and also involved in public service. He was in the Liquor Licensing Authority for a number of years, a long-term employee of the Bermuda Telephone Company as well. I certainly ask that condolences be sent to his wife Marva, and sons.

Also, Mr. Speaker, I would ask that the House send condolences to the late John Cressall. Dr. Cressall, as many will know, was a general practitioner, in many respects of the old school, and had extraordinary patience. He was a practitioner to three generations of Gibbons, which is why I say that, but also to many others in the community as well. He was a very down-to-earth individual and a wonderful doctor, Mr. Speaker. He will certainly be missed by those who knew him and by his patients as well.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

I am going to take the Honourable Member, Mr. M. Pettingill, from Warwick West. The Honourable and Learned Member, Mr. Pettingill, has the floor.

Mr. Mark Pettingill: Thank you, Mr. Speaker.

[Laughter]

The Speaker: Mr. Pettingill, you have the floor. Do you want to give it up?

Mr. Mark Pettingill: I am happy to defer to . . .

[Laughter]

Mr. Mark Pettingill: I am happy to defer to my honourable and esteemed Dame.

[Laughter and inaudible interjections]

The Speaker: Dame Jennifer Smith, from St. George's North, Minister of Education, the Honourable and Learned Member is deferring to you.

Dame Jennifer has the floor.

Hon. Dame Jennifer Smith: Thank you, Mr. Speaker. I have to express my appreciation for the Honourable Member, Mr. Pettingill.

And not to take up too much time, let me just begin by saying I wish to be associated with the remarks given by the Honourable Member, Mr. Walter Roban, the Honourable Member, John Barritt, the Honourable Member, Randy Horton, and the Honourable Member Grant Gibbons. If I went much further, I would take away time that I wish to do. Certainly I just want to add that the life-long passion of the late Austin Thomas was education, and he was the Chairman of the Berkeley Educational Society.

Mr. Speaker, I rise to ask that we send condolences to the family of the late Mildred Louise Symonds Dixon, a cousin of mine, and her son Robert, grandchildren, great-grandchildren, and great-great-grandchildren whom she leaves behind. She died in her 98th year after a long and fruitful life.

St. George's lost two great men, and I can say two great men, Mr. Speaker. One of them was former bandmaster Captain Horace Gibbons, who was given full military honours. I have to note that Bandmaster Gibbons also served as a band teacher at the old St. George's Secondary School, and also at its replacement, Clearwater Middle School. He taught a great many musicians, and he also played saxophone in his church, Richard Allen AME Church. He is survived by his wife of 72 years, Artimeza, and his sons Frederick and Melvin, many family members, and friends.

The other great man, Mr. Speaker, was the late St. Clair Robert "Andy" Smith. Andy Smith's athletic powers became apparent when he was just a school boy at East End Primary School. He excelled in both cricket and football, and was a renowned Cup Match player. A mechanic by career, he worked primarily at the Kindley Air Force Base, and when he retired he went to work as security at the Bank of Bermuda in St. George's. He is survived by his son Kallier, his granddaughters, grandson, great-grandchildren, and many family members and friends.

I also ask that we send condolences to the family of the late Brenda Marlene Durham Fray. She was a devoted wife, mother, and member of the Anglican Church. She will be sadly missed by her husband Kenneth; her children Tanya, Eric, and Loretta; her stepchildren; grandchildren; and family members as well.

Mr. Speaker, I also wish that condolences be sent to the family of the late Sheila Fiona West Gosling. If you knew Sheila, then you knew Sheila. If you did not, you missed something. That is all I have to say.

[Laughter]

Hon. Dame Jennifer Smith: She has left an indelible memory and legacy which lives on in her children and her grandchildren, Mr. Speaker. I do not think that the

community of Shelly Bay, Radnor Road, in particular, will ever forget . . .

The Speaker: Was she the golfer?

Hon. Dame Jennifer Smith: Yes, she was a golfer. She was a golfer; she was a great tourism ambassador. She did a lot of things for Bermuda, a one-of-a-kind.

[Inaudible interjection]

Hon. Dame Jennifer Smith: Yes, indeed. Mr. Speaker, finally . . . Okay. I will just sit down. Thank you, Mr. Speaker.

The Speaker: I am going to permit you.

Hon. Dame Jennifer Smith: My last one was going to be Victor Bridgewater, which was done. Thank you.

The Speaker: I am going to now recognise the Honourable and Learned Member, Mr. Pettingill, from Warwick West.

Mr. Pettingill, you have the floor.

Mr. Mark Pettingill: Thank you.

Mr. Speaker, I also wish to be joined in the condolences with regard to Ms. Sheila Gosling. I remember first coming back here as a young man, and she was an extremely energetic elderly lady. And on one occasion in having a party at my house in Somerset, she said she would like to deal with the Swizzle. And she showed up with her old-time washing machine, which she used to mix the Swizzle in, and it was indeed a memorable afternoon. And I thought of her very fondly the other day, and I was very sad to hear about her passing. I hope that her Swizzle recipe and her old-fashioned washing machine will go on for some time with regard to her family.

Mr. Speaker, I also rise on a very sad and personal note, for me. I felt like I had been struck a blow when I heard this news the other day in relation to a man that struck me many blows. I speak of my Karate Sensei, Mr. Kent Simmons. We had a meditative practise for him at the school where I teach with Sensei [Gladwin] "Roots" Phillips, Mr. Speaker, the other night, where he was fondly recalled by students.

He was a tremendous teacher of the martial arts and passed on a wealth of knowledge to his students over the years. And I am pleased to say I think that that knowledge will live on through the people that are still teaching martial arts in our community and to those students. He was a wonderful character. I am glad that he was at my house not so long ago, and we were happy to sit and talk. And he was even giving my son some instruction, who is now participating in the martial arts. So I was deeply saddened to hear of his untimely passing. There are many, many more people

that could have benefited from his wealth of knowledge.

My honourable friend, Mr. Ashfield DeVent, wishes to be associated with those comments with regard to Sensei Kent.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pettingill.

I am going to take the Honourable Member from Paget West, Mrs. Gordon-Pamplin.

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

Mr. Speaker, I would like to be associated with the remarks of condolences for Victor Bridgewater, my former school friend; Sheila Gosling, the lively and inimitable tourism ambassador; Tommy Aitchison, with whom I worked for a period of perhaps almost 10 years. I think he retired before I left the company, but we met occasionally, or we met annually at the alumni dinner from the KPMG family.

I would also like to be associated with the condolences to Leslie Wilson, from whom I purchased . . . He was a salesman who sold me my first pedal cycle, green, God-awful colour. But I had saved up my newspaper-route money, and he was the salesman who sold me that cycle and actually taught me how to change a flat, how to fix a flat, how to fix a puncture in my tire.

The Speaker: Which he never used.

[Laughter]

Mrs. Patricia J. Gordon-Pamplin: Mr. Wilson—I also went to school with his daughters Beverley and Rosina. So I would certainly like to share with them my heartfelt condolences.

I would like to ask that a letter of condolence be sent to the family of Milton Brito, who was the former owner of the Canadian Hotel. He was also a former water trucker, who lived over on Princess Street. And the Honourable Member Bob Richards would like to be associated with those condolences as well. Mr. Brito was another disciplinarian, Mr. Speaker. We seem to have lost some honourable gentlemen during the course of these past few weeks since we have recessed.

But also, before I take my seat, I would wish to be associated with those condolences to the late Member Austin Thomas. Mr. Thomas, as you know, was actually a constituent of mine, Mr. Speaker, before the boundaries changed. He lived up on Sylvan Dell. And I had the opportunity to visit him several times as I would canvass the area. But more importantly, he is a gentleman who, from a scriptural perspective, you would say that he was steadfast, unmovable, and always abounding in the works of the Lord. He was a man of integrity, which we heard yes-

terday in his service; he was a religious man. But he was one who offered an awful lot to the community.

He told me the story of his dismissal, or expulsion, from the Progressive Labour Party. He was pained by that. But he actually understood that he had something to offer this country when he continued his political career as being part of the formation group of the National Liberal Party.

Mr. Thomas actually . . . To show how he bridged the gap, I remember being the Shadow Minister of Labour, Home Affairs, and Public Safety and delivering a debate respecting the challenges of drugs infiltrating the prisons. And as I finished my presentation, I was called to the telephone, where Mr. Thomas had taken the time to phone to say that, "You are absolutely spot-on, right on target, and please continue to champion that cause." So I offer my deepest condolences to the family of Mr. Austin Thomas.

Thank you, Mr. Speaker.

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

I am going to take the Honourable Member, Mr. D. Burgess. Minister Burgess from Hamilton East has the floor.

Minister?

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

Mr. Speaker, I would like to be associated with the remarks concerning the former Member of this House, Austin Thomas. As it was said yesterday by former Premier Alex Scott, Mr. Thomas, in this House—he rose when the sun set, and he sat when it rose.

[Laughter]

Hon. Derrick V. Burgess, Sr.: Consequently, we have the policies in this House where you can speak only 20 minutes.

As Artie Simmons [PHONETIC] had said (another former Member of this House), "If Austin Thomas" (and I am paraphrasing) "set the template for setting the standards for families, we would not have some of the problems we have today." It was Austin Thomas who, in the late 1960s—early 1970s, said in this House, he warned this House about the scourges of drugs. I think if we would have paid attention to him, we would not have this drug problem today.

Mr. Speaker, also I would like this House to send condolences to the family of Ms. Faye White, a great woman, worked in the hotel industry. In fact, her son was, I think, maybe a superintendent or in the police force, Sinclair White. But this was a great, great woman.

Mr. Speaker, I would also like for this House to send congratulations to Bethel AME Church. I know churches have a Men's Day every year. But this one, in my opinion, was significant in the fact that we had

four young fellows under the age of 10 perform at a standard that I have considered what you will hear from adults. I would like to name these fellows. One is named Tory Cox. Leroy Lewis, Jr., is the grandson of Norris Burgess, so he has got to be a cousin of mine; Alsai Beach, and Canaan Tucker [PHONETIC]. Canaan Tucker is the son of Shawn Tucker.

The Speaker: Yes.

Hon. Derrick V. Burgess, Sr.: These young fellows, they really performed well in their church, made me so proud. I said, "Well, hey, if I didn't get anything out of that church, I got something from those four young fellows."

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Burgess, Minister Burgess from Hamilton East.

I am now going to take the Honourable Member, Mr. D. P. Lister, from Sandys South Central.

Mr. Lister, you have the floor.

Hon. Dennis P. Lister: Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning. First let me associate myself with some of the earlier remarks of condolences to the family of Mr. Austin Thomas. As already has been said, we all recognise him as one of the outstanding Members who have served in this House, and his legacy will live on as we remember the contribution that he has given to the country.

But I would also like to be associated with the remarks expressed by the Member Pettingill in regard to the passing of Mr. Kent Simmons. I too was shocked when I learned of his passing. It was quite often I used to have conversation with Mr. Simmons just walking through town when we used to bump into each other.

Mr. Speaker, I rise this morning to ask this Honourable House to join me in sending congratulations to the Seventh-day Adventist Church, my church, Mr. Speaker, in that just the beginning of this month we celebrated 25 years as a conference here in Bermuda. Although the Seventh-day Adventist Church, Mr. Speaker, has been in Bermuda since the late 1890s, we were here as a mission rather than a conference until gaining conference status in May of 1986.

And we celebrated this 25th anniversary basically with a three-phased theme. The first theme was "Treasuring Your Past, Embracing Your Present, and Anticipating the Future." Mr. Speaker, I married into the Adventist Church; I did not grow up as an Adventist. So I did not know all the real history of it. But I always knew this story that was told—

[Inaudible interjection]

Hon. Dennis P. Lister: Thank you.

But I always knew this story, Mr. Speaker, that was told around the family, around my wife's family, of how her ancestor was the earliest Bermudian to introduce the Adventism into Bermuda. And the proof of that has been put forward in writing now, Mr. Speaker, in the documentation of the history that was brought out in that the first Bermudian to introduce Adventism to Bermuda was one Nancy Lambert. Nancy Lambert is the great-grandmother of my wife.

So I was quite pleased to have the history recognised as it was, and more so, Mr. Speaker, pleased to see how the faith has grown over the years here in Bermuda and become one of the leading faiths here in the Island. I would like to have the Honourable House join me in extending congratulations to the Conference President Dr. Jeffrey Brown and the leadership and membership of the church.

But, Mr. Speaker, whilst recognising the church on a positive note and a congratulatory note, there is also a sad note that I would like to add to that. And that is, during this same period, we lost one of the former Presidents of the Church, Mr. Speaker, Mr. Alvin Goulbourne, who was one of the Mission Presidents back in the 1980s.

The Honourable Zane De Silva would like to be associated with that. Although he was not Bermudian, Mr. Goulbourne, Pastor Goulbourne, took to Bermuda as if it was his home, Mr. Speaker, and has a very long legacy of the contribution that he has given to the growth of the church in Bermuda, and his family. He still has two sons who live here in Bermuda, Mr. Speaker, and are part of the church and quite active in the church. We would like to see condolences extended to them.

Thank you.

The Speaker: Thank you, Mr. D. P. Lister from Sandys North Central.

I now am going to take the Honourable Member, Mr. E. James, who has been trying to catch my eye. The Honourable Member Mr. E. James, from Warwick North Central, has the floor.

Hon. Elvin G. James: Thank you, Mr. Speaker.

Mr. Speaker, I would like to be associated with the remarks, first of all, going out to Mr. Tommy Aitchison. I first met Mr. Tommy Aitchison when we were both living up in the Church Bay area. We became friends. And I became aware of his passion for cricket. And as the organiser of the Shell Youth tournament, he came aboard, and the first thing he talked about was doing statistics. And out of that, there came the idea of doing a cricket annual, which Shell sponsored for many years. So I just think the family . . . I have enjoyed the years working with Mr. Tommy Aitchison. He will be sadly missed by the cricket community as a historian and a keeper of records.

Also, I want to be associated with the remarks sent out to the family of Dr. John Cressall, who was

my doctor for many, many years, up until two weeks ago when I went in for my physical. He was a very passionate man, very understanding, very down to earth. And I understand Minister Blakeney would like to be associated because he has been his doctor almost 20 years, 24 years, as well.

[I would like to be] associated with the remarks given to the family of Ms. Doreen Woolridge, a lady who, as was stated earlier, pioneered in the officiating of cricket. And she made certain that folks sat up and took notice of what decisions she made.

Also, Mr. Speaker, I would like to be associated with the condolences given to the family of Mr. Austin Thomas. The thing I remember about Mr. Thomas is that he was not afraid to stand up for or say what he believed in. But what struck me most whenever I talked to him, or whenever he talked to me . . .

An Hon. Member: His eyes.

Hon. Elvin G. James: . . . were his eyes. He talked with his eyes. And the only other person I know that does that there is my good friend Mr. Artie Simmons, especially when he was in the union.

The Speaker: He could not do that as good as that, I am sure.

Hon. Elvin G. James: No. But we have certainly lost a lot of good people over the period that we were recessed.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Mr. James.

I am going to take the Honourable Member, Mr. N. Simons, from Smith's South.

Mr. Simons—is it still Opposition Whip?

[Inaudible interjections and laughter]

The Speaker: Opposition Whip.

Carry on, Mr. Simons.

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

Mr. Speaker, I would like to associate myself with the comments made in regards to Faye White, Leslie Wilson, Victor Bridgewater, Austin Thomas, Tommy Aitchison, Sheila Gosling, the Bethel AME Church.

I would like to also associate myself in regards to Bandmaster Horace Gibbons. I remember quite clearly that when I was between 14 and 16 years old, my father would trot the neighbourhood boys in the back of his car and take us to Admiralty House where we all learned how to play a musical instrument. I played the trumpet. Do not ask me to play the trumpet today, Mr. Speaker, because I have not had

one in my hands for about 40 years. But at that time, it was an experience that I will always cherish.

I would like to also associate myself with the comments made in regards to Doreen Woolridge. Ms. Woolridge was rather, rather opinionated, but a very, very generous person. You would go to her house, the dogs would greet you. There were two ponies in the backyard. And when you left, she would always give you a banana or a paw-paw or a citrus fruit, and something that she had baked. She always made you feel welcome, but she always shared with you what was on her mind.

I would like to also send congratulations to the Tourism Board, Mr. Speaker. The Tourism Board had a tourism retreat two weekends ago, and I want to say it was well done. They talked about the challenges facing tourism, opportunities facing tourism, investor challenges facing tourism, the transportation issues. All the stakeholders were there, the investors were there, the managers were there. I was even there, Mr. Speaker, an Opposition. So, Mr. Speaker, I want to commend the Tourism Board for a job well done. And we should have more—

[Inaudible interjections and laughter]

Mr. Nelson H. Cole Simons: And we should have more meetings like that across the Ministries.

[Inaudible interjections]

Mr. Nelson H. Cole Simons: And I would like to commend the Minister for having the vision and foresight for ensuring that those type meetings will be the start of many to come for all the departments in Government.

Thank you, Mr. Speaker.

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

I am going to take Minister De Silva, from Southampton East Central. Minister De Silva has the floor.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I would like to start off by associating myself with the condolences for Ms. Sheila Gosling. I think her character was well defined by previous Members, Mr. Speaker.

I would also like condolences to be sent to Mr. Mike Smith of Whale Bay, Southampton, who was a long-time friend of mine, Mr. Speaker, who hailed out of Canada who died suddenly this last week.

Mr. Speaker, also, I would certainly like condolences to be sent to the family of Mr. Timmy Pedro, who was a long-time employee—and I will declare my interest—of Island Construction, who lost his life, ironically, right outside the company gate. He leaves to mourn him his lovely wife Theresa and his beautiful

daughter Laurie. Certainly, MP Mr. Dennis Lister would like to be associated, Mr. Speaker. Of course, Timmy, unfortunately, lost his father last summer, so hopefully they have a happy reunion up in the Lord's place, Mr. Speaker.

Mr. Speaker, I would also like this House to send condolences to Mr. Anthony William "Tony" Correia, long-time resident of Dockyard. Mr. Correia, again—you know, I spent a lot of time with Mr. Correia. He taught me how to play Euchre, Spades, and of course—or any card game, Snooker game, ping pong. He was a long-time member of Watford Sports Club, Mr. Speaker. Also, he used to play cards with Timmy Pedro as well.

Now I am going to move on to a little more happier note, Mr. Speaker, if I may. I would like congratulations to be sent to a young lady, Ms. Deandra Brangman, who won Top Model Worldwide award, you may recall, whilst we were out for the break. This young lady is the stepdaughter of Raymond Ming, who a lot of folks may know through his brothers and their association in the music world, Mr. Speaker.

Mr. Speaker, it gives me great pleasure also to ask for congratulations to be sent to Nurse of the Year, Ms. Beverley Brangman, who was voted the Nurse of the Year by the Bermuda Nursing Association. She is a nurse of 16 years, and was nominated by members of the public and her colleagues.

Mr. Speaker, thanks very much.

The Speaker: Thank you.

I have got to take the Honourable and Learned Member, Mr. T. Moniz. Mr. T. Moniz from Smith's West has the floor.

Mr. Moniz?

Hon. Trevor G. Moniz: Thank you, thank you, Mr. Speaker. I will just be very brief.

I just wanted to add my condolences to the family of Tommy Aitchison. I always found him to be an extremely kind gentleman and very kind-hearted to everyone with his encyclopaedic knowledge of cricket. Whenever he saw me, he always regaled me with stories of my uncle S. A. Moniz [PHONETIC], whom he called "the great all-rounder," who left Bermuda many years ago to live in Australia and came back. But his knowledge was completely encyclopaedic and he had a very kind heart. I would like my condolences to be added.

Thank you.

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

I am going to take the Honourable Member Mr. T. Lister. Minister Lister from Sandys South has the floor.

Minister?

Hon. Terry E. Lister: Thank you, Mr. Speaker.

[Inaudible interjection and laughter]

Hon. Terry E. Lister: It is a joy to have my turn this morning.

I would like to . . . I am just going ahead of my uncle and probably taking the piece he wanted to say. But I want to extend my congratulations to Mr. Clement Talbot, who was just yesterday recognised by the Bermuda CableVision [Community Service] Award for his contribution to Bermuda. Mr. Horton, Mr. Blakeney—

An Hon. Member: Everybody!

Hon. Terry E. Lister: Everybody wants to be associated because, you know what? I was about to say that, whilst Mr. Talbot was being given this award because of what he was doing for the community, Mr. Talbot is worthy of the award because he is a true hero for Bermuda. And he is not only a hero, but he is that unsung hero. He is that person who has never tried to take credit for anything, but has simply been out there giving.

Clement has sort of hidden behind the tag of the Talbot brothers and the Talbot family. And the Talbot brothers were a supreme entertainment family and performers for Bermuda. And so he has allowed them to stand in front of him, and I believe it is time now that we actually recognised him for who he is, and he is really someone who has put Bermuda first and contributed in a way that has helped many, many in the country.

I want to be associated with the remarks as they relate to Mr. Austin Thomas, a very fine man who was properly eulogised yesterday in a very moving service. And I said to someone, "Given the fact that Mr. Thomas has made so many long speeches in Parliament, it would be inappropriate that he have a short send-off." So he had a long one.

Mr. Speaker, I also want to be associated with the remarks as they relate to Mr. Leslie Wilson. I had a relationship with Mr. Wilson over the years, working with him. And he was certainly a fine example of how a businessman operates. He also operated from the heart and with a sense of kindness. No one ever went in and out of Leslie W. Wilson's shop and felt that they had been taken advantage of, ripped off, or anything like that. But he actually went the other way and bent over backwards to make sure you were properly taken care of.

Lastly, I was actually shocked when I heard of the passing of Kent Simmons. Time moves on, you know. Kent was 60 years old. But I still think of Kent (like I think of myself, I guess) as a young man. Kent, as many know, is the nephew of our former Member Honourable Simmons, son of Clayton Simmons [PHONETIC]. He has been a man who has made a contribution in a different way. Here we have talked

about politicians and businessmen. But he was a man who got right down in the grass roots, contributed to Bermuda in that way.

He has about six children, and his youngest two, his two boys, have been representing Bermuda in sailing and have done a wonderful job. I remember the Honourable Premier Alex Scott, going into his office and looking at the picture up on his wall. And I said to him, "Do you realise who that boy is?" I did not know for sure or not, but it was actually one of Kent's sons who was on his wall doing the sailing and representing Bermuda.

Thank you, Mr. Speaker.

The Speaker: I think that I am going to take—

[Laughter]

The Speaker: —the veteran Member of Parliament, Mr. W. M. Lister, from Sandys South Central.

Hon. Walter M. Lister: Thank you, Mr. Speaker. You have been very kind.

[Laughter]

Hon. Walter M. Lister: I would like to be associated with the remarks that were given by Dr. Gibbons concerning the passing of Mr. Victor Bridgewater, who was a good friend of mine who passed recently.

I would just like to say, Mr. Speaker, that I think you and I may be the only two Members left in Parliament who actually served with Mr. Austin Thomas. And I think yesterday many of the things he had done were spoken about. He was an educator, as you know. That was one of his passions. But he was an excellent musician. And also, he had a perfect command of the English language. I remember when he got here on the floor of this House and he began to expound on the issues of this country and how he felt, it was beautiful to sit and listen to him.

Mr. Speaker, one of my early contacts with Mr. Thomas was in 1971 just prior to the 1972 election. You know, most of us here, we always talk to people before we come to this Parliament. And often, Thomas was one of the persons I talked to. He gave me great encouragement about coming and joining the Progressive Labour Party and coming as a Member of Parliament. But I was not successful in 1972, and he encouraged me to come on again.

But the thing about it, Mr. Speaker, he always looked back and tried to help those people who were in difficulty, whether it be in so many ways. And he was a man of the people of this country. I think yesterday was a fitting, fitting example, Mr. Speaker, to the contribution that he had made to this country.

Thank you.

The Speaker: Thank you.

I am going to take Minister Weeks, from Pembroke East Central. Mr. Weeks, from Pembroke East Central, has the floor.

Hon. Michael Weeks: Thank you, Mr. Speaker.

I too would like to be associated with the remarks and the condolences sent to Mr. Austin Thomas, his family, his wife Mrs. Eula Thomas, daughters Renee and Selena, and their grandchildren.

Mr. Speaker, I was honoured yesterday when the family called me a few days ago to ask me to give a tribute to Mr. Thomas at his funeral yesterday. Mr. Thomas was very important in my political life, Mr. Speaker. When I decided to run as an MP, his was almost the last voice I heard when I asked for his advice on what to do. Once I decided to run and became successful, he was there constantly, making sure that I was doing what I should be doing, not only in this Honourable House, but in our constituency.

So again, Mr. Speaker, I just want to be associated with those remarks. Thank you.

The Speaker: Thank you, Minister Weeks.

I am going to take the Honourable Member, Mr. C. Swan, from Southampton West Central. Mr. Swan has the floor.

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

I rise this morning to be associated with all the comments that have been passed and condolences for Mr. Austin Thomas and Tim Pedro, as well as Leslie W. Wilson, all of whom I have had dealings with over the years. In addition, Mr. Speaker, there were a few people who have passed away while we have been in recess in various constituencies, but with whom I am also acquainted through knowing the families since infancy, or what-have-you.

I am going to start with William Henry Edness, condolences to be sent to his wife Pat up in White Hill. Growing up in White Hill, everybody knew one another.

[Inaudible interjection]

Mr. Charles F. B. Swan: That has been done? Oh.

I would like to associate the new Deputy Speaker and the Honourable Member Mr. Horton with these remarks. But the Edness families are long-time residents of the White Hill area. We went to school together with the kids, played with them, and the like. So I would like condolences to be sent to his wife Pat and the rest of the family.

I would also like this House to send condolences to—and I will call him “Reverend” Basil Lindsay, again a family that we grew up with. It is quite funny, in our younger, playful days, one of his sons Donny, or Donald—the other son is Michael—they used to have to sneak out of the house to head up to

Half & Half Disco at Princess Hotel. We had a lot of fun. But I would like the House to send condolences to the Lindsay family.

Douglas Allan Mackie passed away on the 13th of April. Mr. Mackie was one of the people who was influential in assisting or working with my father in starting the business that is now C. F. Batson Swan Ltd. plumbing, and we have known him and his family for quite a long time.

Joan White, again, associated with our firm. Joan White . . . I am not sure her age at this point, but she has passed away, and a long . . . really worked until the very, very end, very active within the Pink Ladies and what-have-you.

The last one, Mr. Speaker, before my time is up, is David Thompson. Most people will not know him, but I attended school, Warwick Academy, with David. And I know we used to fix up Mobyettes together way back in the day. He was always prided with the care with which he was able to sort of—I will call it “rectify” his Moby to his taste. He had a long battle with cancer and has passed away.

Thank you, Mr. Speaker.

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

I am going to take the Honourable Member, Minister Butterfield. Minister Butterfield, from Pembroke West Central, has the floor.

Minister?

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

I first want to send congratulations to the Clearwater Middle School on the honourable assembly. And I am sure that Minister Blakeney would like to be associated with these remarks, as he was the guest speaker, with the number of young people who were on First Honours, Mr. Speaker, quite a number of them.

Also, congratulations to the CedarBridge Academy for their second annual 100 Women On Campus Day. The theme was “Women Inspiring Young Women to Dream,” and it was really a wonderful event, even the opening ceremony where they saw so many young girls displaying what they can do. So I was quite pleased to be there. I am sure the Minister of Education would also like to be associated with these remarks.

Now for the condolences. I would like for condolences to be sent to the family of the late [Dawn] Louvain Fuhrtz [nee] Butterfield. She had a natural flair for fashion, and she expended her talents—even though she lived overseas for awhile, but she owned her own boutique when she came back to Bermuda, called Louvain’s Imports, and just recently was working at Calypso. So I would like for condolences to be sent to her family.

Also, the late Avery Smith. She is the wife of Mr. Cecil Smith, the organist at St. Paul's AME Church. I would like for condolences to be sent to him in the passing of his wife, and I would like to associate Cole Simons with these condolences.

Also, the family of Randy Kenneth Robinson, the young man who was gunned down, to his family, especially his mother Roydelle, who is still having some very difficult times right now. But I would like for condolences to be sent to his family.

Mr. Speaker, I would like to be associated with the condolences toward Leslie Wilson, who is in the constituency of Pembroke West Central; Victor Bridgewater, if I could be associated with those; and also the condolences for Austin Thomas.

I guess I knew him different from what I have heard this morning and also yesterday at the funeral service. I can recall when I was transferred from another high school to the Prospect Secondary School for Girls and was in his music class. So I got to see those eyes quite often. And at that time, for some of us he would play his music and tell us, "Listen to Bach," and all kinds of those musicians. And he would get us to listen. But, you know, as young girls, you got bored. So we started to pass notes around, as was said yesterday, especially the class of 1996.

And I remember when one note was passed to me, and all I saw were his eyes and his hand slamming down on that table—caught! So I can recall all of that. Then he became the home teacher. And during that time, you had to decide to sign up if you were going to be in the commercial class or in the GCE [General Certificate of Education] class.

Well, who told me to put down commercial? I thought I could be a secretary, similar to my mother. And he says, "Oh, no. You are an honour student. You are on the honour role every turn. And I think you should sit your GCE's." So he was always one who counselled you and always one who steered you in the right direction.

But it was not until in 1998 that I was, I would say, appointed to the Treatment of Offenders Board. And Mr. Austin Thomas was there, along with Marlene Butterfield Landy. And of course, they had asked me to go in as the chairman. And I said, "Me? Mr. Thomas was my schoolteacher. I could not see me over him." So anyway, I decided to go in as the co-chairman back then, and I said to Mr. Thomas that, "I would like to see how things go under him." So that went on for a few months, and then when you, you know, elect the board members again I became the chairman. But it was in 2001, and at that time it was also the Parole Board.

But it was in 2001 when the headlines read, "New Parole Chief Laments Prison Drug Problem." I kept this, Mr. Speaker, in another place so that my students could read it. I kept it right there on the wall for all those years. And we are looking at 10 years ago since the problems that we had within the prison

walls . . . And at that time it was such a problem that I decided to quit serving on the Treatment of Offenders Board, and he then became the chairman.

We kept in touch. I remember when we had to do reports here in this very House, of the Parole Board. He would call and say, "Neletha, can I get a copy of those reports?" So from that day up until the last time we were in this House of Assembly, I continued to take copies of reports of anything that came to this House and gave those reports, through his daughter Renee, to him. And he called occasionally to thank me for thinking of him for that.

So I was very proud to get some tutoring under him, and also some lessons in how to run the Treatment of Offenders Board and the Parole Board. And he surely will be missed.

Thank you, Mr. Speaker.

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

Any further speakers?

I now recognise the Honourable Member. Mrs. Jackson, Mrs. L. Jackson, from Pembroke South West. Mrs. Jackson has the floor.

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

I would like to be associated with the condolences sent to Austin Thomas. I was a former teacher and had the privilege to teach Austin. And he has to be one of the most eloquent students that I ever taught. His English teacher, of course, admired him. We all did. This man went on, as you know, to be an orator and a politician. I am absolutely in awe of what he did with his life, as I said, as one of my former students. I always looked up to him and thought, "What a man you have become!"

I also would like to be associated with the condolences sent to Dr. Cressall. And I would like to associate the Honourable Member, John Barritt. This physician was one who had, as you know, hundreds and hundreds of patients, and many of them were seniors, elderly people. This was a man who would visit them, go to their homes. I know this because he treated one of the members of my husband's family. You could call him day or night and, as I said, he would get in his car and come to the house, something that so many doctors do not do today.

I would also like to be associated with the congratulations sent to the Nurse of the Year, Beverley Brangman. This dear woman was the nurse for my late husband, Albert Jackson, when he was in hospital. And she was just streets ahead of many, many of the nurses that I have encountered. Mind you, our nurses are first-rate, and I want to congratulate them. During the Nurses Week, they have done a superior job. What a dedicated group of people they are! So I want to send congratulations out to them.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Jackson.

Are there any further? [INAUDIBLE] has given up.

I recognise the Honourable Member, Mr. M. Bean, from Warwick South Central.

Mr. Bean, you have the floor.

Mr. Marc A. R. Bean: Thank you, Mr. Speaker.

Mr. Speaker, I would like to be associated with the condolences given to the family of Mr. Victor Bridgewater. Mr. Bridgewater's son, Kyle, is one of my best friends. His other son, Craig, is a close friend of mine. And naturally enough, I call his beloved wife "Mother Marva." So obviously, I would like to be associated with the condolences to Mr. Bridgewater.

Likewise, I would like to be associated with the condolences to the late Mr. Austin Thomas and his family. I did not have a chance or opportunity to really know Mr. Thomas, Mr. Speaker. But rest assured, I can gather that Mr. Thomas lived his life to the fullest. So, while his passing may be difficult for his family, when a man fulfils his life purpose, especially in service to his country, there can be nothing but deep, imbedded joy on such an occasion, even going through such a transition.

But, Mr. Speaker, while that is not burdensome, what is burdensome is the condolences that I now ask the House to give to the family of the late Mr. Jason Smith, who was gunned down a couple of weeks ago in Pembroke. I did not know him personally, Mr. Speaker, but I know his cousins and relatives very, very well.

Likewise, Mr. Speaker, condolences are asked to be sent to the family of the late Mr. David Clarke, Jr., who was also gunned down in the Parish of Pembroke a few weeks ago. Rest assured that, while it is difficult for our elders to pass through to the next life, it is almost impossible—we cannot even conceive what it is like, Mr. Speaker, to be a parent and having to bury your child. So I would like for this House to send condolences to the families of Mr. Smith and Mr. Clarke.

And in terms of congratulations, Mr. Speaker, I ask that this House send congratulations to the under-16, I believe, women's netball team [of the Bermuda National Youth Netball Team] that successfully defended a competition in St. Kitts a few weeks ago. My niece, Asante Chapman, is a member of that team, and I was very pleased to see the young ladies progress and represent the country.

Lastly, I would ask that congratulations be sent to every single participant who represented Bermuda, Mr. Speaker, in Jamaica at the recently concluded CARIFTA Games. I had opportunity to watch the CARIFTA Games on TV, and so that means I obviously was not in Bermuda, Mr. Speaker. And it really made me feel good. I saw a young lady—I think her name is Zakiyah Showers. She medaled.

[Inaudible interjection]

Mr. Marc A. R. Bean: She did not? Well, a young girl, Showers, and there was another young gentleman who represented the country. I do not know their names, Mr. Speaker, and I apologise. But they really represented this country very, very well. And that goes for the entire team that represented us in Jamaica.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Bean, the Honourable Member from Warwick South Central.

I am going to take Minister Minors. Minister Minors, from Smith's North, has the floor.

Minister?

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

I would like to be associated with the condolences being extended to the families of Mr. Austin Thomas, Mr. Victor Bridgewater, Mr. Jason Smith.

I would also like to be associated with the congratulations being extended to Deandra Brangman. I had the occasion to meet with her and her parents a couple of weeks ago. This is the most remarkable woman, young lady, who is intent on representing Bermuda as best she can. She has a passion for the profession for which she has entered, and I am most encouraged that she will represent us well. In fact, she will be back here in the summer to participate in a grand event that would happen within Hamilton, that we will see all her talent on display.

I would also like to be associated with the congratulations being extended to Bermuda's netball team, the under-16s that represented us well. They are to be encouraged.

Mr. Speaker, I had the occasion yesterday to be reading the daily in which I saw the heading that said, "Primary School Launches Its Own Tourism Campaign." I took the opportunity to have the school called, and in doing so made arrangements to go and visit them this morning. This class, the Primary 4 class, led by Ms. Ming, over the past two weeks had studied tourism, gone out and interviewed and went to visit hotels, and did a remarkable job.

One of the young people, a young lady named Cree Dunn [PHONETIC], did a most spectacular home video of her experience, where . . . and I am seeking to get access to it so that it might be shown on CITV, a most commendable effort. So I would like to have congratulations extended to this P-4 class at Harrington Sound Primary School, led by Ms. Ming.

Lastly, Mr. Speaker, on April 19th, I believe, I had the opportunity while in New York, a spur-of-the-moment thing, to attend an art gallery called Agora Gallery, where the theme of the show was "Altered States of Reality." Mr. Speaker, at this show was on display the most vibrant photographs of our very own Bermudian Kelly Hunt, the wife of Donte Hunt. I just want to make sure that she . . . While in her humility

she has not made known publicly her pursuits and her accomplishments in the Big Apple, the big city of New York, I just wanted to make recognition of this accomplishment and put her on note.

Thank you, Mr. Speaker.

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

I now recognise Minister Blakeney. Minister Blakeney, from Devonshire North Central, has the floor.

Hon. Glenn A. Blakeney: Thank you and good morning, Mr. Speaker.

I would like to be associated with the condolences sent to the families of the late Mr. Austin Thomas, Mr. Victor Bridgewater, and my Doctor Mr. John Cressall.

On a brighter note, I was not going to do the congrats today because I have a plethora of congrats . . .

[Gavel]

[Inaudible interjections]

The Speaker: Just wait a minute. That is all right. Carry on, Minister.

Hon. Glenn A. Blakeney: Yes. I have a plethora of congrats to make which will be done during the ensuing session next week, Friday, in a Ministerial Statement which will cover not just golf and rugby, but sailing, cricket, swimming, netball, skiing, and equestrian.

However, with regard to the CARIFTA Games, I would like to congratulate the entire team, as the Honourable Member Mr. Bean just noted: Kyrah Scraders, Bruce DeGrilla, Ashley Berry, Shaquille Dill, Dage Minors, Tyrone Smith, Aaron Evans, as well as Lamont Marshall in track, but not with the CARIFTA. They all enjoyed incredible success, particularly those that were involved with the CARIFTA team. And I might add that CARIFTA will be staged here in Bermuda next year, with Bermuda being the host country, inviting some 26 Caribbean Islands here to compete in that very wonderful youth athletic event that highlights the talent throughout the Caribbean region, in track and field, particularly.

So next week, Mr. Speaker, I will be more able to elaborate on all of the sports during our recess that enjoyed success with Bermuda's talented athletes participating both locally and internationally. Thank you.

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

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

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

Mr. Speaker, may I be associated with the condolences (begun by the Honourable Member, Mr. Marc Bean) extended to the family of Mr. Jason Smith, to his parents, Mr. and Mrs. Michael Smith. [Jason Smith], as we all know, was violently gunned down in a firearms crime during the course of our adjournment from the House.

Mr. Speaker, I had the honour of attending and wish to be associated with the condolences offered to Mr. Victor Bridgewater's family, to his wife Marva, and to his two sons Craig, who is well associated with the Berkeley Institute's board, and Mr. Bridgewater's other son, younger son Kyle.

I wish to be associated with the condolences, too, of Mrs. Faye White, the mother of the Director of the Financial Intelligence Agency within the Ministry of Justice, former Superintendent Sinclair White. And, sir, may I also be associated with the condolences offered to the families of Mr. Austin Thomas, Mrs. Gosling.

Mr. Speaker, I wish to be associated, too, with the kind congratulations being paid to Mrs. Hunt, the spouse of Honourable Member, Mr. Hunt, as represented by the Minister of Business Development and Tourism, showing in that New York gallery.

Thank you.

The Speaker: Thank you, Minister Scott.

Any further speakers?

No further speakers?

I would just like to add my tribute of condolences to the former Member Mr. A. R. Thomas, Austin Randolph Thomas.

Everybody knows, I think, that I have sat in this House with the former Honourable Member. And Mr. Thomas—believe me when I tell you—he was the most eloquent person that has sat in this House, unsurpassed. Not only a debater, but eloquent in what he had to say, who commanded the attention of everybody.

I used to take great delight in watching some of the other Members imitate the gyrations that Mr. Austin used to go through, apart from those white eyeballs moving.

[Laughter]

The Speaker: Austin also would tug at the top of his trousers! And this went on incessantly. He was a character when it came to that.

He was honest. He was sincere. And, as you know from having met him, he was very liberal in his advice. Even I was chided by Mr. Thomas. And it made me sit up. I am sure he did that with many, many other people.

I can remember when I had the distinct pleasure of assuming the role as the Speaker of the House,

Mr. Thomas, he was so ecstatic, overjoyed, you would think that he had been elected. But I can tell you, I was immediately subject to instruction. "Stan! Stan, do this." But that was the way of Mr. Austin Thomas. He was indeed a very lovely man.

We know that he has made a contribution. His mantra had to be, *If I can help somebody along the way, then my living will not be in vain*. And you know, we heard it yesterday about a sermon. Austin lived a sermon. You did not have to wait for Sunday morning to hear a sermon. He lived it! And we know that his living has not been in vain.

Our condolences go to his very lovely wife Eula and daughters.

[Desk thumping]

The Speaker: 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: I recognise Minister G. Blakeney, Minister Blakeney from Devonshire North Central.
Minister?

An Hon. Member: He is leaving.

Hon. Glenn A. Blakeney: I do concede to my honourable colleague.

The Speaker: Well, you have to tell me that before you take your seat.

Hon. Glenn A. Blakeney: I do apologise, Mr. Speaker.

The Speaker: All right. Thank you, Minister.
I am going to recognise Minister Z. De Silva, from Southampton East Central.

PSYCHOLOGICAL PRACTITIONERS AMENDMENT ACT 2011

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I am introducing the following Bill: the Psychological Practitioners Amendment Act 2011. This Bill seeks to amend the Psychological Practitioners Act 1998 to require that psychological practitioners have both practical experience and continuing education credits for the renewal of a certificate; to remove a restriction on practising based on an old age; and also to allow members of the Bermuda Psychologists Registration Council [BPRC] to be paid a fee.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister De Silva.

Now I recognise Minister G. Blakeney from Devonshire North Central.

Minister?

ADOPTION OF CHILDREN AMENDMENT BILL 2011

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

I am introducing the following Bill: the Adoption of Children Amendment Bill 2011. This Bill seeks to amend the Adoption of Children Act 2006, the principal Act, to facilitate implementation of the principal Act and new rules and regulations to be made under that said Act.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Under Standing Order 28, no leave of the House is required.

We will move on.

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: That brings us to Orders of the Day.

Order No. 1, the Second Reading of the Bail Amendment Act 2011, in the name of the Minister of Justice and Attorney General.

Minister?

Hon. Michael J. Scott: And we will carry that over, please.

The Speaker: It is being carried over.

That brings us to Order No. 2, Second Reading, the Firearms Amendment Act 2011, in the name of the Minister of Justice and Attorney General.

Minister?

Hon. Michael J. Scott: Thank you, Mr. Speaker. I am in your hands.

The Speaker: Minister Scott has the floor.
Minister, carry on.

Hon. Michael J. Scott: Mr. Speaker, I wish to move that the Bill entitled the Firearms (Amendment) Act 2011 be read a second time.

The Speaker: Any objection?
Agreed to.
Carry on, Minister.

SECOND READING

FIREARMS AMENDMENT ACT 2011

Hon. Michael J. Scott: I note the time, Mr. Speaker. I am in your hands if you wish to catch the eye of the Premier.

But the general debate of the Bill . . . Mr. Speaker, I am pleased to present to this Honourable House the Firearms Amendment Act of 2011. Simply put, these legislative reforms and amendments are intended to remove the concept of police detention from section 29A of the Firearms Act 1973.

Mr. Speaker, by doing so, it will have the effect of allowing persons arrested by the police on firearms and ammunition-related offences to be held for 14 or through to 28 days of remand in correctional facilities, instead, Mr. Speaker, of being held in a police cell, so as to avoid either injustice or overwhelming the limited holding capacity of police station facilities.

Mr. Speaker, several factors have contributed to the proposal of the amendments before the House today. Firstly, it should be pointed out that the concept of police detention was introduced into Bermuda law by amendments to the principal Act in July of 2010.

Mr. Speaker, it is a concept integral to the administration of justice in Bermuda in the current climate of firearm crime and to cover cases where sufficient grounds exist to arrest someone, and where at that point they are not yet judicially convicted and should be held in a corrections facility reserved for persons found guilty of the offences for which they have been arrested.

Mr. Speaker, I pause.

The Speaker: You pause?

Hon. Michael J. Scott: Yes.

The Speaker: I have caught the eye of Madam Premier.

Madam Premier, what is your disposition?

Hon. Paula A. Cox: Mr. Speaker, given that it is past 12:30, I would certainly suggest we adjourn for lunch.

The Speaker: Yes. All right.

It has been moved by Madam Premier that we adjourn for lunch.

Any objection?

Agreed to. The House stands adjourned for lunch and will resume again at 2:00 PM.

Proceedings suspended at 12:34 pm

Proceedings resumed at 2:03 pm

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

SECOND READING

FIREARMS AMENDMENT ACT 2011

[Continuation of debate thereon]

The Speaker: We are going to resume debate on the [Firearms Amendment Act 2011](#), in the name of the Honourable and Learned Member, Minister M. Scott, the Attorney General.

Minister Scott has the floor.

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

Mr. Speaker, just before the lunch break I was advising the House about the factors which had contributed to these amendments. I will pick up, if I may, by stating that Bermuda remains true to our principle, and we will endeavour to maintain this principle to the fullest extent feasible, given the limitations to be contended within the framework of the administration of justice. In this particular instance, one such limitation is the crucial factor of the capacity of our pre-conviction police holding facilities, Mr. Speaker.

Mr. Speaker, in the wake of the amendments of the principal Act of 2010 allowing for increased detention for firearms (that was the reference, Mr. Speaker, to the 14-day period and the 28-day period with the leave of the court, all related to firearm offences), consequential additional demands have been placed upon the utilisation of police cells. This is related in no small measure, Mr. Speaker, to the increase in gun crimes in our country. It is to counteract this menace and to restore Bermuda to the peaceful normalcy of little to no firearms and homicides that, not so long ago, we enjoyed within our midst, that the extended police detention measures have been enacted in the first instance.

Mr. Speaker, these measures in turn have entailed not only an increase in the number of such detentions, but also the notable extension of the duration of time for those who are held in police custody, compounding the demand for holding facilities. The longer persons are detained for purposes of preventing and investigating such crimes, the greater the likelihood is that those being held will occupy facilities required for those subsequently arrested for offences.

Mr. Speaker, once a person is suspected of committing a firearms- or ammunition-related offence, they may remain uncharged as a result of the police or Director of Public Prosecutions sending evidence abroad and waiting for forensic results. It was this consequence that drove the need to have the option to detain such a person on remand for 14 days or 28 days following a Supreme Court hearing. This would proceed from the first two- to three-day routine police investigation, where the suspect would have been held, as per the norm, in police cells.

Mr. Speaker, human rights considerations and more practical considerations, including the pressing need to successfully prosecute those who commit gun crimes, compel us to take the measures provided for in this Bill. The reality is that, at present, the police cells are inadequate in size and other attributes to meet the demand for arrest accommodation outlined above. Neither do police holding facilities have other necessary requirements, such as an exercise yard, to accommodate any persons for more than a few days, as per the intent of the design of the police station cell.

Consequently, Mr. Speaker, these measures are taken to juggle the many law enforcement responsibilities imposed by the pressing gun crime circumstances of our times. Bermuda needs to continue to ensure that those who are apprehended for these crimes do not walk away to continue to perpetuate them, or, indeed, to become their victim.

There is a corresponding need, Mr. Speaker, to ensure that the time for fair investigation is afforded the authorities by a combination of committed and determined law enforcement regimes working in tandem with a decisive judicial process. Ultimately, there is also a need to ensure that our laws and the standards that make our society an enviable place to live are not unduly compromised.

It is for all of these reasons, Mr. Speaker, that consequential amendments are brought to the House today for consideration. With those remarks, Mr. Speaker, I have introduced the Firearms Amendment Act of 2011. Thank you.

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

Any further speakers?

I now recognise the Honourable and Learned Member, Mr. J. Barritt, from Devonshire South Central. Mr. Barritt has the floor.

Mr. John Barritt: Thank you, Mr. Speaker.

Colleagues on this side have asked if I would speak to this, and I am happy to do so.

First of all, Mr. Speaker, before he, you, or anyone else, makes any jokes in what capacity I do that, let me just say that everyone, I think, is well aware of that rule, Standing Order 19 (I forget which subsection it is), that says we cannot talk about mat-

ters that are *sub judice*. And, of course, there is some question, I think, with me being the object of a suit as to precisely what my status is.

[Laughter]

Mr. John Barritt: So I would, through you, sir, ask Members not to go in that particular direction as it is a matter which would appear to be *sub judice*, as I am under suit from two of my colleagues.

The Speaker: Yes, yes. I will do my very utmost to see that they do—

Mr. John Barritt: Thank you, Mr. Speaker. I just thought it important to get that out on the table.

I do speak as a Member of Parliament, as an attorney, and for my colleagues on this side, with respect to this Bill. It is our considered view that it is one that warrants and deserves our support. And let me say why.

In his brief, which, I might say, Mr. Speaker, the Honourable and Learned Minister, the Attorney General and Minister for Justice shared with us here today—how very welcome that is, Mr. Speaker, and appreciated, as well. As we follow along and try to understand what we are doing, it really, really helps, Mr. Speaker. And I think it is going to engender the kind of dialogue and debate that we want to have in this House on the issues of a Bill.

On this one, as I say, we are not joined; we are, in fact, agreed. So there will not be, I hope, too much of a debate or any disagreement.

What the Minister said in his brief at one part was that this Bill is in no small measure related to the increase in gun crimes in our country. Well, that, I would suggest, Mr. Speaker, is an understatement. There is no question that we need to put in place, and review what legislation we have to tackle this problem, to make sure that the police and other authorities in this country have all the tools that they need to get on top of this problem before this problem gets on top of this community and on top of us.

And on that, the Government can be assured that they will have our continued support on this side. They will still have, however, our critical eye to deal with as we look at this legislation.

As I looked at this legislation and I listened to the Minister's brief, it reminded me of a case where the train has left the station and now we are busily laying track in order to make things go forward. Why do I say that? Because, as the Minister candidly admitted in his brief, when we passed this legislation to allow for the longer detention of people who are suspected of offences with firearms, they could be held longer.

Obviously, at that time, it was a move that the police felt was necessary for the purposes of investigating, and purposes of investigating in terms of ac-

quiring forensic evidence, Mr. Speaker, which can be crucial in gun cases with respect to gunpowder and other traces that are found on people or their clothing as the result of the use of a firearm. But of course, what was overlooked, or perhaps what was not foreseen at the time, was where these people would be held. And part of that is, what sort of numbers are we talking about? Of course, the numbers we are talking about are far more numerous than we would like, not that even one firearm suspect is acceptable.

Obviously, the new police detention cells, or the holding cells—and I presume that includes the ones at the new Hamilton Police Station—are simply not adequate enough to do the job. We have got to move to step number two, which is, if you are going to be able to hold people for these lengths of time, what we are doing here today (that is, 14 or 28 days, two to four weeks), Mr. Speaker, . . . the idea now, as I understand it, is to move to allow them to be held at Westgate. I presume it is Westgate and not the Co-ed Facility, not the facility down at Ferry Reach, Mr. Speaker. I think that is the case.

[Inaudible interjection]

Mr. John Barritt: It could be; I do not know.

The Speaker: “Correctional facilities.”

Mr. John Barritt: It says “correctional facilities,” exactly, Mr. Speaker; we do not know.

An Hon. Member: They are all correctional.

Mr. John Barritt: I beg your pardon?

An Hon. Member: They are all correctional.

Mr. John Barritt: They are all correctional facilities, so it could be any of them, I guess.

[Inaudible interjection]

Mr. John Barritt: That is right. If they are females or youths, I suppose they would go to that correctional facility.

But what we need to hear, I think, with respect to this particular law, and what is now proposed, is that we do have the capacity to hold these people at Westgate, or whatever correctional facility is appropriate, depending on the offender; that there are provisions in place for this sort of accommodation to occur. Because this can be the trouble with so many laws, and you hear people say it all the time. We pass laws; they sound good, they look good. But then it appears they are not enforced.

I think the most obvious one there is cell phones, Mr. Speaker. Don't let me go there! I know you are not going to let me go there. I could go. It

seems to be more prevalent an activity than it was before we passed that law. And people wonder, I mean, “Why are you passing these laws?” And they are supposed to be offences, and they are not enforced.

Although this may not be the issue here of enforcement, the question is, We are passing the law; have we got the infrastructure in place to sustain what is now required? Because you are going to put people who are suspects down in Westgate or whatever, which is now almost a different category of prisoner, if you will, Mr. Speaker, as opposed to someone who has been convicted and imprisoned, someone who is on remand. Are they going to be treated the same as people who are on remand? Or is there something else?

So, what is the plan with respect to people who fall into this category who will now go into correctional facilities? Are our correctional facilities able to cope? I would presume they are on notice and on board with this, having been consulted. Certainly there would have been a Cabinet paper that would have gone to all the relevant Ministries and Ministers so they could sign off on it, so that they know what is coming.

What I would like to hear, what we would like to hear on this side, and what the public would like to know, is that all is in place for this to work; that there are both the manpower, the actual physical facility, and funds (if more funds are required for this) in place for this to actually happen. And not only for it to happen, but for it to work the way it is supposed to work, because that is ultimately what we want to do and achieve up here—not just pass a law, but pass a law that is actually going to work, that when translated from paper into practise is going to work.

Those, Mr. Speaker, are my comments, certainly, and my questions with respect to this particular Bill. I look forward to the answers to those questions as we give the Government our support for the principle and what is being asked of the legislature here today.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Barritt, the Honourable and Learned Member from Devonshire South Central.

Just before I call on the next speaker, I have been informed that the wireless Internet is up and running again, for those who may have realised it was down.

[Inaudible interjections and laughter]

The Speaker: Any further speakers?

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

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker.

I just wish to put in my comments about this amendment to the Firearms Act, which actually allows people to be incarcerated at a place other than a police station.

The situation, especially with PACE [Police and Criminal Evidence Act 2005] now, is that any place, any holding area where a person is held in custody before, if you like, receiving a sentence has the certain configuration, has certain amenities that heretofore were not available.

Police stations are really not properly suited for a long period of holding. I could use the word "incarceration," but this is before they have actually been sentenced, and they are actually on bail. So the issue under the PACE regulations is, How do you hold a person within the regulations at a prison rather than a police station?

And I know that prior to the proper amendments being made permission had to be gained from the Commissioner of Prisons to actually hold someone before they had actually been given a sentence to prison. They would stay, they would languish in the police cells until such time that permission was granted. And if there was any reluctance for the permission to be granted, that person, unfortunately, would stay for an extended time in what were totally not quite adequate conditions.

Before we built the new Hamilton Station (what is now the Hamilton Station), the old building was totally inadequate. And on many occasions it was extremely onerous on the arrested person to have to stay in Hamilton for much past 72 hours, much past the weekend. This amendment certainly does alleviate that issue.

I did hear the speaker before me say that there are reservations about holding a person in Westgate, in what was described as conditions that would bring them in contact with, if you like, persons who had already been sentenced. It would appear that the reservation comes from what would be the mixing of a person who is actually simply on bail prior to providing a sentence, with prisoners who were (quote-unquote) "hardened" or had committed a criminal offence were sentenced. But that issue—if the two types of prisoner were actually brought together or held together—would be an issue. I would have to concur, if that were the case.

But it makes sense to appreciate that there would be complete segregation of the two types of persons—the person who is on, if you like, remand before a sentence (or, you know, on bail), and the person who has received a sentence. So I do appreciate that perhaps some amendments would have to be made, or adjustments made to the present setup in the prisons. And I am certain that the Minister of Justice, when he gets the opportunity to speak to this issue, will give us further explanation as to how that could or would be done.

You know, this whole issue lends itself to a wider discussion, Mr. Speaker, about the present arrangements and conditions at Westgate, in particular, where (and by extrapolation) we are finding that there is a different type of prisoner, if you like, heretofore, prior to the shooting incidents, the firearm incidents. Even the type of person who was in for homicide or murder would have been a person who perhaps would have done a domestic murder or one that would have been an isolated incident. And those people (murderers), that type of prisoner, would easily have been able to be held in segregation, or isolation, if you like, from other prisoners because of the relatively small number of offenders.

However, going forward, and with the present situation, we are seeing increasing numbers of people who have been convicted of homicide and using a firearm, which means that it is a particular mindset of that prisoner. We find that increasing numbers are being held at Westgate. Hence, some comments made by yours truly (in my capacity as Minister of National Security), that we may wish to actually rearrange or reassess, re-evaluate the entire spectrum of how we incarcerate or hold people in Westgate. I mean, of the whole prison, Westgate provides the highest level of security, and it would appear that the population there is being actually populated with people who are very serious offenders.

So, while we have the necessity on the one hand to hold people in for longer extended periods before conviction, there is now the added responsibility of looking at the entire issue of how we hold people and how we segregate them once they are in custody so that there is neither collusion nor overlapping of the different levels of people held in that facility.

There are several issues that come about as a result of our enhanced legislation to deal with a specific type of prisoner, or perpetrator. And that is the firearms offender, or those who use firearms and do have gang association. They pose a special case. And that is why I can see that the Minister of Justice has brought this legislation, Mr. Speaker.

I would hope that more people would speak to this issue. I did take to my feet with a bit of alacrity, Mr. Speaker, because I perceived that others would rise before me. They did not do so, and I thought that we would have had a more fulsome debate on this matter because it is truly a paradigm shift as to how we deal with people on bail before charge, and certainly how we deal with people after they are incarcerated.

I would anticipate that some other Members across the floor would want to join in this debate so we can really flesh out some of the issues. And certainly some of our defence counsel, I would imagine, should take the lead. I am not trying to micro-manage the other side, Mr. Speaker. However, I do hear a few comments, and I hope that at least my rising to my

feet would provoke some response from the other side.

Thank you very much, Mr. Speaker. I will have my seat.

The Speaker: Thank you, Minister of National Security, from Pembroke Central.

Any further speakers?

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

Mr. Moniz, you have the floor.

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

I can count myself as being provoked there by the Honourable Member, the Minister for National Security. No, I was certainly always going—and that is why we have done it in this order. Although I am the Shadow for Justice, I thought it more helpful for me to speak after the Minister of National Security, as I am also the Opposition Spokesman on National Security in this place for the Opposition. And my honourable and learned friend, Mr. Barritt, covered most of the immediate points with respect to this for the Minister of Justice.

You know, those were the concerns, that there is space available at the correctional facilities; that it is appropriate space; that the prisoners are being separated, presumably, from people there for incarceration, and also probably, I guess, from people who are there on remand while waiting for trial, ones who have already been charged or are there under different conditions. Those also have to be separated.

So the question is, Do you have the space available? Do you have the personnel available? Then it is, Do you have the budget available? This is an additional expense. So, is the budget there?

Going back to the budget matters generally, one of the things with which I was always concerned was that . . . in the papers before the budget was the idea that there was a general recessionary cutback on budgets across the board. But, of course, in times of recession you have to make sure that you are keeping up public services. Not to digress, but you do not want to be cutting the bus service, for example, in a recession when you are trying to get people to get out of their cars and get onto public transport. You do not want to cut public transport.

Likewise, you do not necessarily want to cut the police when you are in the middle of gang warfare. You do not want to cut the budget for the police. That would be silly. I think we would all agree. So when you are going to do these budget cuts, which we certainly agree with, they have to be targeted on areas which are not going to affect public safety or basic public services like transport. On this side, we believe those are some of the mistakes that have been made.

Now, as the Honourable Member who now speaks for National Security has said, you know, we are very concerned about this matter. We do not want

to see too much more talk about it; we want to see action. We are very appreciative that the new Minister has been very collaborative and cooperative in his approach. He has had public meetings with respect to the crime wave that we face, with respect to firearms and gangs.

I attended the recent public meeting at Roberts Avenue, which was well attended and well conducted. And one got the usual division of opinion from the area residents, you know, with one part of the area residents saying, "We are being held hostage in our own neighbourhood and the police are doing nothing about it; they know who these guys are and they are doing nothing about them." And you are getting the other people saying, "Well, you know, my son is a gang member, but I love him dearly. Please don't lock him up."

You know, we have always said on this side of the House that if you engage with some massive Government action it has to be multi-pronged in its approach. So you have to have enforcement by the police; you have to have good prisons; you have to have the rehabilitation for people so you cut recidivism. You have to have something in the schools to discourage people from getting involved in gangs and getting them involved in more productive activities, sports, et cetera, in the community. So we have to take a multi-pronged approach and put all of these pieces together. And we hope that the Government is now seeing the point of that and starting to see it.

In fact, the statement we had earlier today with respect to school expulsions and suspensions touched, perhaps, on some of the discipline problems in schools that then lead to gang activity and criminal activity of a more serious sort. We had a statement from the Minister of National Security which dealt with dispersing anti-social gatherings and all those things.

You know, it is a lot to do. And we are in the middle of the recession. So, as everyone said, you are required to do more with less, which is going to be difficult. And we think the better way to do it is to pick the areas where you cut and areas where, even though you act with greater efficiency, you may still have to increase your budget.

I mean, the activity we discussed about tagging, monitoring people who are on release or on bail with ankle bracelets so that their movements can be controlled and monitored. Now, that sort of high technology is very expensive. So it takes a decision on the part of Government to say that this technology would be effective, efficient, and we are willing to put the budget towards doing it. But in order to do that, we may have to perhaps cut somewhere else.

Because we all know, the way the recession is going, that Government revenues by way of tax are quite likely to continue declining, at least through the rest of this year, and perhaps into next year, which is going to cause some serious problems.

So, those are some of the issues. But to be able to put together the bigger puzzle . . . and from this side of the House we really want to see, along with all the ideas being floated and the cooperation and collaboration (which we appreciate), firm action on behalf of the public, which is going to decrease the criminal activity, disrupt the gang activity, and give increased public safety, give more confidence to members of the public and to international business and, obviously, to tourists and tourism.

Thank you, Mr. Speaker.

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

Any further speakers?

No further speakers.

The Minister in charge is going to reply. Minister Scott, are you ready?

Hon. Michael J. Scott: Yes, sir.

The Speaker: Minister Scott is going to reply, the Honourable and Learned Member.

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

The Honourable and Learned Members from the other side, Messrs Barritt and Moniz, raised questions about the ability to facilitate in terms of space. There is space. Westgate facility has a capacity of 208 inmates. It has a current population of 181. Co-ed Facility has a capacity of 32 males, 32 females, and it has not reached its capacity; it is in fact now 16 women and 9 trainees.

In addition, if I were to cover the waterfront of the other corrections facility, which is a minimum-security facility at the Prison Farm, it can house 101 persons, and its current population is 71.

It is most likely, I am sure, and Honourable Members may well agree, that the Westgate facility is the one that will probably take the first wave, unless, of course, either the gender of the offender [is female] or the age of that offender is in the area of a young person, in which case we have to start giving consideration to the Co-ed Facility.

Funding is very clearly available. Funding issues really do not arise. The facilities are available. The legislation is making provision to remove the words being held in "a police holding or police facility" to "a corrections facility." That is the scheme and intent of the amendments that we are making today.

As for the segregation, the point is taken. The policy is one that I am working through with Lieutenant Colonel Lamb, who is the Commissioner of Corrections. It strikes me, though, that these persons who will end up in a corrections facility, for example with remandees, are pretty much in the same category as persons who are on remand. Whilst they have been charged, they are presumed innocent until they have had a judicial process. But if we find that the require-

ment for deeper segregation is required, of course we have the flexibility with the administration within Corrections to formulate or introduce deeper segregation.

So those were the three points that I heard raised by both Honourable and Learned Members, Mr. Barritt, and the Member who speaks for Justice, Mr. Moniz, on the other side.

I want to thank the Minister for National Security for coming into the debate and producing his helpful comments.

So, Mr. Speaker, with that, I move that the Bill be committed.

The Speaker: Any objection?

Agreed to.

Will the Honourable Member Mr. K. Horton, Deputy Speaker, please take the Chair of Committee.

House in Committee at 2.38 pm

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

COMMITTEE ON BILL

FIREARMS AMENDMENT ACT 2011

The Chairman: Thank you, Members. We are in the Committee of the Whole House, dealing with the Bill, Firearms Amendment Act 2011. The Minister in charge is the Honourable Michael Scott.

Honourable Michael Scott?

Hon. Michael J. Scott: Mr. Chairman, I thank you. Commendations and congratulations to you on assuming the position of Deputy Speaker.

The Chairman: Thank you.

Hon. Michael J. Scott: Mr. Chairman, the Bill is, of course, the Firearms Amendment Act. Clause 1 is the citation provision.

Clause 2 amends section 29A of the Firearms Act 1973 to delete the concept of police detention under that Act. This will allow detainees to be detained for 14 or 28 days on remand in a correctional facility, as the police cannot accommodate the longer-term detention of such persons in police cells. The concept of police detention was introduced under section 29A, in an amendment to the principal Act in July of 2010.

So, Mr. Speaker, two clauses: clause 1, the citation, and clause 2, the amendment to section [29A] making those substitutions and deletions.

The Chairman: So you would like to move both clauses?

Hon. Michael J. Scott: I move clauses 1 and 2 and move that the Bill be reported to the House, without amendment.

The Chairman: Thank you.

Are there any Members who would like to speak to the Bill?

No Members would like to speak to the Bill?

[Laughter]

The Chairman: All those in favour of clauses 1 and 2, would you please say Aye?

AYES.

The Chairman: Well, I guess the Ayes have it.

Thank you. We will now report back to the House.

[Motion carried: The Firearms Amendment Act 2011 was considered by a Committee of the whole House, approved without amendment, and will be reported to the House.]

House resumed at 2:40 pm

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

REPORT ON BILL

FIREARMS AMENDMENT ACT 2011

The Speaker: Is there any objection to the Report of the Committee as printed?

Agreed to.

[Gavel]

The Speaker: Since there are no further matters before the House—

SUSPENSION OF STANDING ORDER 21

Hon. Michael J. Scott: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move the Bill entitled the Firearms Amendment Act 2011.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: Carry on, Minister.

[Motion carried: Standing Order 21 suspended.]

THIRD READING

FIREARMS AMENDMENT ACT 2011

Hon. Michael J. Scott: The Firearms Amendment Act 2011.

Mr. Speaker, I move that that Bill do now pass.

The Speaker: Any objection?

Agreed to.

[Gavel]

[Motion carried: The Firearms Amendment Act 2011 read a third time and passed.]

The Speaker: Madam Premier, there are no further matters before the House.

I now recognise the Honourable and Learned Member, Madam Premier.

ADJOURNMENT

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

I would like to move that the House do now adjourn.

The Speaker: It has been moved that the House do now adjourn. Is there any objection?

Agreed to.

[Gavel]

The Speaker: The House stands adjourned until Friday next at 10:00 AM.

[At 2:42 pm, the House stood adjourned until 10:00 AM, Friday, 20 May 2011]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT
20 MAY 2011
10:01 AM***Sitting Number 23 of the 2010/11 Session**[Hon. Stanley Lowe, Speaker, in the Chair]***PRAYERS***[Prayers read by Hon. Stanley Lowe, Speaker]***CONFIRMATION OF MINUTES****14 and 18 March 2011***[25 and 28 March Deferred]***The Speaker:**

The Minutes of the 14th and the 18th of March have been circulated. Honourable Members should find them in their seats. Is there any objection to the confirmation of those Minutes?

The Minutes of the 25th and the 28th of March are being deferred.

Any objection?

Agreed to.

*[Gavel]**[Motion carried: Minutes of 14 and 18 March 2011 confirmed.]***MESSAGES FROM THE GOVERNOR**

The Speaker: There are none.

**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGIES**

The Speaker: I have received communication from the Honourable Member, P. K. Minors, Minister Minors from Smith's North; the Honourable Member T. E. Lister, Minister from Sandys South. Both are abroad on Government business. And the Honourable Member, Mrs. Jackson, from Pembroke South West, regrets not being in attendance at the House this morning.

The Speaker: I am trying to catch the eye of Minister Weeks.

Hon. Michael Weeks: Yes, sir.

The Speaker: Do you want to just formalise . . .

*[Inaudible interjection]***RE: MESSAGE TO SENATE ON AMENDMENT TO
THE CONSUMER PROTECTION AMENDMENT ACT
2011**

The Speaker: All right, I'll do it

The Honourable Member last week received a message from the Senate. So now we request that a message be sent to the Senate saying that we concur in the amendments to the Consumer [Protection Amendment] Act 2011. This is done just to formalise it; it will not change anything.

[Inaudible interjection]

The Speaker: The Minister does not have it. I have done it on his behalf so it can be properly recorded in the records. A message goes to the Senate saying that the House agreed to the amendments.

**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE**

The Speaker: We will move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS

The Speaker: I am going to take the Honourable Member, Minister Blakeney. The Honourable Member, Minister G. Blakeney, from Pembroke North Central, has the floor.

Minister?

Hon. Glenn A. Blakeney: Good morning, Mr. Speaker, and good morning, colleagues.

I hope you will indulge me, Mr. Speaker. I have two Ministerial Statements this morning.

The Speaker: Yes.

CARIFTA GAMES 2011

Hon. Glenn A. Blakeney: Thank you, sir.

Mr. Speaker, I rise to inform this Honourable House about the performance of our athletes at the 40th CARIFTA Games, which was held from April 23rd to April 25th, 2011, at the Montego Bay Sports Complex in Catherine Hall, Jamaica, as I promised I would do, last week.

Mr. Speaker, as Honourable Members will know, the CARIFTA Games is an annual athletics competition established by the Caribbean Free Trade Association, or known by its acronym, CARIFTA. The Games were first held in 1972 and consist of track and field events including sprint races, hurdles, middle-distance track events, jumping and throwing events, and relays. The Games have two age categories, under-17 and under-20.

Mr. Speaker, I am very pleased and indeed proud to note that a full contingent of 35 athletes from Bermuda, accompanied by Mr. Cal [Calvin] Simons, Senior Sports Development Officer, represented Bermuda at the CARIFTA Games.

As Minister responsible for sports, I was thrilled with the character and the performance of our young team as they demonstrated exemplary behaviour representing their country. Mr. Speaker, 24 of the 35 athletes representing Bermuda this year were making their very first appearance at these games. These proud athletes competed well and proved that they deserved to be participants in this renowned regional sports competition representing Bermuda.

Mr. Speaker, I had the opportunity to attend the games and see firsthand the drive, the spirit, and indeed the immense pride exhibited by our fine athletes. I can assure you, Mr. Speaker, that it meant a great deal to our athletes to be supported by not only their Sports Minister, but also by Ms. Donna Watson, Chairperson of the Bermuda Track and Field Association [BTFA]; as well as Mr. Cal Simons, a first-class sports coach; and by the Honourable Minister Neletha Butterfield . . .

The Speaker: [*Gavel*] The Minister is on his feet. I should not be hearing other comments.

Carry on, Minister.

Hon. Glenn A. Blakeney: Yes.

As well as by the Honourable Minister Butterfield, who travelled to support the athletes on her own accord.

Mr. Speaker, Bermuda won six medals in total at the Games' track and field competition: three silver and three bronze. In the Boys Under-17 Triple Jump Finals, Justin Donawa placed third with a personal best jump of 13.47 metres. Kyrah Scraders placed third in the Girls Under-17 1,500-Metre Finals with a personal best of 4 minutes 52.5 seconds. In the Boys Under-17 Long Jump Finals, Bruce DeGrilla, Jr., placed second with a leap of 6.94 metres, another personal-best effort. I might add that he was sitting in first place right up until the very last jump. Dage Mi-

nors placed third in the Boys 3,000-Metre Open Finals in a time of 9 minutes 15.21 seconds, which was also a personal-best performance.

Ashley Berry placed second in the Girls 3,000-Metres Open Finals in a time of 10 minutes 44.29 seconds. Ashley, of course, is the Bermuda record-holder in this distance.

In the Boys Under-20 800-Metre Finals, it was a very exciting final right to the very end, where Shaquille Dill placed second in a time of 1 minute 50.90 seconds, which was also another personal best performance.

Mr. Speaker, it goes without saying that the entire team needs to be congratulated for their performances and their unwavering commitment to excellence. Their efforts must be acknowledged and appreciated. I look forward to seeing our athletes performing at the National Sports Centre in 2012 when Bermuda hosts the CARIFTA Games right here on home soil.

Mr. Speaker, I also had the opportunity to attend the 40th CARIFTA Congress, when 24 of the 26 participating teams were present and represented. I watched with enthusiasm as the President of the Bermuda Track and Field Association, Ms. Donna Watson, presented an update on the progress related to CARIFTA plans for Bermuda in 2012.

Mr. Speaker, I was also given the opportunity to address the Congress. During my address, I praised the local organising committee for their presentation of the Games, and expressed that I looked forward to seeing all the CARIFTA family here in Bermuda in 2012. As you would know, the 2011 Games were originally slated to be competed in St. Kitts. As a result of St. Kitts withdrawing, Jamaica stepped up at the 11th hour and organised an exciting and very well-organised 2011 CARIFTA Games.

In other sports results, Mr. Speaker, with your indulgence, I will take this opportunity to share with Honourable Members some of the success Bermuda has had in other sporting events recently. In track and field, Bermuda's Tyrone Smith, the Bermuda national record-holder in the men's long jump, at the IAAF World Challenge Seiko Golden Grand Prix in Japan, with a leap of 8.09 metres, just beating out Mitchell Watt of Australia, who had come into the competition as the event favourite.

Competing as part of his track and field team of the University of Georgia, Bermudian Aaron Evans claimed his first outdoor win of the season, winning the 800 metres at the Drake Relays in Des Moines, Iowa, clocking a season best of 1 minutes 48.93 seconds, finishing a half-second faster than the second-place finisher. His ranking now changed from number 92 in the US to number 24. He is already the Bermuda national record-holder and ranked number one in the 800-metre in the NACAC ranking for the indoor season.

On April 28th, top local runner Lamont Marshall broke yet another Bermuda record, his third in the last few weeks. He broke the Bermuda record in the 10,000 metres at the Penn Relays held recently in Philadelphia. His time was 30.20 minutes, which is 9 seconds faster than the old mark of 30.29, which was set by Kevin Smith.

In rugby, Mr. Speaker, I attended the full International Rugby Match, a very exciting event held here in Bermuda at our National Sports Centre, North Field, on Saturday the 30th of April, and witnessed Bermuda battle their way to a come-from-behind victory over the Bahamas with a score of 13 to 10. This occasion was the first time in more than a decade that Bermuda hosted a rugby test match on home soil, and it was well supported by the rugby fraternity and rugby-loving public.

In golf, Mr. Speaker, after finishing tied for first at 14 under par on the Peach State Professional Golf Tour, Bermudian golfer Michael Sims won the Orchard Open in Clarksville, Georgia, in a one-hole playoff against Jay McLuen.

In sailing, the Roger Williams Sailing Team, which includes three Bermudian sailors—Haley Powell, Sean Bouchard, and Cameron Pimentel—is the top-ranked co-ed team in the United States. All three sailors were members of the Bermuda Optimist Dinghy Association in their younger days.

In cricket, Mr. Speaker, the Bermuda Cricket Umpire Association Vice President Steven Douglas was selected to officiate at the Pepsi ICC World Cricket League Division Seven tournament held in Gaborone, Botswana, from May 1st to May 8th, 2011.

In swimming, Mr. Speaker, top local swimmer Lisa Blackburn broke two new Bermuda records while competing in the Division 2 Team Championships in Brantford, Ontario, from April 15th through 17th, 2011. She broke the Bermuda National 200-Metre Butterfly Record with her time of 2 minutes 35.96, shattering Ashley Yearwood's record of 2 minutes 36.56. And her time of 2 minutes 27.02 in the 200-Metre Individual Medley improved on Kiera Aitken's record of 2 minutes 27.0 seconds.

In netball, Mr. Speaker, the Bermuda National Team finished their competition at this year's Caribbean Netball Association's Jean Pierre Youth Tournament by defeating Guyana in their final match, 20 to 16, to finish the tournament for the second year running undefeated. What a tremendous accomplishment, Mr. Speaker!

In skiing, this little Island in the sunshine in the mid-Atlantic has athletes competing in the sport of skiing. Bermuda's Tucker Murphy put on a stellar performance to win his age division in a 42-kilometre ski marathon in Norway, finishing over 20 minutes ahead of the second-place finisher. Mr. Murphy, the only Bermudian skier to ever represent the Island at the Winter Olympics, won the 20-to-29-year-old age divi-

sion in the 19th Annual Svalbard Ski Marathon in Norway in a time of 2 hours, 8 minutes, and 12 seconds.

Finally, Mr. Speaker, Bermuda equestrian Patrick Nisbett won a Grand Prix event class during the Sunshine Tour in Spain on March 27th this year, marking what the President of the Bermuda Equestrian Federation called "the best result ever by a Bermuda rider in equestrian show jumping." I note that Mr. Nisbett has already qualified for the Pan Am Games in Mexico scheduled for later this year.

Mr. Speaker, I congratulate all these athletes for their fine performances. Clearly, sports are alive and well in Bermuda, with an increasing number of junior and senior athletes enjoying phenomenal international success.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney.

The Minister has a further Statement.

Go ahead, Minister.

BERMUDA DAY AND ANNUAL HERITAGE MONTH CELEBRATIONS

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

I would like to share with my honourable colleagues in this House, and those in the public gallery, and with the people of Bermuda at large in earshot of my voice, information about one of our most treasured and celebrated holidays—Bermuda Day, which we believe will be a *Bermudaful Day* this 24th of May. I wish also to provide an update on the exciting line-up of Heritage [Month] events that have both taken place and those that are set to occur in the coming days.

Mr. Speaker, although the annual Bermuda Day Marathon Derby, along with the Bermuda Day Parade, are undoubtedly the climax of our annual Heritage Month festivities, I am proud to say that there are several other events organised this month to celebrate the history and culture of the Island we all call home.

Mr. Speaker, the theme for this year's Heritage Month is "Heritage through the Eyes of the Artist." Given Bermuda's rich artistic history and the invaluable contributions of Bermuda's artists to our community, it is only fitting that we pay tribute to them throughout this month. Mr. Speaker, it is important to know that this year's theme encompasses art and artists of all types and seeks not to limit art's definition to fine arts alone. We recognise that art can be found in nearly all segments of Bermudian society, from the landscapers who use the earth as their canvas to the architects and masons whose work makes a Bermudian panorama easily identifiable worldwide.

Mr. Speaker, several events have taken place over the past few weeks in recognition of Heritage Month. On Thursday, we started early, the 28th of April, with an art exhibition entitled "Heritage Through the Eyes of the Artist," which was opened at the Ber-

muda Society of Arts Gallery in City Hall. This exhibition has proven to be highly successful and featured the work of several local artists.

Similarly, on May 7th, a two-day arts festival opened at the Masterworks Museum of Bermuda Art in the Botanical Gardens. It, too, was enjoyed by all in attendance and featured a variety of artists ranging from Gombey troupes and musical performances to painters and costume-makers.

Mr. Speaker, on May 12th, one of our most esteemed artists, Sharon Wilson, presented a seminar entitled “A Talk with Sharon Wilson—Uplifting the Human Spirit” at the Bermuda College. Like each of the other events, it was also quite successful, and provided all who attended an insight into the motivation and driving forces behind Ms. Wilson’s work.

Mr. Speaker, there are two remaining events that I wish to highlight. Tomorrow, Saturday, the 21st of May, “A Musical Treat with Shine Hayward and Friends” will be held at Shine’s House of Music located on Reed Street in Hamilton. I would encourage those who love live entertainment to come out and enjoy a phenomenal night of music, comedy, and dancing, followed by a sumptuous codfish—and that should be traditional codfish—and potato breakfast that will be served just before the show’s conclusion.

Then on Sunday, May 22nd, from 5:30 pm until 8:30 pm, a wonderful program entitled “Dance Through The Ages” will take place at the Number Six [Cruise] Passenger Terminal on Front Street, Hamilton. This event will feature a wide variety of dance styles and performances, which will include a feature demonstration by one of our very own honourable colleagues right here in this Honourable Chamber. Yes, Mr. Speaker, the Honourable Dame Jennifer Smith will turn back the hands of time [with a performance] that is sure to bring back nostalgic memories of yesterday.

Mr. Speaker, as previously mentioned, the annual Bermuda Day Parade is the highly anticipated climax for our Heritage Month celebrations. At this juncture, I wish to highlight the Bermuda Day Parade’s newly revised route for this year, which has already excited participants in anticipation of showcasing their respective marching skills, beautiful floats, and other traditional parade favourites, such as the variety of talented Gombey troupes.

The annual Bermuda Day Parade will begin at 1:30 pm, leaving from Bernard Park, and make its way towards City Hall Car Park. From Bernard Park, the parade will make a left turn onto Marsh Folly Road and continue moving through the very popular vantage point of Cedar Avenue. This year, Mr. Speaker, the dignitaries will be seated in the official viewing stand on Cedar Avenue at the ever-popular Leopard’s Club. This area is often regarded as the “People’s Avenue” on Bermuda Day and has for years enjoyed one of the most lively and celebratory atmospheres

equal to any vantage point along the entire parade route.

So it is only fitting that the dignitaries be given the chance to participate in and enjoy the atmosphere in [at?] this particular location of the route.

Mr. Speaker, the parade continuing along Cedar Avenue will make a left turn onto Church Street before turning right onto Court Street, and then making another right turn on Front Street. Finally, Mr. Speaker, the parade will travel along Queen Street, returning to Church Street again before ending at City Hall.

The dance participants will perform at the City Hall Car Park, and the trucks will disperse via Wesley Street, while the floats will park for additional public viewing in the area of Church Street known as Nellies Walk directly in front of the City Hall.

Mr. Speaker, it should also be noted that vendors will be stationed at key places throughout the City of Hamilton, including Front Street at No. 5 and No. 1 Car Parks, respectively; the City Hall Car Park; and of course, Victoria Park.

Mr. Speaker, Bermuda’s Entertainment Task Force has organised a comprehensive entertainment programme for the day, which will feature a variety of Bermuda’s talents. Victoria Park will be the hub of this entertainment. Bermuda’s most renowned comedian, Bootsie, will be the Master of Ceremonies for the day. Performances will commence at the conclusion of the Marathon Derby, continuing until the start of the parade. Then after the parade has concluded, stage performances will resume until about 8:00 pm, when all streets in the city will reopen, at about that 8:00 pm hour at the latest.

Mr. Speaker, I therefore take opportunity to wish all of Bermuda’s residents an enjoyable and safe Bermuda Day holiday. I encourage us all to display the courtesy and respect, to our fellow residents and visitors alike, which our Island has become so famous for the world over. While no less enjoying the festive mood and celebrations during the upcoming weekend and holiday, we ask everyone to be careful and, if they indulge in any kind of libations, to do it with moderation.

The Speaker: Yes.

Hon. Glenn A. Blakeney: Mr. Speaker, permit me to conclude by thanking the staff of the Department of Community and Cultural Affairs for their dedicated hard work, tireless energy, and copious zeal. I would especially like to acknowledge Mrs. Louise Tannock, the Cultural Affairs Programme Manager, for her commitment, enthusiasm, and diligent work to ensure that Heritage Month and Bermuda Day culminates with the wonderful events that we have traditionally come to love, celebrate, and truly appreciate.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney.

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

Minister Roban, you have the floor.

WEST END DEVELOPMENT CORPORATION'S HERITAGE NIGHTS

Hon. Walter H. Roban: Thank you very much, Mr. Speaker.

In keeping with the theme of heritage in entertainment that my honourable colleague has already started the morning with, I am today thrilled, Mr. Speaker and other Members of this Chamber, and members of the public who are listening, to tell you about launching an exciting new venture by the West End Development Corporation [WEDCO], ably chaired by another Member of this Legislature, the Honourable Walter Lister, called Heritage Night.

Heritage Night will offer an evening of music and entertainment for locals and visitors alike, Mr. Speaker, every Thursday for 18 weeks, kicking off next week.

This event is aimed, Mr. Speaker, at everyone who lives, works, or visits the Royal Naval Dockyards. The goal and the initiative of WEDCO and their event planners is with the aim of highlighting Bermuda's rich culture. Entertainment for these evenings will include live music, ethnic dance performances, juggling acts, and hands-on demonstrations of artisan crafts such as kite-making and woodcarving. The primary focus is to display Bermuda's rich culture, activities, and pastimes, as well as Bermuda games, food, and drinks.

In fact, Mr. Speaker, each week we will have a different theme throughout the 18 weeks of the event. The Victualling Yard, one of those difficult old-time words . . .

[Laughter]

The Speaker: Go right ahead.

Hon. Walter H. Roban: Victualling Yard will contain multiple entertainment and craft areas, possessing an intimate feel found at country fairs with the use of decorative elements typical to our Island.

A pub garden, Mr. Speaker—and yes, people should drink responsibly and moderately when attending such events—will be positioned as an extension of the Frog & Onion Pub, with a beer garden feel, featuring a Crown and Anchor table. As far as I know, there will be no gaming actually going on with real money, Mr. Speaker. Let me make that clear. As far as I know, Mr. Speaker, I will say that right now.

[Inaudible interjection and laughter]

Hon. Walter H. Roban: Bermuda-brewed beer—hey, now, Bermuda-brewed beer!—rum tasting and tradi-

tional Bermuda foods such as fish cakes, mussel pie, and Johnny-bread.

A craft market has been designed, Mr. Speaker, and will feature local artisans showcasing their wood carvings and paintings. A games area for the younger audience will offer traditional carnival-style games such as ring-toss, tic-tac-toe, and others. This area will also feature traditional Bermuda pastimes and games such as kite-building and cricket demonstrations. A food and beverage area, Mr. Speaker, for vendors, will offer gastronomic delights such as fried fish, jerked chicken, hash shard (oh, I would like some of that; it is so hard to get now, I will have to go up to get some).

[Inaudible interjection]

Hon. Walter H. Roban: Not even St. David's sometimes.

Snowballs, popcorn, and ice cream, while an entertainment stage will be raised, Mr. Speaker, to showcase performances by a variety of local entertainers, highlighting the culture of Bermuda and the musical influences on our Island, namely, calypso, reggae, and jazz. Performances will be by both professional and solo musicians, as well as burgeoning youth bands and solo acts.

Performing artists and groups will include, Mr. Speaker, Gombey dances from various troupes, the Somerset Bridge Band, various youth choirs, the Vasco de Gama Club, TROIKA [PHONETIC], and Robert Symons playing that beautiful steel drum that we all love to hear. That is just to name a few.

I am pleased, Mr. Speaker, to inform you that many businesses have already agreed to stay open on Thursdays for this event and welcome the opportunity to do so. Additionally, we have many casual vendors taking part in the Heritage Nights, who will also benefit.

This event is a perfect opportunity, Mr. Speaker, to enhance the Royal Naval Dockyard experience for our visitors and locals alike. Speaking about visitors, Mr. Speaker, it is worth mentioning to this House and to the public that there will be two ships in port on Thursday night [from] the Royal Caribbean Cruise Line and the Norwegian Cruise Line—a beautiful sight to see them when they are docked in, Mr. Speaker, I must say.

Events such as Heritage Nights improve the offerings and activities available to our guests and provide an opportunity for our visitors to mingle with Bermudians and experience our culture. WEDCO are optimistically prepared to accommodate many hundreds of people on the Thursday night event, and consequently, Heritage Nights has been timed around the summer ferry schedule in the event people need to return to Hamilton or to their hotel.

If the event is a success, which we believe it will be, Mr. Speaker, it will be WEDCO's intention to

have this event as an annual calendar item. Additionally, it would be appropriate at this time, Mr. Speaker, to mention the fact that WEDCO will also be expanding their Royal Naval Nights this summer, to take place on each Monday—Monday evening, Mr. Speaker,—for a total of 18 weeks, compared to the 9-week previously organised schedule. And this is, clearly, Mr. Speaker, because of popular demand. People want to have it, so we are trying to give it.

In closing, I would like to thank WEDCO for continually striving to fulfil their responsibility to provide activities, events, and attractions for the thousands of people who choose to enjoy the Royal Naval Dockyard, which has transformed from its military beginnings to a vibrant destination for all to enjoy. For more information, Mr. Speaker, on Heritage Night and Royal Naval Nights, the public can peruse WEDCO's website at www.thewestend.bm. We are clearly in the twenty-first century, Mr. Speaker, so I hope people enjoy.

Thank you very much.

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

Any further Ministerial Statements?

I now recognise the Honourable Member, Mr. Z. De Silva, from Southampton East Central.

Minister De Silva, you have the floor, sir.

BERMUDA HOSPITALS BOARD ACCREDITATION VISIT

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, it gives me great pleasure to rise today and update this Honourable House on the most recent achievement by the Bermuda Hospitals Board [BHB] in their ongoing commitment to the improvement of services and quality of health care in Bermuda.

Last week, the BHB was subject to a hospital-wide accreditation survey conducted by Accreditation Canada, an entirely independent and autonomous body. This intensive process saw five experienced Accreditation Canada surveyors spend an entire week at all BHB locations, which included the King Edward Memorial Hospital, the Mid-Atlantic Wellness Institute [MAWI], and the Lamb Foggo Urgent Care Centre.

The surveyors reviewed the entire range of services at these locations, together with BHB's governance, strategic direction, ability to meet current and predicted community needs, and new developments. The surveyors interviewed board members, community partners, and a broad range of staff.

Mr. Speaker, armed with over 2,500 criteria against which to measure BHB's performance, the surveyors conducted tracer methodology testing, which means they take random medical records and follow the patient's journey through the hospital system to ensure that documentary evidence exists to

confirm that the correct standards were applied at all times.

The BHB's focus on the quality of its care and the commitment to patient safety through compliance with international standards is at the heart of its vision to be the first choice for health care and wellness in Bermuda. This vision should not be taken as merely hollow words, but it is something that the BHB strives for every single day, to the extent that they welcome independent performance assessments to benchmark their progress and provide them with indications of what services may require further improvements.

Mr. Speaker, Bermuda might be a small Island, and it might be thought by some that this limits health care options. But the professionalism of the BHB and their commitment to the improvement of service provision necessitates them to implement a formal review of their own quality process by an external organisation, a review that encompasses all areas of their operation, which includes, but is not limited to, the following:

- mental health,
- long-term care,
- learning disability,
- substance abuse,
- chronic disease management,
- diagnostic imaging,
- pathology,
- acute care services.

It should also be noted that BHB's provision of services and performance are reviewed against the same criteria and standards of quality by the same organisation who adopt the same rigorous process and the same standards which are applied to highly regulated and highly respected hospitals in the Canadian system.

Mr. Speaker, while we are some weeks away from receiving the final report from Accreditation Canada, I thought it appropriate to share with the Honourable Members of this House some of the written feedback from the surveyors. These quotations are taken directly from their commentary: "The BHB's commitment to quality improvement and patient safety is extraordinary. The BHB is to be commended for ensuring that its values inform all activities and are used to guide decisions. Alignment between the vision, mission, values, the strategic plan, and strategic priorities is very well done. BHB was able to demonstrate its clear understanding and commitment to its role as a community hospital. The preparation for the accreditation process has been excellent, and the commitment to ongoing quality and patient safety is evident throughout all areas. Support for ongoing professional development is very well done."

Also of note is the progress since the last accreditation visit in the area of patient engagement for patient safety. Meaningful working relationships with community partners in Bermuda, as well as clinical

linkages outside of the country, were evident and well supported. These linkages support excellence in all service areas and ensure quality patient care.

Inter-professional practise has also been evident throughout the survey process. This approach supports quality patient-centred service.

In summary, the BHB is to be congratulated for its commitment to the Accreditation Canada process and its demonstration of using the standards to achieve excellence. Throughout the surveyor visit, evidence was noted that all previous report suggestions have been implemented.

Mr. Speaker, the surveys also highlighted six leading practises which they defined as noteworthy practises implemented by a health organisation that demonstrates innovation and creativity, and which have a positive impact on service or outcomes for clients and families. These include:

- turning points,
- multi-family group,
- the development and assessment of nursing competencies,
- the implementation of an operating room surgical safety checklist,
- MAWI's move to a community model,
- succession planning,
- the annual mind-frame photo-voice exhibition.

Improvement in quality is a constant journey. And being subject to survey provides the BHB and the Bermuda community with a snapshot of where it is. But that is not an end result, Mr. Speaker. If anything, it is a point from which the BHB can learn and grow, a pause in the journey at which the BHB can take stock of where it is and plan the next steps.

With this in mind, there are still areas that surveyors have helped us identify where further improvements can be made. However, if 97.7 per cent of the 2,554 applicable criteria are met, I would like to publicly congratulate the BHB on its achievements and its commitment to be independently surveyed, for the benefit of Bermuda's health care services, and ultimately for the benefit of the people of Bermuda.

At this point in time, the BHB has received feedback from the surveyors to which it has to make a formal response before the result is given in a final report. The final report is expected by early summer.

Mr. Speaker, you may recall that a precedent was set by the BHB following the 2008 accreditation survey to make the report public in the interest of transparency and good government. The Board has indicated to me that they would do the same this time as well.

I would like to take this opportunity to thank the Board, every member of staff, every patient, each service user, and the community partners who took part in the survey. I would also like to commend the BHB for its dedication and its commitment to being

open and accountable to the community which it serves.

Whilst we wait for the final accreditation result, the feedback from the survey team is that the BHB is doing an exemplary job. I therefore ask this House to join with me in congratulating the BHB and its entire staff. We should also be justifiably proud of the health care services we have in Bermuda. And I ask everyone to be supportive of the BHB on its journey for the continued improvement of quality and care for the service it provides.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister De Silva, the Honourable Member from Southampton East Central.

Any further Statements?

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

Minister Perinchief, you have the floor, sir.

PROPOSED AMENDMENTS TO THE PROCEEDS OF CRIME ACT 1997

Hon. Wayne N. M. Perinchief: Yes, thank you, Mr. Speaker.

As the Minister of National Security, I wish to inform the community that the issue of violence and anti-social behaviour in this community demands constant attention and not knee-jerk reactions or predictable platitudes in the wake of each violent event. And in this instance, Mr. Speaker, the relative quiet and absence of gunfire should not be taken for peace. In this case, peace and quiet are not related.

Mr. Speaker, in conjunction with the constant effort demanded of the Bermuda Police Service, I have taxed the policymaking resources at my disposal to continue to give effect to the community's demands for action and innovation in this fight against crime.

Mr. Speaker, I can advise Honourable Members that I have put before Cabinet proposed amendments to the Proceeds of Crime Act 1997. These amendments will create the concept of forfeiture of the proceeds of crime in cases where a court is satisfied that the proceeds are the result of a criminal lifestyle. Mr. Speaker, new provisions will designate certain offences "lifestyle offences," and a conviction in this regard will form the basis of forfeiture on application of the prosecution.

Mr. Speaker, I am also preparing to advance amendments to permit the police to seize cash in similar circumstances without the requirement for it to be exported from or imported to Bermuda. Mr. Speaker, UK law provides for the civil forfeiture of the proceeds of a criminal lifestyle, and I propose to mirror these provisions in Bermuda law.

Where a court is satisfied, on the balance of probability, that assets are the proceeds of a criminal lifestyle, they will be liable for forfeiture. Mr. Speaker, a series of rebuttable presumptions and other details

will form part of these amendments, and my hope is that the House will debate them in due course.

Mr. Speaker, I am grateful to the Director of Public Prosecutions and his senior prosecutors who researched the law in this area, and to my colleague the Honourable Member, the Attorney General and Minister of Justice, under whose remit this legislation falls.

Mr. Speaker, intelligence analysis indicates that when cash flow is disrupted, gang activity is lessened. When it becomes apparent to defendants and others that the criminal justice system will not stop at sentencing, but will ensure that crime generally does not pay, this will act as a deterrent.

Mr. Speaker, I would remind Honourable Members that seized or forfeited proceeds of crime are deposited into the Confiscated Assets Fund. From this fund, the same money that could cause harm can be used for good. The Act permits payments from the fund for purposes related to law enforcement, for costs associated with the treatment and rehabilitation of drug addicts, and for the training of officials in the effective implementation of the provisions of the Act.

Mr. Speaker, in some jurisdictions, proceeds forfeited as a result of lifestyle offences or conduct are put back into the communities directly affected by the offender's conduct. The success of these kinds of laws is fully realised when ill-gotten gains are redistributed for the public good.

Mr. Speaker, this Government is committed to addressing the acts and issues of violence through all means at its disposal. We will continue to provide the platform for strong enforcement by the police and meet the demand of the people of Bermuda for safe and secure communities.

Thank you, Mr. Speaker.

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

Are there any further Ministerial Statements?
We will move on.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: The Honourable Member, Mr. D. Hunt, indicated that he wishes to put a question to Minister Blakeney. The Honourable Member, Mr. D. Hunt, has the floor.

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

The Speaker: From St. George's South.

Mr. Donte O. Hunt: Yes, sir, constituency number 4.

The Speaker: Question, Mr. Hunt?

QUESTION ON CARIFTA GAMES 2011

Mr. Donte O. Hunt: Yes, Mr. Speaker.

This question pertains to the CARIFTA Games 2011, Ministerial Statement from the Honourable Member Glenn Blakeney.

On page 4, if you have his statement, we go down to the last paragraph where it talks about the 40th CARIFTA Congress of which—

The Speaker: Yes. What about the question?

Mr. Donte O. Hunt: The question is coming. I am just setting it up. Give me a second.

[Laughter]

Mr. Donte O. Hunt: Okay. I will get right to the point.

The Speaker: Go ahead.

Mr. Donte O. Hunt: The question, or at least a request, is that . . . We understand that Donna Watson, the President of the Bermuda Track and Field Association, attended this CARIFTA Congress. The question is, not only did she attend, but she actually presented an update on the progress related to the CARIFTA Games in Bermuda 2012.

The Speaker: I hope the Minister has got it.
Yes, what is your question?

[Laughter]

Mr. Donte O. Hunt: Well, if you let me get to the question.

[Inaudible interjections]

The Speaker: Mrs. Watson attended it, yes.

Mr. Donte O. Hunt: The question is, Can we have a report?

[Inaudible interjections and general uproar]

[Gavel]

Mr. Donte O. Hunt: Can we see the report and what was discussed in terms of the progress for the CARIFTA Games in Bermuda 2012?

Next question, can we have a little patience in the House?

[Laughter]

The Speaker: Well, you do have to have patience, but you have to firm them up.

Minister Blakeney is going to respond to that. Minister?

Hon. Glenn A. Blakeney: Yes, Mr. Speaker.

I do not think Mrs. Watson would have any problem if you approached her for anything that would be for public consumption. But obviously, you would not expect any proprietary information because that is a congress, and members are privy to whatever they discuss. And what they may decide through a resolution is to be publicly disseminated for the edification of those who would be interested, I think, is up to them.

So I do not know what he is looking to find out. But I would think that a congress and their deliberations and their resolutions is not for public consumption unless they so desire.

The Speaker: Yes. Thank you, Minister.

Mr. Donte O. Hunt: Can I respond?

The Speaker: Supplement?

Mr. Donte O. Hunt: Supplementary.

The Speaker: Or is it a second question?

Mr. Donte O. Hunt: Supplementary.

The Speaker: Go ahead.

SUPPLEMENTARY

Mr. Donte O. Hunt: Mr. Speaker, I mean, I am not sure if that answer was in line with what I was actually asking for. This was an update provided to the Congress related to what is going to happen in Bermuda in 2012. While I understand it may not be for consumption for the public, I am not too sure why . . . and would love to hear that.

They have gotten an update in terms of the Congress. What we are asking for is the edification of this House to understand what progress we have all made in relation to the CARIFTA Games in Bermuda in a year's time.

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

Hon. Glenn A. Blakeney: As the substantive Minister responsible, Mr. Speaker, at the appropriate time I will be sharing relevant information that I believe would be appropriate for the public and for the Honourable Member to know. It is in the stages; it is being organised. The plans are well underway. And at the appropriate time, just like I do at the appropriate time on any

other occasion, I bring information and share it through Ministerial Statements.

So, as you asked for patience, then maybe you should take your example and exercise patience as well. Because at the appropriate time you will get the information you seek.

The Speaker: Thank you, Minister Blakeney. Any further questions?

[Inaudible interjection]

The Speaker: No. If you have a question . . . yes.

Hon. Dame Jennifer Smith: Point of order.

The Speaker: There is a point of order? Then I must take the point of order.

The Honourable Member, Dame Jennifer Smith, has a point of order.

POINT OF ORDER

[Standing Order 17(2)(a)]

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

I merely wanted to refer to [Standing Order] 17 (2)(a), which dictates that questions put to a Minister must relate to a subject or department within the responsibility for which he or she has been charged. I do not know that that Minister is a member of the BTFA or a member of the Watson family.

The Speaker: That is correct. I do uphold Dame Jennifer's point of order.

Mr. John Barritt: Mr. Speaker, on that point of order.

The Speaker: Is there a further point of order?

Mr. John Barritt: Yes, there is, Mr. Speaker!

The Speaker: Further point of order, yes. The Honourable and Learned Member, Mr. Barritt, Leader of the Opposition, has a further point of order.

Yes, Mr. Barritt?

POINT OF ORDER

Mr. John Barritt: The point of order is this: The Member was not asking for an update from the BTFA. I think the Minister understood it at the end. He was asking for an update as to the progress that is being made, and has been made to date, with respect to the Games that we will be hosting.

The Speaker: Yes. And the Minister responded by saying—

Mr. John Barritt: He did!

The Speaker: —in the fullness of time, he will inform the House.

Mr. John Barritt: That is right. We were not asking about BTFA.

The Speaker: Thank you, yes. I understood the answer.

Mr. John Barritt: Thank you, Mr. Speaker.

[Laughter]

The Speaker: I now recognise the Honourable Member, Mrs. Gordon-Pamplin, from Paget West. Mrs. Gordon-Pamplin wishes to put a question to . . .

Mrs. Patricia J. Gordon-Pamplin: Minister Roban concerning the Dockyard Heritage—

The Speaker: . . . Minister Roban.
Mrs. Gordon-Pamplin, what is the question?

QUESTION NO. 1: WEST END DEVELOPMENT CORPORATION'S HERITAGE NIGHTS

Mrs. Patricia J. Gordon-Pamplin: Question number one, Mr. Speaker: Will the Minister advise why the Heritage event has been timed around the summer ferry schedule and not the ferry schedule timed around the event?

The Speaker: I recognise the Honourable Member Minister Roban. Minister Roban is going to respond.
Minister?

Hon. Walter H. Roban: The ferry schedule is not my responsibility. That appropriate question should be put to the Minister of Transport.

Some Hon. Members: Oooh!

[Laughter]

The Speaker: So, further question?

Mrs. Patricia J. Gordon-Pamplin: Supplementary.

The Speaker: So there is a supplementary.
Yes?

SUPPLEMENTARY

Mrs. Patricia J. Gordon-Pamplin: The Minister has made reference to the ferry schedule in his note.

The Speaker: Yes. The question?

Mrs. Patricia J. Gordon-Pamplin: Is the Minister suggesting that he does not understand the content of his own Statement?

The Speaker: Well. The Minister is refusing to respond to that.

[Inaudible interjections]

The Speaker: There is another question, a substantive question?

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

The Speaker: The Honourable Member has a further question.
Mrs. Gordon-Pamplin, what is your question?

QUESTION NO. 2: WEST END DEVELOPMENT CORPORATION'S HERITAGE NIGHTS

Mrs. Patricia J. Gordon-Pamplin: I am questioning whether arrangements have been made for resident parking to accommodate the people that are expected to be in Dockyard. And, if so, will there be shuttle services from the distant parking areas to come into the centre?

The Speaker: Will there be shuttle service?
Minister Roban, do you care to respond?
Minister?

Hon. Walter H. Roban: I can assure the Honourable Member that all provisions related to transportation are being worked on by WEDCO, and they will be in place for when the event starts on next Thursday.

The Speaker: Right.
Any further questions?
There are no further—That's right. I am sorry. I almost forgot Mr. Moniz.
The Honourable and Learned Member, Mr. T. Moniz, from Smith's West, has a question. His question is to the Minister Perinchief.
What is your question?

Hon. Trevor G. Moniz: Yes, it is a question for the Minister of National Security, two questions.

The Speaker: Well, just give one first.

QUESTION NO. 1: PROPOSED AMENDMENTS TO THE PROCEEDS OF CRIME ACT 1997

Hon. Trevor G. Moniz: Would the Minister be willing to provide to the Opposition the draft and early costs of his proposal with respect to the Proceeds of Crime Act 1997, to share the drafts before it comes?

The Speaker: Yes, will he provide the draft amendments? Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: Only after I have presented them to my Cabinet. Then I shall.

The Speaker: Right. Thank you.

There is a further question? The Honourable and Learned Member Mr. Moniz has a further question.

QUESTION NO. 2: PROPOSED AMENDMENTS TO THE PROCEEDS OF CRIME ACT 1997

Hon. Trevor G. Moniz: The second question I have is whether the Minister of National Security is able to say what is being done so far with funds . . . How much is in the Confiscated Asset Fund, and what is being done with it so far?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: I can say that the current fund holds approximately \$1.25 million, I believe, approximately. And those assets, I can tell you, have already been earmarked to deal with amendments to the Bail Act where defendants, or bailees, are actually going to be tagged. So I can say that.

The Speaker: Thank you, Minister Perinchief. We will move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: I recognise the Honourable Member, Mrs. L. Foggo, from St. David's constituency. Mrs. Foggo, you have the floor.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker. Mr. Speaker, I rise to give condolences to the Burrows family. Indeed, a former . . .

[Inaudible interjections]

[Gavel]

The Speaker: Just a minute. The Honourable Member is on her feet, and I cannot hear what she is saying. Start again, Madam Whip.

Ms. Lovitta F. Foggo: Thank you, Mr. Speaker. Mr. Speaker, I rise to give condolences to the Burrows family. The former Member, Mr. Reginald Burrows, lost his mother [Mrs. Esmee Burrows] just the other day. She would have been 105 come June. So she has had a very long and, I guess, full life. And

hopefully, many of us will get to see those numbers. She leaves behind also Correne Dummett, the sister of Mr. Burrows, and many other relatives and close friends.

Hopefully, when I make this condolence, I am saying it also on behalf of the Honourable Speaker himself—

The Speaker: I thank you.

Ms. Lovitta F. Foggo: —who wishes the family to know how deeply grieved he is by her passing.

Indeed, Mr. Speaker, I can say that I got to participate in the 100th birthday of Mrs. Esmee Burrows. That was a very nice event down at the Tucker's Point Resort.

So, again, condolences to the Burrows family in this time of bereavement.

The Honourable Minister Perinchief, all Members of the House, Mr. Speaker, on the Government side and the Opposition side, would like to be associated with these comments.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Foggo.

I am going to take the Honourable and Learned Member, Mr. J. Barritt, from Devonshire South Central, Leader of the Opposition.

Mr. Barritt, you have the floor, sir.

Mr. John Barritt: Thank you, Mr. Speaker, and I thank the Honourable Member who just spoke for including all Members of the House. I personally am very saddened to hear of the death of Mrs. Burrows, the mother of the former Member, Reggie Burrows, who, as you say, lived a long and full life. It is very sad when someone does pass whom we all know like that. But we know that that is an extraordinary [age] by anybody's standards, and we wish Reg and his wife all the best, as well, Mr. Speaker, at this time.

Also on a sad note, I would ask the House to send condolences to the family of the late Durham Stephens, who passed away yesterday, Mr. Speaker. Members may or may not know that for the longest time he was an officer at the Bank of Bermuda. In fact, I believe he was in the loan department. I can recall making my application for my first loan and actually being turned down by Mr. Stephens, Mr. Speaker.

[Laughter]

Mr. John Barritt: Because he did not think I could make the payments without a guarantor. And, Mr. Speaker, that was my first lesson in the realities of life as a young married man.

But, Mr. Speaker, I think Durham Stephens had a wonderful disposition, notwithstanding that job and the challenges that it presented—a great personality.

I think he is also well known for his many years of service in the equestrian sport, and, indeed, I think for the longest time was involved in the Bermuda Hunt Club, Mr. Speaker. In 20 square miles there were members who were able to get on their horses; you might have seen them from time to time in the Hunt Club, going about Bermuda. I know my honourable colleague, Mr. Cole Simons, would like to be associated with those remarks, as well as the Honourable Dr. Grant Gibbons.

Mr. Speaker, he will indeed be missed, and I think in his neighbourhood particularly, where he was quite the overseer of what went on before even Neighbourhood Watch was invented. He was that sort of person who took a concern in what was going on in the neighbourhood on behalf of his neighbours.

So I would ask that we send condolences to his family, Mr. Speaker. Thank you.

The Speaker: Thank you, Mr. Barritt, the Honourable and Learned Member from Devonshire South Central.

I am now going to take the Honourable Member, Mr. Z. De Silva. Minister De Silva from Southampton East Central has the floor.

Minister?

Hon. Zane J. S. De Silva: Mr. Speaker, thank you very much.

I would also like to be associated with the condolences for Mrs. Esmee Burrows; that is Reggie Burrows' mother. And the reason I stand on my feet is that Mr. Burrows, as you know, is a very good friend of mine. And his mother's birthday is on my anniversary, Mr. Speaker. For those that did not know, Mrs. Burrows would have been 105 years old next month. So I was hoping for her to reach that landmark, but obviously, you know, that Fellow up top had some other plans, Mr. Speaker.

Whilst I am on my feet, Mr. Speaker, I would like to be associated with the condolences for Mr. Durham Stephens. I agree with the Honourable Member, the Opposition Leader, Mr. Barritt, that he was a little rough and tough at times, I know.

The Speaker: So am I.

Hon. Zane J. S. De Silva: I can certainly agree with him on that point.

But, Mr. Speaker, I would also like to give congratulations at this time to Mr. Alf Oughton, who I understand is due to receive the Salute to Service Award, which will be given to him from the Bermuda Health Foundation. As you know, I do not have to explain about the former Senate President and his accomplishments in this arena, Mr. Speaker. But it is certainly good to see that he will receive this award. He is not doing very well as of the last few years. He has struggled a bit. But, Mr. Speaker, I certainly put my congratulations out to Mr. Oughton.

Thank you very much.

The Speaker: Thank you, Minister.

I am going to take the Honourable Member, Dr. Gibbons, from Paget East. The Honourable Member, Dr. Gibbons, has the floor.

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

Mr. Speaker, I rise on a happy note this morning, to ask that congratulations be sent to the 2011 graduates at Bermuda College. According to the President Dr. Duranda Greene, there were some 92 diplomas and certificates that were awarded yesterday, as well as 15 degrees, from Mount St. Vincent University.

I know a number of Members would like to be associated. The Minister was certainly there, Mr. Weeks, and Minister De Silva as well. Let us see . . . Mr. Charlie Swan, and Cole Simons.

So I think particular congratulations should be sent to Alesha Page [who gave] the 2011 graduate address. Actually, some Honourable Members up here, perhaps I could learn a lot from the young lady. Her commencement address was short, meaningful, memorable, and very much to the point. She actually did a good job of delivering it as well.

But, Mr. Speaker, I know that perhaps all of the Members would like to be associated as well with the congratulations to the graduates.

I also, while I am on my feet, Mr. Speaker, would like to be associated with the condolences to the family of the late Durham Stephens, particularly his wife Katherine. Mr. Stephens was a constituent of mine for many years, and, as my honourable colleague Mr. Barritt has said, was certainly a very keen equestrian. I know that he was a keen golfer as well, and served, as he said, for many years at the Bank of Bermuda. I think he was also involved in a number of charitable organisations as well, but certainly a very sincere man and one that was very agreeable in many respects—but perhaps not if you were on the other end of a loan application.

Anyway, I would ask that the family receive condolences. Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

I now recognise the Honourable Member, Mr. W. Furbert. The Honourable Member, Mr. W. Furbert, has the floor, from Hamilton West constituency.

Mr. Furbert, you have the floor.

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

I also would like to be associated with the condolences of Mr. Stephens. He was like a family banker in those early years. I recalled (it is different now) where in the old days you used to make a phone call and at least get an overdraft facility for \$1,000

maybe. But nowadays, you have got to put up your house and everything else to get a loan, even for an overdraft facility.

The Speaker: You got turned down, did you?

[Laughter]

Hon. Wayne L. Furbert: Well, no.

The Furberts, in those days at least, had a little credibility in those days. So Stephens gave me my first loan. It was a small amount. I was going off to school. So my condolence to his wife and to his family.

I would also like to bring congratulations on a good note to Bishop N. N. Dickenson. I am sure that the Premier would like to be associated with these remarks. We attended his birthday party on Sunday gone. He turned 100 on Tuesday, Bishop Norris Dickenson. He is from Hamilton Parish. He was born in St. Kitts, Mr. Speaker, on May 17th, 1911, came to Bermuda on Christmas Eve in 1925. This gentleman was my bishop and my pastor since I was six years old. Although I lived in Hamilton Parish, I attended Warwick Holiness Church.

He was a gentleman that inspired many young people, particularly in the field of music. And probably one of the reasons why I sing a lot nowadays is because Bishop Dickenson used to allow young people to develop. Terence Stubble, Jerome Stubble [PHONETIC], these were talented family anyway. Many of us used to sing. We used to be called "The Melodronics [PHONETIC]" in those early years. But he recognised young people. He himself was honoured by the Queen's Badge of Honour. He was listed in many *Who's Who* facilities around the world.

He also came to Hamilton Parish at the age of, I think it was around 25, lived in Hamilton Parish for 75 years. He married a lady by the name of Mrs. Mildred Trot. And as I said on Sunday, I think the reason why so many people have lived so long, particularly in Hamilton Parish, is because in Hamilton Parish we live a long time. That is God's country, and that is where God takes care of his people first.

[Inaudible interjections and laughter]

Hon. Wayne L. Furbert: Well, Mr. Speaker, we can talk about that later on.

[Gavel]

Hon. Wayne L. Furbert: But he was the Bishop of Missions in Liberia, served in Liberia. Many times he built schools out there, or he was a supervisor . . . happened to build schools out in Liberia, and also Bishop of Missions in the Caribbean. Now he is 103, as I meant to visit him on his birthday. And at 100 years old, Mr. Speaker, his complexion—it was very

interesting—was like a young man's. So my heart goes out to, and congratulations again, to him and of course the family who is taking care of him.

Thank you.

The Speaker: Thank you, Mr. Furbert. That is Bishop Norris, just for the record. Sometimes Honourable Members drop their voice, and the Clerk cannot hear what you are saying.

Any further speakers?

I am going to take . . . You will come next.

I will 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 congratulatory remarks given by the Honourable Minister De Silva concerning Alfred Oughton whom I was privileged to serve in the Senate with. But he was one of those responsible for a health report that was referred to as the Oughton Report which has almost been the Bible for health care and development, and I would like to be associated with those congratulatory remarks.

Also, I would like for this Honourable House to send a note of congratulations to the Young Progressives. This past Saturday, Mr. Speaker, the Young Progressives, I guess perhaps—I would not say "pre-empting," but certainly as a preliminary to the ultimate celebration that Government intends to put on for national heroes—started the event off with honouring three national heroes from this year, which were Dr. E. F. Gordon—I declare an interest; that is my dad; the late Sir Henry Tucker, as well as the late Pauulu Kamarakafego (Roosevelt Browne), former Member of the House.

The Speaker: Doctor.

Mrs. Patricia J. Gordon-Pamplin: Doctor.

The event was so well organised, Mr. Speaker. They had an incredible infusion of energy from schoolchildren from Dellwood, from Mount Saint Agnes, from Victor Scott. They had skits, they had entertainment, and it was absolutely incredibly well put together. I believe they deserve a note of congratulations.

In addition, I would ask that this Honourable House send a letter of congratulations to Christ Church in Devonshire, having celebrated their annual Women's Day last year. They put on an incredible event. The topic was Women Using Their Influence. The guest speaker was Senator Joan Dillas Wright. I believe that the message that she delivered . . . we were all able to appreciate what influences we actually do have. Some of the things that she highlighted, Mr. Speaker, were things that we do perhaps as a matter

of course, but do not really take the time to recognise it. And I am appreciative of the message that Senator Wright delivered. The Honourable Leader John Barritt would like to be associated with those comments as well.

Thank you, Mr. Speaker.

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

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.

First of all, I wish to be associated with the condolences given by the Honourable Member Lovitta Foggo, with the congratulations given by the Honourable Member Grant Gibbons, the congratulations given by the Honourable Member Wayne Furbert, and the congratulations given by the Honourable Member Zane De Silva.

Mr. Speaker, I rise to ask that the House send congratulations to the young people who participated in the KPMG programme that sees them trading and investing. While the winners of the event this year were the Bermuda Institute team Profit Bulls, I wish to call out the names of all the teams that participated, because the young people are learning valuable life lessons. And I think everyone would agree that it is important that they know how to handle money and how to invest. And getting that opportunity at an early age is really something special, and they get the mentoring of KPMG. So we really want to say thank you to KPMG for the event, and I want to call out the names of the teams.

From NSA, we had the Gecko Brokers. From Warwick Academy, we had Young Money. From Somersfield, we had Mucho Dinero. From Bermuda Institute, we also had the Trade Winds. From BHS, we had Common Cents (with C-e-n-t-s). From Berkeley Institute, we had Money Changers. From CedarBridge Academy, we had Animated Investors. From BHS, we had IB Investors. From CedarBridge Academy, again, we had LBD Investors (and that stands for "Little Black Dress" Investors). From Saltus, we had Goldfinger. From Saltus, again, we had BRICs (B-R-I-C-s). From Warwick Academy, we had Doby's Traders. And from Berkeley, again, we had WMCM.

So, congratulations to all the young people involved, and their mentors.

I also want to congratulate the Berkeley Music Department, Mr. Speaker. Last week they had a Dirty Thursday. I wondered what Dirty Thursday was, and it meant that it was an opportunity for the young people to get out of uniform and come dressed any way they wished. But the music they played certainly surpassed . . . the disarray in their clothes was overcome by the music. The string ensemble was under the direction of Mrs. Dana Marie Semos; The choral performance

troupe under the direction of Dr. Jimmy Lee Brown; and the concert band under the direction of Mr. N. Christopher Darrell .

And Mr. Speaker, they really would have made your heart glad, because I know you like music as do I, but you can sing better than myself. But you would have enjoyed the concert. And I just want to congratulate them and ask them to continue, and encourage the gifted young people who performed to keep up the good work.

Mr. Speaker, I also wish to congratulate the winners of the Spelldown Competition. You will know by now that it was young Nasir Simmons , and his runner-up was MacKenzie Paul. The young spellers participated from an event that took in every school. It went from the West End to the East End, and culminated in the finals in which these two young people came out at the top of their class.

Mr. Speaker, finally, I want to congratulate all the winners of the VIP Excellence Awards, in particular Mr. Carvel Van Putten, who was the overall winner.

Thank you.

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

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, and good morning.

Mr. Speaker, I would like to be associated with the condolences being expressed to the family of the late Mrs. Esmee Burrows, a family member. My great-grandmother was Mr. Reginald Burrows' aunt, Ruth Hall. And certainly, our condolences go out to that family which stretches far and wide, as I am sure you know better than I, Mr. Speaker, how far and wide that family does spread and touch within families in greater Southampton.

I would like to also be associated with the condolences to Mr. Durham Stephens, who was a good friend of mine. We played a lot of golf together down at St. George's. He used to enjoy an occasional outing to get away from the office down at St. George's with some of his colleagues and play golf with me. I had to give him a few strokes, and I got the worst end of that deal, as well, Mr. Speaker, as he was quite an accomplished golfer himself. I know he will be sadly missed by all his friends, particularly those who play golf at the Riddell's Bay Golf and Country Club, where he was a member.

Mr. Speaker, I would like to be associated with the remarks to Mr. Al Oughton, former Senate President, who I served under in the other place for some nine years as he presided as Senate President. He was very passionate about health care. As has been said, he was the author of the Oughton Report,

which was pretty much the blueprint which then led to the Arthur Andersen report on health care.

And as I certainly plied my trade down in another place, it was often referred to as we dealt with matters pertaining to health care and the challenges that we faced within health care. I look forward to saluting Mr. Oughton for his sterling service in both the field of health care, but also in regard to him being a role model as one who has been dedicated to the firm for which he worked, and also to the friends that he has made over the years. And indeed, he was a role model for me because he showed us a great deal in his character and his courage of convictions. Thank you.

And the Honourable Member, the Government Whip, would like to be associated with those remarks as well. 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 and Learned Member, Mrs. P. Cox.

Madam Premier, you have the floor.

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

Mr. Speaker, I would like to be certainly associated with the condolences sent to a former colleague in this House, the Honourable Reginald Burrows, on the loss of his mother. And I would certainly like condolences to be sent to all of his family, and I am associating myself with my colleagues in that regard.

Mr. Speaker, also, I want to say thank you and congratulations to Christ Church Devonshire, the Canon [James] Francis, and again the Women's Day Committee. I would certainly like to be associated with the commendations and to the Senator, Joan Dillas Wright, on a speech talking about the circle of influence and the fact that each of us has a role to play.

Mr. Speaker, part of that leads me to the next congratulatory message. And that is to Mr. Glenn Fubler and all those who form part of the Imagine Bermuda Committee. They had a wonderful event last Saturday down at the Whitney School, and it was called "Yes, I Can." And it was a positive affirmation of faith in the community, and it encouraged the discourse, dialogue, and also playfulness between young and old, black and white, community and corporate. And that is certainly to be commended.

Mr. Speaker, in a time when we are dealing with an economic downturn, one must always praise the raisins in the muffins. And the raisins in the muffins are those corporate entities who seek to refresh, renew, and reinvent themselves so that they can remain current and also keep people employed. Mr. Speaker, I would like to commend two corporate entities, in particular, CellOne, as well as the Gibbons Group, with what they have done in terms of seeking

to reinvent their brand and expand. I think it certainly was a treat for those who work there to have a larger environment in which to operate, and also it is good for those who need to spend some dollars in Bermuda.

So, Mr. Speaker, I want to say congratulations to those entities and to all those in future who seek to do things like that.

And certainly, Mr. Speaker, I want to also associate myself with the comments already made in talking about the thanksgiving and celebratory service for Mr. Bishop Norris Dickenson. It was certainly moving, it was poignant, and it was also a trip down Memory Lane as you looked at a man who had a legacy of leadership.

Mr. Speaker, finally, I would like to commend Bermuda. And I say "commend Bermuda" because, Mr. Speaker, despite all our warts and imperfections, we still have a thriving democracy. And I say that, Mr. Speaker, as we look at the splitting and halving off within elected UBP Members and different entities that have been formed. But there is still a thriving democracy. And for that, I think Bermuda should take some comfort.

Thank you, sir.

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

I now recognise the Honourable Member, Mr. M. Bean, from Warwick South Central. Mr. Bean has the floor.

Mr. Marc A. R. Bean: Good morning, Mr. Speaker, and good morning, honourable colleagues.

Mr. Speaker, I ask this Honourable House to send condolences to the [family of the] late Mr. Jerome Gibson, who recently succumbed to a long-term illness. Many will know Mr. Gibson as a well-known individual within the hospitality industry. I believe that he worked at the Fairmont Southampton Princess. I see that MP Lister, Dennis Lister, and MP Horton, the Deputy Speaker, and MP Weeks would like to be associated with those condolences.

In fact, Mr. Gibson was my next-door neighbour, Mr. Speaker. He resided at Spring Benny Road, as his companion is Mechelle Smith, whom many will know to be the sister of the great marathon, or May 24th [2010], runner Kavin Smith. So I ask for condolences to be sent to his family and also to Smith's family.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Bean, the Honourable Member from Warwick South Central.

Any further speakers?

No further speakers.

Just before we move on, I just wish to acknowledge in the public gallery former Member, Mr. A. Pitcher, who is observing us this morning.

Welcome, Mr. Pitcher.

[Desk thumping]

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATION

The Speaker: I recognise the Honourable Member, Mr. H. Swan, from St. George's West, who wishes to give a personal explanation.

Mr. Swan, you have the floor.

DIFFERENCES WITH ONE BERMUDA ALLIANCE

Hon. Hubert (Kim) E. Swan: Thank you, Mr. Speaker. Good morning. Mr. Speaker, today I rise to provide you with a Personal Explanation; thank you for permitting me to do so.

First allow me to congratulate the Honourable and Learned Member, Mr. John Barritt, on assuming the constitutional role as Leader of the Opposition. Notwithstanding our political differences of late, let me state for the record that I have been helpful in the smooth transition for the new Opposition Leader taking over the office and remain available should my advice be required.

Mr. Speaker, the Members of Parliament for the One Bermuda Alliance share a common heritage with us that we were all elected under the United Bermuda Party banner, and we shared common values. Ironically, I have an affinity to the name, as it is most familiar to me and ties in to our United Bermuda Party origins as well. But the real beauty of One Bermuda lies inside of us, in our hearts. And I pray to God that the spirit of the name One Bermuda can mean for others what it means for me.

Mr. Speaker, our differences with our former colleagues was with procedural matters pertaining to the United Bermuda Party Constitution. Our former colleagues all have, at some point or another, stood on principle against a wrong. The adherence of the United Bermuda Party Constitution was one such occasion for me and the Honourable Member, Mr. Charles Swan. We were left with no alternative but to take legal action to ensure that the rights of members were followed within our Party.

Politically, my colleague, Mr. Charles Swan, and I will work responsibly on issues with the colleagues in this House as we have done in the past, and that includes the official Opposition, the Independent, Backbenchers, Government Ministers. As required, we hold no animosity, but stand on principle. In the meantime, we remain under the United Ber-

muda Party banner and will undertake to facilitate the outreach required to our members and supporters.

Finally, Mr. Speaker, we pledge to the people of St. George's West, number 2, and Southampton West Central, number 31, in particular, that we will continue to work hard on their behalf and on behalf of all the people of Bermuda.

Thank you, Mr. Speaker, for this opportunity.

The Speaker: Thank you, Mr. Swan.

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: I am going to take the Premier first. I now recognise Madam Premier, the Honourable and Learned Member from Devonshire North West.

Madam Premier?

FIRST READINGS

SPECIFIED BUSINESS LEGISLATION AMENDMENT ACT 2011

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

Mr. Speaker, I am introducing the following Bill for its first reading, the Specified Business Legislation Amendment Act 2011.

The Speaker: Thank you, Madam Premier.

I now recognise the Honourable Member Mr. M. Weeks, from Pembroke East Central.

Mr. Weeks, you have the floor.

BERMUDA SMALL BUSINESS DEVELOPMENT CORPORATION AMENDMENT ACT 2011

Hon. Michael Weeks: Thank you, Mr. Speaker. I am introducing the following Bill for its first reading: The Bermuda Small Business Development Corporation Amendment Act 2011.

This Bill seeks to amend the Bermuda Small Business Development Corporation Act 1980, the principal Act, to rename it as the Bermuda Economic Development Corporation and to expand its functions.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Weeks.

Under Standing Order 28, no leave of the House is required.

Are there any further Bills?

We will move on.

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: That brings us to the Orders of the Day for Friday, May 20th. Order Number 1 on the Order Paper, Second Reading, the Bail Amendment Act 2011, in the name of the Minister of Justice and the Attorney General, the Honourable and Learned Member, Mr. M. Scott, from Sandys North. Minister Scott has the floor.

Minister?

Hon. Michael J. Scott: Mr. Speaker, I thank you.

Mr. Speaker, I move that the Bill entitled the Bail Amendment Act 2011 be now read a second time and committed.

The Speaker: Any objection?
Agreed to.

[Gavel]

The Speaker: Carry on, Minister.

SECOND READING

BAIL AMENDMENT ACT 2011

Hon. Michael J. Scott: Mr. Speaker, it is indeed my pleasure to present to this Honourable House for its consideration the [Bail Amendment Act of 2011](#). It is a Bill to amend the Bail Act of 2005. The Bill contains measures intended to reform the laws pertaining to the granting of bail so as to ensure that our Island's bail-granting regime continues to serve as a pillar of the system of the administration of justice at a time when the Island faces unprecedented challenges in our fight against both crime and, especially, violent crime.

Mr. Speaker, these bail measures call for the extension of police bail conditions to all offences, and not just to indictable offences. Secondly, Mr. Speaker, the measures call for the identification of the circumstances in which police bail conditions may be imposed, the adding of personal safety as another lawful basis for applying bail conditions, and for allowing of arrest upon suspicion on reasonable grounds of the likelihood of a person breaching bail conditions.

Mr. Speaker, amendments to the Bail Act 2005 resulting in the Bail Amendment Act of 2010 drove certain other amendments relative to bail. In the Bail Amendment Act of 2010, at sections 5A and 5B in particular, provision is made there for (1) police bail conditions, (2) factors to be considered before grant-

ing bail, (3) arresting for breaching conditions of bail, and (4) arresting a person on release from detention for breaching conditions of bail.

The Bill makes additional provision for police bail conditions so as to further achieve the above-referenced objectives. It also ensures, Mr. Speaker, that the Act is compatible with the outstanding provisions of the Police and Criminal Evidence Act of 2006, commonly referred to as PACE.

PACE is the cornerstone, Mr. Speaker, of the recently enacted legislation intended to modernise the practises and methods of law enforcement so that they are aligned with the best practises of advanced policing jurisdictions.

Mr. Speaker, the Act stipulates that conditions can be imposed for police bail under section 462 of the Criminal Code of 1907 for a person taken into custody for an indictable offence. Furthermore, PACE entails provisions of police custody for less-serious summary offences. Therefore, it preserves the existing Criminal Code bail option and is consistent with PACE, allowing for bail conditions to apply to police bail for all offences and not just limited to indictable offences, as is currently provided for under the Bill.

Mr. Speaker, prior to these amendments, the relevant provisions of the Act did not identify the circumstances under which police bail might be issued with respect to a specific time frame. As such, if conditions were applied to bail under the current legislative regime dealing with provisions pending further inquiries, there could be no consequence for breaching the conditions, and the conditions would serve no purpose, given that they would not be statutorily authorised. Therefore, it is prudent, Mr. Speaker, to make the amendments to section 5A(1) of the Act at clause 2A of the Bill to make provision for bail conditions to be applied before a person is charged while awaiting the Director of Public Prosecution's [DPP] decision as to whether or not to charge, or after a person has indeed been charged.

Mr. Speaker, the Act at section 5A(3) currently lists three factors to be considered by the police when granting bail. However, in similar legislation in other jurisdictions, including the United Kingdom, under its Police and Criminal Evidence Act of 1984, other factors may also be considered by the police, such as a person's safety.

Mr. Speaker, according to a policy determination that has been made that this factor is essential for Bermuda to adopt as another tool to prevent violent crime and to protect witnesses, where the person in custody is a potential witness to another crime, in the current climate of tit-for-tat, gang rivalry, and considering the many offences and circumstances in which a suspect may be at risk of violent reprisal, it is now essential to include personal safety, as another factor to be considered by the police prior to the granting of bail, under clause 2B of the Bill.

Mr. Speaker, whereas the Act makes provision for police bail, the bail amendments provide a new power of arrest that is granted to the police in circumstances where there are reasonable grounds to suspect that a person is likely to breach conditions of their bail. This power will pre-empt circumstances while waiting until conditions have indeed been breached or when it is often too late to effect the causes of justice.

An example, Mr. Speaker, is someone who has been issued a bail condition preventing them from either travelling outside of these Islands, and/or a condition where they have been required to surrender their passport, and that person then proceeds through the LFW International Airport and boards an aircraft. Mr. Speaker, the conditions will have been breached, and they will have made good their escape. Therefore, provisions are in place under this Bill for the police to have the power to arrest the person on bail when there are reasonable grounds to suspect that a person will breach bail and which will have the potential consequence of undue hardship being placed upon law enforcement in our country, or serious harm to that person himself or to indeed others, or the consequence of unlawful damage to property.

Mr. Speaker, these measures are not only prudent; they are necessary at a time when the administration of justice is challenged like it never was before, and at a time when law enforcement faces many other challenges. Bail allows us to uphold the rights of Bermudians not to be held unduly long prior to a final outcome of a prosecution. It is also a device that enables the judiciary to assess the pros and cons of releasing a person appearing before them within our magistrate's court who, upon being charged, it is determined whether the community is safer with the defendant remanded in custody or indeed released on bail.

All these measures are adopted to serve these particular purposes and ends of justice, Mr. Speaker, in order to effectively contend with the challenges to the administration of justice in these challenging times as they have been presented to us.

And so, Mr. Speaker, with those brief observations of the principles of the Bail Amendment Act of 2011, I commend this Bill to the House.

The Speaker: Thank you, Minister Scott.

Any further speakers?

I now recognise the Honourable and Learned Member, Mr. T. Moniz, Smith's West, Shadow Minister for Justice and Attorney General. The Honourable Member, Mr. Moniz, has the floor.

Hon. Trevor G. Moniz: I am obliged, Mr. Speaker, and I would like to comment that I am also obliged to my Honourable and Learned Member (friend), the Minister, who has shared with me his brief, which

makes it very much easier to follow what is going on here today with respect to this Bill.

This area of the law has grown increasingly complex with the various bits of Police and Criminal Evidence Act legislation, which is known as PACE. We have had a number of those Bills coming through. Most recently, last year we had Police and Criminal Evidence Amendment Act 2010, and we had the Police and Criminal Evidence Amendment (No. 2) Act 2010. The second Act created a variety of new sections in that Act. Then, in parallel, we have had the Bail Act, which has been going since 2005. We also had an amendment to the Bail Act 2005 last year, in 2010, and now we are having a second amendment in 2011.

And these various acts mesh together. Of course, the Police and Criminal Evidence Act is coming into force in four separate phases, which are hoped to be completed later this year. And part of that was the completion of the new Hamilton Police Station, which provides facilities that are appropriate for not only the holding of persons, but also for the recording of interviews, et cetera, as required under the requirements of PACE.

The Bill which we have before us today, the Bail Amendment Act 2011, as the Minister said, really does three different things. It extends bail condition release not only for indictable offences, but for all offences. It imposes a new condition, one of someone's personal safety, protecting someone for their personal safety. And it also allows arrest on reasonable grounds if there is a likelihood of someone breaching their bail conditions.

So those are the three principal aims of the Bill that is in front of us today. We in the Opposition support those aims. We support the Bill that is in front of us today. And we support all the measures that the Government is taking to strengthen the hands of the justice system, including, obviously, in this case, the police to be able to produce public safety in Bermuda, which of course is being challenged by this plethora of gang- and gun-related crimes that we have seen.

Now, as you can see, these may be difficult things to judge. I mean, how do you judge when it is for someone's personal safety to provide certain conditions on their release on bail? Of course, one of those provisions . . . the normal provisions, reporting to a police station, handing in your passport, and the newest one, of course, is to do with the tagging devices, the ankle bracelets, as they are often referred to, the monitoring devices which have not yet to date been used, but they have been talked about for a year or two now.

Just by way of comment, it was interesting that earlier this morning the Minister said that there was money in the Confiscated Assets Fund, which has been earmarked for going towards the costs that may be incurred when these bail conditions are put into place, with tagging of people that are on bail. I

guess the idea of tagging people when they are on bail . . . I would imagine, in particular when they are gang-related incidents, one of the conditions that can be put on persons who are released on police bail is that they are told not to go into certain areas—areas which may be populated by a rival gang, where the person may be in danger. Of course, the police have no way of knowing whether or not that person is going into those areas.

So with the provision of ankle bracelets, you could ensure that the individual would know that the police have a way of confirming whether or not that person has breached the condition of bail not to attend at certain areas or places where their life may be in danger and where they may be putting other people's lives in danger. And all of that, we, on this side of the House, support most strenuously.

Now, these are, however, complicated areas of the law, as we have said previously. And there are issues of human rights that are involved here. I took the [opportunity] earlier this morning to mention our concern to the Minister on one of the matters. And we have said it on previous occasions when we have debated these matters. You have to balance the requirement of expediency in terms of the justice system to be able to arrest miscreants, to produce public safety in our society. But you have to balance that on the other side with the requirements of human rights under the Constitution.

So you have to make sure at all stages it sees a balance. And we have said before in this House, and I have said, that these new powers which we are granting to the police—because they go beyond the normal powers—must be closely monitored over time, to say, "Well, how many people" . . . For example, we have given the police greater custody powers to pull people in custody for longer periods of time, and I think it is up to 28 days. And we have passed legislation to provide that, when they are kept for that period, that they may be kept in correctional institutions.

The Speaker: Yes. That was last week.

Hon. Trevor G. Moniz: Correct. So all of that is part of the scheme that we are doing.

Well, at all times we have to balance the individual's human rights with the requirements of society. That is a basic tenet of what we are doing. So we on this side want to ensure that that is being done. So while we fully support the power that is being given to the police, I just want to say that we intend . . . And my Honourable and Learned colleague, Mark Pettigill, will be putting in an amendment in committee which would provide for the possibility of a review of the bail conditions by a magistrate.

The reason why that may be necessary is because there is always the possibility of a review of the exercise of police powers by the Supreme Court because the Supreme Court has a very broad jurisdic-

tion. It has its *habeas corpus* jurisdiction, where you can make an application, if someone is held in custody somewhere, for their release. But the magistrate's court, unlike the Supreme Court, is purely a creature of statute. The magistrate's court only has those powers which are granted to it specifically by statute. And it is our belief that in other places the common practise is to review these matters by the magistrate's court. So we would like to see some mechanism in appropriate cases for the review of bail conditions by way of a magistrate.

But, as I repeatedly said, we do support what is being done here today. These powers do give the police more options when they are trying to deal with public safety. It makes it easier for them. There is, on the whole, less bureaucracy. They have more latitude. It has to, of course, be overseen by senior officers of the force and repeatedly referred to decisions being made by officers of the rank of inspector or above.

We fully support that and hope it will go some way toward getting rid of this menace in our society of violent gangs. We were very pleased to see that we now seem to be arriving at a situation where, with the Shadow Justice Minister hat on, the courts and the juries finally seem to be getting the message, that we need to see some successful prosecutions here. And I think the police were saying they have had 10 successful convictions in a row involved with these terrible violent crimes which are blighting our community. All of this is part of a framework which we have pressed for for some time that Government needs to take firm action on. And we approve of these actions at this time, subject to those caveats.

Thank you, Mr. Speaker.

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

Any further speakers?

I recognise the Honourable Member, Mr. W. Perinchief, Pembroke Central. Minister Perinchief has the floor.

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker.

We on this side, of course, and I in my particular position, do welcome these amendments to the Bail Act. I did hear across the floor that a certain amendment will probably be brought by the other side to the Bail Act, which involves, I believe, the bail conditions coming in front of a magistrate for review.

There is some forthcoming legislation, which I will not pre-empt and will not pre-empt the Minister of Justice disclosing at this time. Nevertheless, I do welcome the support of the other side and the recognition that, long before a suspected person or an arrested person actually has been charged, there are things or acts that person could commit that could frustrate or thwart the actual successful prosecution in court.

There could be tampering of witnesses, tampering of evidence, because we do know the police

have to send firearms overseas. They have to send various exhibits of DNA overseas. And that would occasion a lapse of time before the suspected person actually comes to have a formal charge laid on them. This could take—and we have applied for—as long as 28 days to actually have the evidence returned to the police so that they can go to a DPP and formalise a charge.

Because of the inordinate delays, persons can either flee the jurisdiction, as I said also, and that is the purpose of these rather stringent and extraordinary conditions being added to bail requirements of suspected persons.

So, all of these amendments are very practical. While they were not necessary heretofore, before the gun violence and what I can only describe as murder and mayhem, and the organised criminality that gangs are now bringing to the whole spectrum of investigating crime . . . When people acted individually, and perhaps a murder was a crime of passion, it was a fairly simple process where the facts in evidence were just that: They were in evidence. It was not so problematic to investigate that type of crime.

It seems almost an irony that we as the, if you like, authorities under government to deal with public safety are now enacting legislation which is going to be restrictive of people's movement from one place to another. And I know we have already bemoaned the fact that gangs, by their very existence and territoriality, are limiting the movement of individuals from one place to another in the country. We know that young men in particular cannot freely move about the country either for educational reasons, to seek education, to seek jobs, or even to visit friends or family who may live in another gang's (quote—unquote) "territory." So it may appear that it is almost a conundrum, if you like, that now we as the authorities are seeking to limit the movement of individuals in almost the same fashion, but for a different reason.

Because we do know that with the incendiary situation, tit-for-tit crimes, the vindictive nature of criminal action these days, where, if a person in one gang has been (well, in the vernacular) "hit" by a member of another gang, that there is almost sure retribution. Well, that would be one good reason for us and the police to want to limit the movement of not only the victim's friends, but any witnesses to the crime. And sometimes, witnesses to crimes are often perpetrators themselves. So before charging, we would like to restrict their movement.

The Honourable and Learned Member on the other side correctly described the scenario where if the perpetrator is on bail, then it would also be desirable to track their movements by using tagging processes while they are at large, before charging, so that we would avoid them moving into, if you like, other territories where they could either hit another person in retaliation, or, in actual fact, harass a witness or

actually interfere with the investigative process by removing or damaging evidence.

I do hear on the other side that they are, within certain parameters, supportive of this legislation, and in actual fact are willing to assist in its drafting so that we remove the political aspects of it, the political antagonism, and that we get a legislative tool, if you like, a piece of legislation that is specific and fair and serves the purpose of investigating and trying to mitigate criminal activity, especially with gangs in the country.

Thank you very much, Mr. Speaker, for your indulgence.

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

Any further speakers?

I now recognise the Honourable and Learned Member, Mr. M. Pettingill, from Warwick West.

Mr. Pettingill, you have the floor, sir.

Mr. Mark Pettingill: Thank you, Mr. Speaker.

Mr. Speaker, if I may, I would like to perhaps build on the analogy that the Honourable Minister has just commented on, because this is, in fact, a tool, a very, very important tool that there is no question that we need to have in our jurisdiction. There is no question also that on this side of the House we are fully, fully supportive of the implementation of this particular useful tool.

I rise, Mr. Speaker, just to highlight that I think, and I submit, that in the passing of legislation, in creating a useful tool, we have to have some clairvoyance, if you will, and foresight with regard to how the tool will be used and how most effectively that tool can be used. And we must ensure that this tool of justice works as we envision, and is in fact working in the best interest of society.

One perhaps can do that, Mr. Speaker. And I think that our devotion has to be to the law that we pass and to the justice that we are trying to achieve. It may in fact help if we all bear in mind at times, Mr. Speaker, my favourite image, the image of justice. She stands—sword in hand, shield at her side—blindfolded so there is no prejudice, with a scale in her hand. And the scale is there to ensure that there is always the balance that is brought to bear in relation to justice.

So while one certainly embraces the proposed amendments that are tabled here, I would encourage the Honourable Members of this House, in the interest of working together and ensuring that we have an effective tool, to consider what we can do to make it as workable as possible, and also to ensure that we support fully the justice that we are trying to achieve.

This particular tool, as I see it, Mr. Speaker, is modelled on legislation from other jurisdictions, particularly from legislation in England that is contained in

the PACE Act. And there is no question that there are circumstances that arise before a case is fully fledged, before it reaches what is called the threshold stage where a prosecutor can say, "Yes, we are going to charge this person on the evidence," that the police, in looking at it, quite rightly will have to bail a person to return to the police station. And in doing so, it is quite sensible that conditions should be implemented with regard to the issuance of that bail.

The conditions that are set out here by this proposed legislation are conditions that are embraced, Mr. Speaker, by the European Court of Justice, and are embraced effectively by our own Bermudian Constitution in being fair and right and taking in the interest of all, the public—*pro bono publico* is the Latin maxim for the law on that—and in the interest of and fairness to people that would be charged, or particularly that are held in custody, because the fundamental principle we all wish to uphold with regard to our Constitution is basic human rights. Despite the terrible scourge that we may be wishing to fight, it has to be paramount that we have that.

Consequently, Mr. Speaker, we have to have a system—particularly when we are bringing onerous legislation to combat serious crime and we are picking up the sword of justice—that ensures that we do not drop the shield and that the scale of justice is not over-balanced, because it has to work for all of us, all of our sons and daughters, brothers and sisters, if the time should come that they should be subject to the provisions that we pass in this Honourable House. Because on that day, when Honourable Members have someone that is close to them—heaven forbid, even themselves—they are going to turn and look at that image of justice and say, "I demand that this justice work for me and my kid!"

Consequently, Mr. Speaker, we have to have a system that has checks and balances, even when we feel our passions rise as a result of the terrible crimes that are being committed in our society. We have to have and hold the scale of balance. We must support this type of legislation. We have to have this type of legislation and powers granted to the police. But we must have the check and the balance.

And the one thing that I would encourage Honourable Members in this House to consider, as used in other jurisdictions, is that the actions that are taken with regard to a police officer or the rank of inspector granting bail before a person is charged, I emphasise that the check and the balance must necessarily be that those actions somewhere are subject to review, Mr. Speaker.

And I will propose to Honourable Members, in taking nothing away from this very, very significant piece of legislation that we must have, that we must rightly include a provision for review. And I would say, and humbly submit to Members of this House, that that review should be simply contained in an added section, which allows the person who has been sub-

ject to bail conditions imposed by a police officer, that they can seek a review of those conditions by the same custody officer, or by another custody officer of the same rank, and that they can do so in writing through their attorney, that the balance and the check may be in place.

And, Mr. Speaker, that they may also make application to a magistrate to ensure that someone that sits in a different place of justice, that is the overseer of how everything works, can look at the provisions and the conditions of justice that are applied by this very useful piece of legislation, and on review say, "Perhaps we have not got this quite right, that the conditions that are applied here are too onerous and need to be moderated or ameliorated.

But also, on review, Mr. Speaker, that an officer of equal rank or a magistrate might say, "Actually, these provisions are not onerous enough. And in looking at this application, I think there should be some more." And we have the balance, and we have the check, and we have the system that we must safeguard.

We must, in my respectful submission, Mr. Speaker, ensure that we in this House in passing these types of laws . . . and I anticipate that more of them will come . . . I anticipate that they will receive full support from this side of the House. I anticipate that they will go through scrutiny at all different levels, as they should.

Mr. Speaker, as you know, I have served a number of years in this community as a defence attorney, as well as other roles. And sometimes, people wonder, like, "Well, how do you do these different roles? You know, you call for the store to be clamped down." I certainly have encouraged that the Government, in that regard (with regard to our fine public) . . . But I cannot—and I must not, and we must not—lose sight of the fact that we have to carry all of those things.

So, today I rise on that balance. I humbly submit to this House that in order to pass today something that is pristine, pellucid, and a real reflection of the justice that we want to achieve, that we amend the amendment, and we add on a simple provision that the very important provisions that we are calling for in the amendments through our passing are subject to a very simple check and balance.

And let me say this, Mr. Speaker. This type of added amendment takes nothing away—takes nothing away—from the legislation that is being proposed; I fully support it.

The Speaker: Perhaps the Honourable Member should be saying, *I give notice when we get into committee I intend to move the appropriate amendment.* And then you can debate it even more then.

Mr. Mark Pettingill: Mr. Speaker, I think it is important at this stage that some philosophy is given to why we

need to do this. I anticipate that that is going to be the case, that we may well move such an amendment.

What I am imploring Members to do, in the interest of all of us acting in the best interests of this country, is to consider on a philosophical premise that we need to embrace justice fully.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pettingill, the Honourable and Learned Member from Warwick West.

Are there any further speakers?

No further speakers.

The Honourable Member, Minister Scott, is going to reply. Minister Scott has the floor.

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

May I firstly thank all Honourable Members for their wholesome support of the Bail Amendment Act of 2011. I have heard the other side indicate their proposed amendments, and when we go into committee we will address those amendments.

Suffice it to say, Mr. Speaker, that the support of the amendments are welcome. We will have an opportunity to thrash out how, if at all, the amendments can be accepted prior to phase four of PACE rolling into effect. There are some considerations to be taken into account when contemplating the bail review amendments as proposed by Mr. Pettingill, the Honourable Member.

But with those welcoming remarks of support of the amendments, I move that the Bill be committed.

The Speaker: Any objection?

[Gave] Agreed to.

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

House in Committee at 12:05 pm

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

COMMITTEE ON BILL

BAIL AMENDMENT ACT 2011

The Chairman: Members, we are now discussing the Bail Amendment Act 2011. I would like to turn the floor over to the Honourable Minister, Michael Scott, from Sandys North.

Minister Scott.

Hon. Michael J. Scott: Mr. Chairman, thank you so much.

Mr. Chairman, this Bill that we are considering consists of some six clauses. With your permission, sir, I move that the Bill move up to the point, up to 1 and 4 so that we catch up with and then stop just prior to the amendment.

The Chairman: We are moving—

Hon. Michael J. Scott: Clauses 1 to 4.

The Chairman: —clauses 1 to 4 or 1 to 3?

Hon. Michael J. Scott: Clauses 1 to 3. I am advised clauses 1 to 3.

The Chairman: Clauses 1 to 3.

Hon. Michael J. Scott: So, clause 1, Mr. Chairman, Members of the House, is the citation.

Clause 2 amends section 5(4) of the principal Act to add to the conditions that a police officer may attach to a police bail granted under that section. The purpose of the amendment, in clause 4, is to cater to, or cater for the automatic repeal of section 5A of the principal Act when phase four of PACE comes into operation.

Mr. Chairman, clause 3 amends section 5A of the principal Act to insert a new subsection (1) to state that the two circumstances in which police bail conditions may be issued before charge while awaiting a decision of the Director of Public Prosecutions as to whether to charge or not, and after charge. And the new subsection (1) also makes the condition for police bail under section 5A applicable to all offences, not just indictable offences.

Section 5A(3) of the principal Act has also been amended (in clause 3) to add a new paragraph (d) as a factor which may be considered as a condition of bail, Mr. Chairman.

And clause 3 also amends section 5A(4) of the principal Act to add to the conditions that a police officer of or above the rank of inspector may attach to a police bail granted under that section.

So I will pause there and hear other contributions from the House.

The Chairman: Thank you, Minister.

Would any other Member like to speak to this matter?

I will recognise the Honourable and Learned Member, Mr. Moniz, from . . . where are you from, sir?

Hon. Trevor G. Moniz: Smith's West, Mr. Chairman.

The Chairman: Smith's West.

Hon. Trevor G. Moniz: He is just testing me. District number 9, Smith's West.

[Laughter]

The Chairman: Honourable Member Moniz, you have the floor.

Hon. Trevor G. Moniz: Thank you, Mr. Chairman. I appreciate that.

Yes, as Members will be aware, this is enlarging this sort of process where you speak to . . . I wonder whether the Minister can help here, where you say you have to act for the person's own safety.

Now, I just want to make clear, and I think when he spoke in the House, the Minister for National Security spoke of witnesses. But I think this is bail; this is only with respect to people who are likely to be charged for committing an offence. This does not stretch to witnesses. We have separate legislation that deals with witness protection, et cetera. So I think that the Minister for National Security slightly mis-spoke when he said that.

But when you talk about acting for a person's own safety . . . and I wonder whether the Minister can elucidate for the House exactly what the law is. And I guess the situation is that this phrase may be taken from legislation that already exists in the United Kingdom. The question is whether there is legal guidance in existence as to what exactly that means, when you add a condition to bail for the person's own safety, and whether there is some sort of legal guidance. It seems clear enough, I guess, to the average person. But those are the sort of open-ended ones that cause some sort of difficulty.

Of course, there is all of this . . . It becomes complicated because, as the Minister stated in the House when he opened, he said that the purpose of the amendment, in respect to 5(4) of the principal Act . . . the amendment in clause 2 is to cater for the automatic repeal of section 5A of the principal Bail Act 2005 when phase four of PACE comes into operation later this year. So we are talking about a situation where one section will be automatically repealed so that another section will go into place with respect to the conditions that could be placed on an individual when they are given bail under these provisions.

Thank you, Mr. Chairman.

The Chairman: Thank you, Honourable Member.

Is there another Member who would like to speak to these clauses?

I recognise the Leader of the Opposition, the Honourable and Learned Member, Mr. John Barritt.

Mr. Barritt, you have the floor.

Mr. John Barritt: Thank you, Mr. Chairman.

I just would like to hear from the Minister responsible with respect to, in principle, having heard what the Opposition said with respect to inserting the opportunity for review, as it were, of the decisions that are made . . . as he put it (the Honourable and Learned Member, Mr. Pettingill), it is a check and balance.

I would be keen to know what his disposition, and that of the Government, is with respect to that, in principle. As the amendment is being drafted, and, as

so often comes in cases like this, Mr. Chairman, on the floor of the House, one likes to know whether there is a disposition that is favourable to that sort of—not the review, but the review of what is proposed by way of an amendment.

Because, as so often is the case, we are not inventing the wheel here; we are, in fact—and the Minister said this in his opening remarks—we are taking legislation that has been developed and explored and implemented in the United Kingdom, as I understand it. And I am sure, Mr. Chairman, through the practise over there in the United Kingdom, there has been some experience. And what has that experience been? I mean, obviously, we believe this will be an effective and useful tool for the police to have in terms of the current situation that we face, the “menace,” as it has been described. And it is the one that we want to get on top of well before it gets on top of us, Mr. Chairman.

So I would be keen to know whether the Minister can tell us, in lifting this from the UK and bringing it to Bermuda, whether the experience in the United Kingdom commends itself to us, and whether in its implementation they have found in the practise that a review at some stage is warranted. And I am talking now with respect to people who have been bailed, Mr. Chairman, and not yet charged. This is quite apart from the 28-day limit.

The Chairman: Thank you, Honourable Member.

I do not know whether the Minister would like to respond to that now or once the amendment is brought forth.

Would you care to speak to it now, Minister?

Hon. Michael J. Scott: . . . responding to it after all Members have spoken, Mr. Chairman. And I can give an immediate answer to the last question raised by the Honourable and Learned Member, Mr. Barritt, that we are in a position and minded to assist with this amendment. It does require some tweaking, based on the phase four having not come into effect as yet. So I will address it.

If you want me to carry on now with the response?

Mr. John Barritt: If I may, Mr. Chairman?

The Chairman: Go ahead, go ahead.

Mr. John Barritt: I am obviously pleased and encouraged to hear that. And rather than perhaps battle (that is the wrong choice of word), go back and forth across the floor of the House, what we need to do now perhaps is . . . I have heard the Minister say that Government is favourably disposed to considering the amendment. There may be some tweaking that is necessary.

Perhaps the Minister can tell us what strategy he intends to employ, whether we will go ahead here today, we will rise and report progress, or go to the Senate and make the amendment there and then bring it back here. But what we want to do, Minister, just so that you know and the Government knows and the people of Bermuda know—we want to move with some speed and alacrity with this. Many people say that this has been a long time coming, and we do not want to do anything but make sure it goes forth—properly, of course, but as quickly as it can.

Thank you.

The Chairman: Honourable Minister, it is your call, sir.

Hon. Michael J. Scott: Thank you, Mr. Chairman. I am now going to proceed.

First, may I just thank the Honourable and Learned Members, both Mr. Moniz and Mr. Pettingill, Mr. Pettingill for generating the proponents of the amendment.

May I say that the proposed amendment should go along these lines, that a person who has been subject to bail conditions issued by an inspector or above, under the provisions of the Bail Act, may apply to the magistrate's court, in which case such application will be made in writing, et cetera.

We have to delete any reference to a custody officer, I am advised, because the custody officer's position has not been implemented and will not be implemented until phase four.

Members should also note that the current powers of a magistrate to amend, upgrade, the conditions of bail are quite extensive. They are there. But this amendment is welcomed. And, as was characterised by Members on the other side, it neither takes away [from]—indeed, it adds to—our section 5 that we have under review.

Mr. Chairman, so I read with some care the formulation that would suit the Government, and if I undertake to have it typed in terms . . . but if you want me to repeat it.

The Chairman: But, Honourable Member, Mr. Pettingill, so you will agree that we move? It was your original amendment, coming forward. But you have no issue with us moving in this manner?

Mr. Mark Pettingill: I am certainly not going to disagree to anything now, Mr. Chairman, of course. Thank you.

For the sake of your copy, I did actually (and it is quite right; I concur) remove the use of the word "custody." Custody officer is a specific role that has yet to be implemented. So that would read as just another "officer." Right?

The Chairman: Right. So we would like the amendment to be moved. Now, I do not know whether the Minister . . . Or Minister, if you would like, since Mr. Pettingill agrees, if you can move the . . .

AMENDMENT

Hon. Michael J. Scott: I will move Mr. Pettingill's amendment as corrected, as amended.

The Chairman: Right, as amended. And if you would read it, please, as you have it, Minister?

Hon. Michael J. Scott: That a person who has been subject to bail conditions issued by an inspector under the provisions of the Bail Act may apply to the magistrate's court, in which case such application will be made in writing and contain a statement of grounds upon which it is made. If a person makes the application in relation to subsection (1), it is open to the reviewing officer or the magistrate to impose more onerous conditions.

The Chairman: Thank you.

Can I ask that all Members in favour of that amendment, please indicate by saying aye? All those against?

AYES.

The Chairman: All right. So the amendment will go through, and the amendment will be attached on the four [*sic*] clauses that have already been discussed.

[Motion carried: Amendment passed.]

The Chairman: So I would like to ask now for Members please to agree to the first four [*sic*] clauses, as amended. All those in favour, please say Aye. All those against?

AYES.

The Chairman: The ayes have it.
Honourable Minister?

[Motion carried: Clauses 1 through 3, as amended, passed]

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

Mr. Chairman, if I may, I will move now to clause 4 of the—

The Chairman: Minister, if I can interrupt you just for one moment.

Hon. Michael J. Scott: Yes.

The Chairman: I see a former Member of the House sitting in the gallery. The former MP, Kim Young, is here. We welcome you to the House.

[Desk thumping]

Hon. Michael J. Scott: Thank you, Mr. Chairman. Mr. Chairman, clause 4.

Clause 4 inserts a new section, section 5B, to the principal Act to indicate that a person who has been released on police bail under section 5A may be arrested without a warrant by a police officer if that officer has reasonable grounds for suspecting that the person has breached any of the conditions of the police bail or is likely to breach any of the conditions of the police bail.

Under clause 5, section 5B of the principal Act as enacted by clause 4 of the Bill is repealed, Mr. Chairman, on the coming into operation of section 5 of the principal Act.

Finally, clause 6 gives the power to the Minister to bring the provisions of this Act into operation by notice published in the *Gazette*.

Those are the two remaining clauses, and all six clauses of the Bill. Thank you, Mr. Chairman.

The Chairman: Thank you, Honourable Minister.

Would any other Member like to speak to these clauses, 4, 5, and 6?

No Member wishes to speak . . . all those in favour of clauses 4, 5, and 6, please indicate by saying Aye. Those against, say Nay.

AYES.

The Chairman: The ayes have it. Minister?

[Motion carried: Clauses 4 through 6 passed.]

Hon. Michael J. Scott: Mr. Chairman, I move that the Bill be reported to the House, as with the appropriate amendments.

The Chairman: Thank you, Minister.

[Motion carried: The Bail Amendment Act 2011 was considered by a Committee of the whole House, passed with amendment, and will be reported to the House.]

House resumed at 12:22 pm

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

REPORT ON BILL

BAIL AMENDMENT ACT 2011

The Speaker: Is there any objection to the Report of the Committee as amended?

Agreed to.

[Gavel]

The Speaker: We will move on. The second order is the Psychological Practitioners Amendment Act. The Premier has indicated it is being carried over.

Order No. 3 is also being carried over. (Just avoids my calling it out when we know we are not going to do it.)

There are no further orders. Minister, I now recognise the Honourable and Learned Member, Minister M. Scott, from Sandy's North.

Minister?

SUSPENSION OF STANDING ORDER 21

Hon. Michael J. Scott: Mr. Speaker, with your leave, I move for Standing Order 21 to be suspended to enable me to move the Bill.

The Speaker: Yes, yes, Standing Order 21.

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

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: Carry on, Minister Scott.

[Motion carried: Standing Order 21 suspended.]

Hon. Michael J. Scott: Mr. Speaker, I am moving that the Bail Amendment Act 2011 be now read a third time by its title only.

The Speaker: Any objection?

Agreed to.

[Gavel]

THIRD READING

BAIL AMENDMENT ACT 2011

Hon. Michael J. Scott: The Bail Amendment Act 2011. Mr. Speaker, I move that the Bill do now pass.

The Speaker: Any objection?

Agreed to.

[Gavel]

[Motion carried: The Bail Amendment Act 2011, read a third time and passed.]

The Speaker: Madam Premier, there are no further orders before the House.

Madam Premier has the floor.

ADJOURNMENT

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

I move that the House do now adjourn.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: The House stands adjourned until Friday next at 10:00 am.

[At 12:24 pm, the House stood adjourned until 10:00 am, Friday, 27 May 2011.]

BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****27 MAY 2011****10:02 AM***Sitting Number 24 of the 2010/11 Session**[Hon. Stanley Lowe, Speaker in the Chair]***PRAYERS***[Prayers read by Hon. Stanley Lowe, Speaker]***CONFIRMATION OF MINUTES****25 AND 28 MARCH 2011**

The Speaker: The Minutes of the 25th and the 28th of March have been circulated, and Honourable Members should find them in their seats.

Any objection?

[Gavel]

The Speaker: Agreed to.

[Motion carried: Minutes of 25 and 28 March 2011 confirmed.]

The Speaker: Any other Minutes are being deferred.

MESSAGES FROM THE GOVERNOR

The Speaker: There are none.

**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGIES**

The Speaker: I wish to make the following announcement:

We have received a communication from the Honourable Member Dame, Jennifer M. Smith, from St. George's North. She states that she regrets not being in the House today and her absence is as a result of representing Bermuda, or forming a part of the Bermuda delegation of women, accompanying the Premier to the International Women's Committee, which is meeting in Rome, Italy.

Further to that, I have a communication from the Honourable Member, Mrs. Gordon-Pamplin, Paget West. She also regrets not being in the House today, as she also is in attendance at the Women's Forum that is being held in Rome, Italy.

Also we have a further communication from the Honourable and Learned Member, Mr. S. Crock-

well, from Pembroke West, who regrets not being able to be in attendance at the House as he is involved in a Supreme Court trial.

One further announcement: On last week, the Honourable Member from Devonshire East, Mr. E. Richards, sent a communication, but I unfortunately received it a bit late. He was expressing his regrets at not being able to attend the House, as he and his wife were off attending the graduation of their younger son, who I believe is graduating from graduate school. Our congratulations go out to him and his family on that very happy occasion. We take the opportunity of announcing that so he can get officially in the Minutes of the House. I thank Honourable Members for their indulgence.

We will move on.

MESSAGES FROM THE SENATE

The Speaker: There are none.

**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE**

The Speaker: I now recognise the Honourable Member, Minister Z. De Silva, from Southampton East Central.

Minister De Silva has the floor.

**OPTOMETRISTS AND OPTICIANS AMENDMENT
REGULATIONS 2011**

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I have the honour to attach and submit for the information of the Honourable House of Assembly the Optometrists and Opticians Amendment Regulations 2011 made by the Minister responsible for Health under the provisions of section 29 of the Optometrists and Opticians Act 2008.

The Speaker: Thank you, Minister De Silva.

Are there any further papers or communications?

We will move on.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS

The Speaker: I am now going to take Minister W. Perinchief from Pembroke Central.

Minister Perinchief, you have the floor, sir.

IMMIGRATION'S REVISED POLICY TO EXTEND PERIOD OF STAY FOR VISITING YACHTS

Hon. Wayne N. M. Perinchief: Thank you, Mr. Speaker.

Mr. Speaker, flexibility in policy making is one of the strengths of good governance. There is a requirement to adjust even well-intentioned policies that may not reflect how best we wish to position our Island home to tourists of all varieties.

As the Minister responsible for Immigration, I recognise that we as the Government must all play our part in improving the odds for the recovery of tourism and to support the hard work of the Minister and her team.

Mr. Speaker, in 2005, the cruise ship industry signalled its need to change the deployment of ships to Bermuda. These vessels, like the *Zenith*, *Horizon*, and *Norwegian Majesty*, were being phased out for use in other markets. Responding to that change became the task of the Government and other important stakeholders at our ports.

Mr. Speaker, this Government is on record as having encouraged the creation of a mega-yacht port for Bermuda and has suggested either end of the Island as possible venues. The historic elegance of St. George's and its spectacular natural harbour makes it a fine spot for this activity. With the two cruise ship piers in Dockyard, the course correction that has resulted from the use of larger ships to serve Bermuda has demonstrated to some the wisdom of cultivating the yachting business.

Mr. Speaker, I am pleased to announce today that to further encourage this brand of tourism and to stimulate the economic benefits this business can bring, Cabinet has approved the revised policy for visiting yachts.

Mr. Speaker, in fact, from the 1st of June, visiting yachts and their crews will be granted a maximum of 90 days' stay on arrival in Bermuda.

An Hon. Member: Hear! Hear! Hear! Hear! Hear! Hear! Hear!

Hon. Wayne N. M. Perinchief: At least one Member across the floor—

[Laughter]

Hon. Wayne N. M. Perinchief: —I believe hailing from St. George's signals that as a good event.

Mr. Speaker, in keeping with best practise and standard immigration policy, we will ask these visitors

to provide proof of citizenship and of the means to repatriate themselves by air, proof of health insurance, and the declaration not to seek or take up employment in Bermuda.

The fee for this long stay, Mr. Speaker, will be set at a nominal \$250. Extensions for up to a further 90 days will also be permitted on application to the Department of Immigration.

Mr. Speaker, I wish to thank my colleagues, the Honourable Member, Minister Minors, the Minister of Business Development and Tourism, for her support of this change.

Mr. Speaker, visiting yachts and crews spent over \$10 million in Bermuda in 2010.

[Inaudible interjections]

[Gavel]

The Speaker: The Minister is on his feet.

Carry on, Minister.

Hon. Wayne N. M. Perinchief: Yes, Mr. Speaker.

I will repeat. Visiting yachts and crews spent over \$10 million in Bermuda in 2010. Extending the permitted length of stay will increase this contribution to the local economy and do more to further the positive image of Bermuda as open for business and demonstrate more red carpet and less red tape.

Thank you, Mr. Speaker.

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

Any further Ministerial Statements?

I now recognise the Honourable Member, Minister P. Minors, from Smith's North.

Minister Minors, you have the floor.

Hon. Patrice K. Minors: Thank you, Mr. Speaker. I hope you will oblige me, as I have three Ministerial Statements to read this morning.

The Speaker: Yes.

TOURISM ENTERTAINMENT INITIATIVES

Hon. Patrice K. Minors: Mr. Speaker, you will be aware that one of the major objectives of the Ministry of Business Development and Tourism is to improve the entertainment offering to our visitors, at the same time increasing the opportunities for local Bermudian entertainers in the tourism and hospitality industry. Providing live entertainment opportunities for our visitors is therefore a top priority for the Department of Tourism this summer.

Mr. Speaker, from May to October, there will be a host of free Sizzling Summer activities to include historical, cultural, and musical treats designed to inspire and enhance our visitors' adventures around our

beautiful Island. From local tastings, Crown & Anchor Demonstrations, whereby visitors will learn how to play Bermuda's popular dice game with Froggie dollars, to a new live musical event under the stars entitled Bermuda Nights, visitors can be assured that there will be lots to see and do in Bermuda.

Mr. Speaker, we are extremely pleased to announce a new entertainment initiative entitled Bermuda Nights, which kicks off on June 11 at Barr's Bay Park. Bermuda Nights will be an evening full of great entertainment whereby visitors and locals can watch Bermuda's best local bands and entertainers such as Prestige, HindSight, Sia Spence, Homegrown, and many more. One can also enjoy a cultural interactive performance from our fire limbo dances, Bermuda's steel pan orchestra, and Zumba performers, and sample local food and rum swizzles. This new event is aimed at fusing our locals and visitors together in a magnificent outdoor setting to create the ultimate Bermuda experience. Bermuda Nights will take place every other Saturday from June 11th to October 15th.

Mr. Speaker, it is very important for both the Department and the Government of Bermuda to support our local entertainers. We recognise that Bermuda has some extremely talented performers that should be highlighted, especially to our visitors. With this said, the Department is pleased to lend support to various hotels to increase and support their local entertainment offering.

An Hon. Member: Hear, hear!

[Desk thumping]

Hon. Patrice K. Minors: As a result of the Department's support to some of our hotels, visitors will be able to see live performances seven days a week at The Reefs, duo and trio bands perform at Pompano, and enjoy additional entertainment at Fairmont Hamilton and Grotto Bay Beach Resort. Live with HindSight is another new offering at two different hotel venues. Sundays—Live with HindSight opens this Sunday, May 29th, at the Fairmont Southampton's Jasmine Lounge and will continue every Sunday until October 30th. And Thursdays, Live with HindSight will start at the Lido Complex at Elbow Beach on June 9th and run through to October 13th.

Mr. Speaker, in the West End, the Department will support WEDCO's Royal Naval Nights in Dockyard, taking place every Monday from June 27th until October 24th, which offers a host of entertainment for the whole family to enjoy, including local arts and crafts, late-night shopping, food stations, and children's activities. Snorkel Park is the place to be on Sundays, as they feature an eclectic mix of local Bermuda artists, performers, and musicians in a beautiful beach setting. In addition to great entertainment, there is an array of activities such as sand castle contests, pedal-boat races for the kids, and other games and

contests, making this beach location the ultimate beach getaway. Snorkel Park offers a delicious bar-beque menu, cool tropical drinks and refreshments, and will run this entertainment programme until October 30th.

Mr. Speaker, in the City of Hamilton, Gombey Saturdays in the Park is back by popular demand and hosted by Hamilton's Town Crier, Ed Christopher. Visitors can enjoy a live steel pan playing island rhythms, followed by an electrifying Gombey performance in Par-la-Ville Park. Every Monday, Wednesday, and Friday until October 28th, also visitors can join the Town Crier and experience Bermuda on foot while discovering unique facts about places in the city. Dressed in his official uniform, Ed will lead our visitors through the City of Hamilton's vibrant streets as you learn more about the history and culture of this dynamic city.

Mr. Speaker, on the first Sunday of each month until September 4th, our visitors can enjoy Summer Sundays in the Park featuring local rhythms in one of Bermuda's most beloved parks, Victoria Park located in the City of Hamilton. This monthly event features Bermuda's live entertainment, island cuisine, children's play area, and will have Sundays sizzling with lots of fun.

Every Wednesday until October 31st is Karaoke Nights at Shine's House of Music. Visitors will experience a fun-filled night full of great laughs and entertainment as they sing their favourite songs and meet our friendly locals. With presentation of their room key, visitors will receive complimentary access to a free Dark'n Stormy to get their vocals ready for their performance.

Mr. Speaker, every Tuesday from May 31st to August 16th, visitors will receive complimentary access to The Masterworks Museum of Bermuda Art for their "Art in the Gardens" programme, home to an impressive collection of Bermuda-inspired art. Visitors can join an exclusive gallery tour that exposes them to Bermuda's great culture and history, and receive a complimentary commemorative gift to remember their visit in Bermuda.

Mr. Speaker, not to be left out in the East End, Sizzling Tuesdays at Gombey's Restaurant, St. Peter's Church tours, and the historical re-enactments are still going strong. And new this year is a guided walking tour by renowned St. George's Walking Tour Guide Gillian Outerbridge or Connie Dey, who take our visitors behind the scenes of this quaint UNESCO World Heritage Site to share significant moments in Bermuda's history, entertaining facts, and stories about past residents, while showing you St. George's unique architectural and scenic sites. This tour is every Monday, Tuesday, Wednesday, and Thursday.

Mr. Speaker, yes, the refrain is that the Bermuda Department of Tourism is hosting and promoting live entertainment. On selected days, various acts will also be sponsored in King's Square, City of Hamil-

ton, and the L. F. Wade International Airport. As the Minister of Business Development and Tourism, I committed that we would fund a local entertainment programme, and wish to commend Department of Tourism Director, Mr. Billy Griffith and his hardworking Promotional Services Team, led by Ms. Stacey Evans assisted by Miss Tashae Thompson, for creating this exciting smorgasbord of talent and activities for our visitors to experience.

Mr. Speaker, we are looking forward to ensuring that our visitors enjoy themselves and connect again and again with the great hospitality that makes Bermuda the preferred place to relax and rejuvenate. Thank You, Mr. Speaker. I now move on to—

The Speaker: Thank you, Minister Minors.

Minister Minors has a further Statement.
Carry on, Minister.

BUSINESS BERMUDA INTERNATIONAL MARKETING TOUR

Hon. Patrice K. Minors: Mr. Speaker, I am pleased to provide the House with an update on the Business Bermuda International Marketing Tour of the London, Singapore, and Hong Kong markets.

Mr. Speaker, the Ministry of Business Development and Tourism recognises that efforts to make Bermuda a more welcoming place go a long way towards attracting additional businesses. Partnerships are critical to our efforts, helping to extend and best support Bermuda-based firms. Accordingly, the House would be aware that the Government of Bermuda provides Business Bermuda with an annual grant. This year, Business Bermuda has been awarded a grant in the amount of \$2.6 million.

Mr. Speaker, Business Bermuda's mission is to attract business to Bermuda by working with the Government and Bermuda resident companies to develop and promote Bermuda as a first-tier international financial centre contributing to Bermuda jobs, innovation, and competitiveness. Members actively utilise the organisation's network of policy committees to formulate business views in multiple areas—from local awareness to international marketing, from the trust business to telecommunications and technology—and to influence the course of legislation, regulation, and policy in Bermuda and around the world. Business Bermuda consults with and advises the Bermuda Government on a range of global business and economic issues. Mr. Speaker, Business Bermuda has been organising annual conferences in London, Singapore, and Hong Kong for several years. I am pleased to report on the following events:

- The Annual Bermuda Financial Services Conference in London took place on April 7, 2011.
- Thereafter from April 10th to 13th, you had the Annual Bermuda Financial Services Reception and Marketing Tour in Singapore.

- And last, from April 13th to April 19th, you had the Annual Bermuda Financial Services Reception and Marketing Tour in Hong Kong.

Mr. Speaker, the Annual Financial Services Conference in London has been and is an integral part of the Government's as well as the business community's efforts to increase opportunities for Bermuda businesses and workers, through improved access for their products and services in the UK. The delegation consisted of 63 persons, which include public and private sector delegates.

Mr. Speaker, The event was attended by 300 lawyers, accountants, financial advisors, fund managers, and international business executives. The event was also attended by 41 representatives of the media including, but not limited to, the *Financial Times*; Reuters; *Reinsurance Magazine*; *Insurance Day*; *Capitive Review*; *Hedge Fund Review*, as well as *Private Banker International*.

Mr. Speaker, this year's conference was fast paced and packed with information. It commenced with a pre-conference summit and panel discussion on Bermuda and offshore jurisdictions, featuring Sir Richard Gozney, Governor of Bermuda; Pam Burrows, Assistant Financial Secretary, Ministry of Finance; Jeremy Cox, CEO of the Bermuda Monetary Authority (BMA); Greg Wojciechowski, CEO of the Bermuda Stock Exchange; and Cheryl Packwood, CEO of Business Bermuda.

Mr. Speaker, our Honourable Premier delivered a dynamic keynote speech powerfully making the case for doing business in Bermuda, highlighting the state of Bermuda's economy, and emphasising Bermuda's standing *vis-à-vis* other jurisdictions, emphasising Bermuda's approach to leadership in the global arena with our tax treaties, OECD standing, IAIS membership, saying, "Bermuda is consistently prepared to go the extra mile in the regulatory arena, beyond just mere compliance. We are not a brass-plate jurisdiction. We provide real services with real people on the ground."

[Gavel]

The Speaker: I can hear the undertones coming up. So let us keep them down, please.

Carry on, Minister.

Hon. Patrice K. Minors: Mr. Speaker, as the Minister of Business Development and Tourism, I was honoured to close out this successful event, sharing my thoughts with regard to our country's existing twin economic pillars—International Business and Tourism—and the opportunities for growth in the financial services businesses in Bermuda.

Mr. Speaker, Conference Survey results are as follows:

- Of the attendees, 100 per cent, including the Bermuda delegation, confirmed that they were able to build contacts for their business in Bermuda;
- Of the attendees, 80 per cent had a favourable view of the number of panel sessions;
- Nearly 70 per cent of the attendees had a very favourable view of the organisation and registration of the Conference;
- Nearly 70 per cent of attendees had a favourable view of the panellists;
- And similarly, nearly 70 per cent of the attendees had a very favourable view of the variety of topics covered.

Mr. Speaker, some of the recommendations to improve the event include, but were not limited to, the size and number of panels as well as the nature and scope of the presentations.

Mr. Speaker, the Business Bermuda Report advised that 100 persons with experience in financial services and law attended the Singapore Conference, where members of the Bermuda delegation discussed hedge funds, private equity, capital markets, the BSX, shipping and aviation, as well as insurance and reinsurance.

Mr. Speaker, further to the above, meetings were held at the Singapore Stock Exchange, the Singapore Mercantile Exchange, as well as a series of lunch and dinner meetings with members of the private sector. Business Bermuda representatives, as well as the CEO of the Bermuda Stock Exchange, also participated in the Shorex Wealth Management Conference and presented on the benefits of incorporating a company in Bermuda and listing on the Bermuda Stock Exchange.

The Conference attracted 50 exhibitors and 1,400 delegates from Singapore, Hong Kong, India, and China, as well as other countries. It is noted that the Singapore Stock Exchange is the second largest exchange in Asia, and there are 110 Bermuda companies listed on the exchange, representing 82 per cent of the total number of foreign companies listed on this exchange.

Mr. Speaker, feedback from this Conference revealed the following:

- The distance between Asia and Bermuda continues to be a factor that affects decisions of choice;
- Bermuda has been labelled with other tax-neutral jurisdictions as being a tax haven, and it is an uphill task to influence key decision-makers of Bermuda's commitment to tax transparency;
- Marketing efforts have been driven by Bermuda companies having a presence in Singapore;
- And Singapore's financial services model is similar to Bermuda, which makes it harder for

Bermuda companies to compete for the same services.

Mr. Speaker, as for the London and Singapore events, the feedback for the Hong Kong event was similar, but the recommendations were unique to the extent that the delegates had expressed an interest in Bermuda's investment policy, securities, hedge funds, as well as policies for new businesses. There was also a recommendation to include presentations in Mandarin or Cantonese to make it more convenient for Chinese investors to build up confidence in the financial services sector in Bermuda. It is noted that in Hong Kong, 400 of the listed companies on the main board of the Hong Kong Stock Exchange are Bermuda companies. Meetings were held with the Hong Kong Trade Development Council, as well as the Hong Kong Stock Exchange.

Mr. Speaker, the financial services sector touches our lives in so many ways. Almost everything we buy, including mortgages and insurance, is made possible with the support of financial services. Mr. Speaker, to any young person who is interested in a career in the business sector, I would say, "Take as many risks as possible, and never be afraid to ask questions." The Government's objective is to position Bermuda as the partner and investment destination of choice for financial and professional services.

Business Bermuda is a key component of promoting the dialogue between Bermuda-based service providers and business professionals, in local as well as overseas markets. I wish to thank the Business Bermuda Board through the Chairman, Mr. David Cash, as well as the Executive Officer, Ms. Cheryl Packwood, for partnering with the Government to continuing to promote a coherent economic policy for Bermuda.

Thank you, Mr. Speaker. And my final—

The Speaker: Thank you, Minister Minors.

Minister Minors has a further Statement.
Minister?

BERMUDA'S LATEST TOURISM INITIATIVE

Hon. Patrice K. Minors: Thank you. Mr. Speaker. This is another tourism one.

Mr. Speaker, the Members of this Honourable House, as well as the public are aware that the Bermuda Department of Tourism is mandated with facilitating the development of a National Tourism Plan. Once the Plan is completed, it will not only reflect a focused synergy between international business and tourism, but it will pave the way for a new and exciting way of doing business aimed at reviving Bermuda's tourism product.

Mr. Speaker, on the weekend of April 29th, the Tourism Board hosted a two-day retreat at the Fairmont Hamilton Princess, which saw the coming to-

gether of industry partners who have a vested interest in the Island's tourism product.

[Inaudible interjection]

Hon. Patrice K. Minors: Yes, and MP Cole Simons, the Honourable Member.

Representatives from such entities as the Bermuda Chamber of Commerce, the Bermuda Hotel Association and numerous other organisations were present for the two-day session.

The retreat was moderated by Mr. Peter Yewawich, Chairman and CEO of Ypartnership, as well as a local consultant, Dr. Janet Fergusson.

Mr. Speaker, some of the main points that emanated from the retreat was to ensure that the success of tourism included the importance of private and public sector communication and collaboration, effective branding and promotion, the need to have a vibrant and exciting product offering for the visitors, and the importance of having a clear, visible Bermudian identity for the Island's tourism product.

Meanwhile, a snapshot of the key demographics of the Bermuda visitor indicated that they are affluent, looking for a family-focused vacation, and interested in a getaway which offers an array of outdoor activities.

I spent both days at the retreat and was pleased with the turnout and with the frankness of the dialogue. I am confident that the sessions will address the challenges currently being experienced in tourism and result in a comprehensive National Tourism Plan.

Mr. Speaker, our work does not end there. In the upcoming weeks, the Tourism Board will continue to host additional events to ensure the broadest possible consultation from the public as it relates to the National Tourism Plan. I have asked the Board to deliver our National Tourism Plan by the end of October 2011.

Mr. Speaker, I am also pleased to report that in May, the Bermuda Hospitality Institute [BHI] promoted Hospitality Week, *Reviving the Golden Rule*, throughout the Island's schools and the community at large. The purpose was to build an understanding of the responsibility each individual has to be hospitable, while fostering the mindset shift required to develop a future Bermudian workforce for the hospitality industry.

The theme "Treating people as you want to be treated" was a call to action that cut across every economic segment of our Island, and was applicable to each and every person residing here.

Mr. Speaker, the primary objectives of Hospitality Week were to:

- heighten awareness of the impact each individual resident has on the success of Bermuda's hospitality industry;
- to reinforce importance of the hospitality industry to the Island's economic wellbeing;

- to position the industry as one to safeguard and advance; and
- to prepare Bermuda's residents to put their 'best foot forward' for upcoming high season.

The key messages we wanted people to remember from Hospitality Week were, "Bermuda is my home, and every visitor is my guest." "I want guests to feel welcomed in my home, and I will demonstrate this through all of my actions."

Mr. Speaker, to ensure this message hit home with all residents—

- BHI partnered with primary and middle school principals, teachers, and volunteers from the private sector to deliver a hospitality-focused programme throughout the week.
- A total of 1,780 P2 to M3 public and private school students were actively involved in lessons focused on being hospitable, the importance of good manners, and taking pride in our Island home.
- More than 70 volunteers from the hospitality industry went into schools Island-wide and assisted teachers in the delivery of their lessons.
- There was a full week of radio and television broadcasts promoting these same concepts to young adults and mature audiences. One highlight was a 30-minute television special showcasing the industry's impact on every segment of our community.
- Island-wide, some of our greatest attractions held open houses and complimentary tours. Residents were encouraged to check out the locations both in their own parishes and around the Island to help prepare them to answer the question that we all will be asked sooner or later: "What's there to do here?"
- And BHI provided a number of online tools to help ensure all are prepared to be hospitable. These are still on their website www.BHI.bm.

Mr. Speaker, the first group of participants have completed BHI's 10-week START program. Eighteen Bermudian high school students will now take up full-time summer positions in the hospitality industry. Employers include the Fairmont Southampton and Fairmont Hamilton Princess, Elbow Beach, Pompano's, Rosewood Tucker's Point and The Reefs, IRG Restaurant Group, and Snorkel Park. Having learned how the industry works, each student now has the opportunity to receive on-the-job training while earning a good wage this summer, and as their industry experience grows, so will their opportunities.

Mr. Speaker, BHI's new board of directors has taken their seats at the table and will be instrumental in promoting and fine-tuning the organisation's goals and objectives. The directors represent the full range of the hospitality industry, bringing a depth of experi-

ence and a wealth of knowledge that ensure BHI is of benefit to industry employers, current and future employees, and the community at large.

Mr. Speaker, Bermuda toasted a double celebration with pink champagne at the Royal Horticultural Society (RHS) Chelsea Flower Show, taking home Silver for their debut garden and celebrating the Island's national day, traditionally the start of summer, on the show's opening day, May 24th. The RHS judges awarded garden designer, Nicky Gurret, a Silver medal for her "Bermuda Honeymoon Garden," the fourth time Nicky has been a medal-winner at the show.

The Honeymoon Garden was designed on behalf of the Bermuda Department of Tourism and Bermuda Parks Department to showcase the best of Bermuda, from its verdant landscapes to its unique pink sandy beaches, and reflecting the theme of weddings and honeymoons to promote the Island as the honeymoon destination of choice. I would like to extend warm congratulations to Nicky Gurret for her excellent achievement.

Mr. Speaker, finally, I would like to report that, as recently announced, eight of the top radio stations from the UK arrived on the Island on Saturday, the 21st of May, for a series of live broadcasts from the Island. Following an intense introduction to the Island and its attractions over the weekend, the first station, Metro North FM, broadcast live for four hours on Sunday evening. As part of their pre-campaign, all stations have had a dedicated landing page on their website offering a prize trip giveaway in partnership with some of the hotels on the Island, as well as British Airways. With four satellite studios set up at Fairmont Southampton, the station broadcasted back to over 4.5 million listeners in the UK.

The opportunity was also taken to promote the connection with John Lennon and his visits to the Island, which will resonate strongly with the British public. Every station took time to mention our Endless Summer campaign currently in place in the UK. I am pleased to announce that as a result of one competition alone, with Smooth FM UK, over 14,000 entries were received. This is unprecedented in their history. I believe it is fair to say that this campaign, in conjunction with the Chelsea Flower Show and our ongoing Pink Taxis, is an aggressive, impactful way to raise awareness in a key market, and we look forward to monitoring the results closely.

Mr. Speaker, once again, these strategic marketing activities are bearing fruit as I reported the increases in the first-quarter statistics earlier this month. Once again, the support of the entire community, hotel operators, unions, schools, and overseas partners, and the Government is providing positive results.

Thank you Mr. Speaker.

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

I now recognise the Honourable Member Minister, G. Blakeney. Minister G. Blakeney, from Devonshire North Central, has the floor.
Minister?

Hon. Glenn A. Blakeney: Thank you, and good morning, Mr. Speaker, and colleagues, and I hope you will indulge me as well. I have an additional Ministerial Statement following this one.

The Speaker: Yes.

HARBOUR NIGHTS 2011

Hon. Glenn A. Blakeney: Mr. Speaker, I rise today to share with my honourable colleagues in this House, and with the people of Bermuda, information about Harbour Nights 2011.

Mr. Speaker, this annual summer programme is an excellent example of public/private collaboration. It also provides a wonderful platform for our artists and artisans to creatively demonstrate the entrepreneurial spirit that we as a people take pride in.

Mr. Speaker, the Ministry of Youth, Families, Sports, and Community Development has, over the years, provided a grant to the Chamber of Commerce, which assists them in the organisation and operation of this weekly street festival. By providing funds, we are giving tangible support to a programme that enables our artisans, performing artists, and local musicians and entertainers to bring cultural enrichment to residents and visitors alike in the City of Hamilton.

Mr. Speaker, every Wednesday evening from May 18th until August 31st, Front Street will come alive. Vendors set up their tables and show forth their produce and their talents. Local entertainers take to the stage and dazzle us with their performances and enrapture us with their singing and thrill us with their dancing. The rhythmic sounds of the Gombey music and the pulsating steps of the Gombey dancers captivate our attention. Every Wednesday evening from 7:00 pm until 10:00 pm, there will be a *buzz* on Front Street that is sure to excite locals and tourists alike.

Mr. Speaker, this street festival is held during the peak tourist season. It has become successful because of the shared commitment to showcasing a variety of art forms and the atmosphere that is created whereby one can leisurely stroll along and experience something new, exciting, and different every Wednesday night.

Mr. Speaker, Harbour Nights, organised by the Chamber of Commerce, has garnered the support of many city merchants, who keep their doors open until 9:00 pm. This works well in conjunction with all of the Island's artisans who exhibit their diverse crafts. Some artists may be seen completing drawings or paintings; and there are little peddle stalls with all sorts of tasty delights.

Mr. Speaker, during these challenging economic times, I am pleased to report that my Ministry continues to provide financial support to the Chamber of Commerce in order that our local artisans, musicians, and entertainers continue to have entrepreneurial opportunities through such initiatives as Harbour Nights. This is vital in order for them to sustain their crafts.

Mr. Speaker, Harbour Nights provides all who attend the opportunity to purchase from the artisans, the vendors, and the merchants. This Ministry's support of Harbour Nights is testament to the fact that we embrace and support the "Buy Bermuda" campaign, an initiative that fosters economic sustainability broadly.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney.

The Minister has a further Ministerial Statement.

The Minister has the floor.

BERMUDA YOUTH COUNSELLING SERVICES FAMILY TREATMENT SYSTEM HIGH RISK INTER- VENTION

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

Mr. Speaker, I would like to take this opportunity to update this Honourable House and the people of Bermuda on the progress of the Bermuda Youth Counselling Services High Risk Intervention Unit.

It is important to underscore what the High Risk Intervention Team is doing to strengthen and transform the lives of young people and their families to the benefit of the wider community of Bermuda.

Mr. Speaker, the High Risk Intervention Team subscribes to evidence-based research which indicates that there are risk factors that have a cumulative impact on the likelihood of predicting delinquency, violence, and gang membership at different stages of social development. In this regard, the High Risk Intervention Team provides a supportive safety-focused context for clients whilst utilising resources available within the Department of Child and Family Services and the helping community. I am pleased to say that the Unit is having a progressive impact on lives that may otherwise be directly or vicariously affected by social issues related to gang affiliation and activity. Innovation and creativity is evidenced as a strong component of the intervention process.

Mr. Speaker, Bermuda Youth Counselling Services' Programme Manager, Mrs. Lauren Trott, has developed a training, mentoring and coaching focus in the Agency that promotes ongoing professional development that is crucial to achieving competencies to support the redirection and strengthening of lives impacted by community stressors.

Mr. Speaker, the High Risk Intervention Team members are lifelong learners who are competent,

enthusiastic professionals who regularly improve their knowledge and skills to enhance the provision of services to their clients. This team is receiving training in the area of identifying and working with individuals affected by gang affiliation. They are dedicated to being as creative as they can be in addressing the needs of this population of clients.

Mr. Speaker, it is most fitting that I acknowledge the work that the Bermuda Youth Counselling Services High Risk Intervention Unit is doing with adolescents and their families. This is reflected in the statistical data that indicated that, since its inception in 2010, they have received 58 referrals. Since January 2011, the High Risk Intervention Team has received 19 referrals and have provided continuous services to not only those 19 individuals, but also to approximately 61 additional family members each month.

Mr. Speaker, the work that the dedicated members of the High Risk Intervention Team undertakes is very intense and takes place in the community, in homes, in offices, and at undisclosed protective and safe locations.

Mr. Speaker, throughout our history, Bermudians have always pulled together in a spirit of interdependency in turbulent times. This indomitable spirit is captured in a notable quotation by Pantanjali, that says, "When you are inspired by some great purpose, some extraordinary project, all your thoughts break their bonds, your mind transcends limitation, your consciousness expands in every direction and you find yourself in a new, great wonderful world."

Well, in this respect, Mr. Speaker, the High Risk Intervention Unit at Bermuda Youth Counselling Services is dedicated to working collaboratively with other internal treatment providers and nongovernmental organisations (NGOs) in order to meet the needs of Bermuda. The unit seeks to achieve a foundation of trust, commitment, and accountability, and to deliver results as they provide quality services to their clients and the community at large.

Mr. Speaker, the High Risk Intervention Team under the umbrella of the Bermuda Youth Counselling Services is currently in the process of reviewing and revising service provision to meet the national standards for accreditation.

Mr. Speaker, I am proud and excited about the growth that is taking place in the High Risk Intervention Team's provision of services, with a spirit of harmony and one accord focusing on making a positive difference in Bermuda. The Unit takes seriously the strongholds of gang involvement and the emotional pains that break the hearts of Bermuda's people. The High Risk Intervention Team provides assessments, therapeutic intervention, case management, and referrals which provide a comprehensive, creative, and strategic method of addressing the needs of our people.

Mr. Speaker, Bermuda Youth Counselling Services' transformational focus helps families navi-

gate the turbulent and often frustrating teen years when formulating effective decision-making processes to positively impact their future is crucial. This team of professionals knows that surviving the typical adolescent developmental stage can involve spheres of negative influence that affect young people's behaviour and their very existence. This is a challenge that the High Risk Intervention Unit has wholeheartedly invested in. They aim to change the headlines in the news and, ultimately, what the history books will record about Bermuda's progress as a people.

Mr. Speaker, on behalf of the Government, I wish to thank the High Risk Intervention Team for their commitment to strengthening and transforming lives for the betterment of Bermuda.

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. C. De Silva. Minister De Silva from Southampton East Central has the floor.

Minister?

MOVE MORE BERMUDA CAMPAIGN

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I rise this morning to update this Honourable House on the Move More Bermuda campaign launched this week by the Department of Health.

Mr. Speaker, the benefits of physical activity are numerous and undeniable. Being active is an essential component of maintaining good physical and mental health. In combination with healthy eating, it can assist in preventing a range of chronic diseases, including heart disease and stroke, which are leading causes of death on the Island.

Other benefits of physical activity are that it helps control weight, builds lean muscle, reduces fat, promotes strong bones, aids in muscle and joint development, and decreases the risk of obesity.

Mr. Speaker, the recently released report "Health in Review" found that 24 per cent of Bermudian adults are considered obese, while 19 per cent of young Bermudians age 11 to 18 are considered overweight or obese. It is vital that we halt, and indeed reverse, this growing trend of overweight and obese citizens in Bermuda.

The Department of Health has made it a priority to encourage healthy lifestyles in Bermuda's population through various Island-wide initiatives. One such initiative is Move More Bermuda. Mr. Speaker, on Monday of this week, I, along with the Minister of Education, the Honourable Dame Jennifer Smith, had the privilege of launching the Department of Health's Move More Bermuda campaign at the Victor Scott School. The key messages of the Move More Ber-

muda campaign are that physical activity needs to be incorporated as part of the healthy lifestyle. And everyone needs to engage in physical activity each day and to participate in activities that you enjoy.

Because of modern advances, we have become a more sedentary population, Mr. Speaker. Therefore, we need to make a concerted effort to be active every day. Mr. Speaker, to demonstrate this, Mrs. Tresca Trott, School Counsellor at Victor Scott School, has started a wonderful initiative with students called Healthy Wealthy. Healthy Wealthy is a wellness programme created for students who could benefit from additional nutritional and fitness guidance. The goals of Healthy Wealthy are to encourage healthy eating, improve self-esteem, and improve exercise habits for participants.

So far, about 14 students meet twice per week during their lunch break with Health and Life Coach, Mr. Preston Ephraim. Mr. Ephraim and some Victor Scott staff members have volunteered their time to ensure the success of this programme. It is a hope that students will incorporate what they learn each week into their daily life and become a positive influence on those around them at school and also at home, Mr. Speaker. In other words, we are hoping that this programme that the children are involved with rubs off on some of our parents.

Mr. Speaker, on Wednesday this week, our Health Promotion Team coordinated the activities of Harbour Nights. The Move More Bermuda theme was incorporated into the entire evening through activities such as Zumba, line dancing, Tai Chi, resistance training, and old-fashioned games: jump rope, hula hoops (my favourite, Mr. Speaker)—

The Speaker: Yes. We saw you.

Hon. Zane J. S. De Silva: —hopscotch, and Chinese jump rope.

The Speaker: Yes.

Hon. Zane J. S. De Silva: Yes, Mr. Speaker.

Members of the public also filled out surveys regarding their physical activity and eating habits. These events are only the beginning of a year-long campaign to encourage more physical activity among the people of Bermuda.

Mr. Speaker, according to the 2006 Health Survey of Adults and Children in Bermuda, 29 per cent of adults reported doing vigorous activity three times per week, and 29 per cent of adolescents reported doing vigorous physical activity five times per week. Now, Mr. Speaker, that is not good enough. We want to increase the proportion of adults and children who are physically active. There are a variety of ways which we can achieve this:

- Make physical activity a part of your daily routine. You do not have to become a marathon

runner, Mr. Speaker, to get all the benefits of physical activity.

- Do activities that you enjoy.
- Make everyday activities more active. For example, take the stairs instead of the elevator, which I do every time I come to this Honourable House. Instead of sending e-mails, walk down the hall to a co-worker's office, Mr. Speaker.

The Speaker: That is good advice.

Hon. Zane J. S. De Silva: Yes.

- Park your car a distance away, and walk to work.
- Engaging in physical activity as a family can be a fun way to get everyone moving.

Studies have shown that people are more likely to participate in physical activity if they feel supported by friends and families or are surrounded by others interested in physical activity.

In conclusion, Mr. Speaker, we at the Ministry of Health are committed to promoting and creating supportive environments for healthy living, and we will continue to spread the message—Move More Bermuda.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister De Silva, the Honourable Member from Southampton East Central.

Any further Statements?

I now recognise the Acting Premier, the Honourable Member, Mr. D. Burgess, from Hamilton East. Mr. Acting Premier, you have the floor.

CLAIMS BY THE BERMUDA ENVIRONMENTAL ENERGY SUSTAINABLE GROUP (BEESG)

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

Mr. Speaker, I rise this morning to provide a response to the various assertions being made by the Bermuda Environmental Energy Sustainable Group in the local media about its ability to provide an alternative means of waste disposal and energy production that will replace the Tynes Bay Waste-to-Energy Facility.

While I will not speak to the individual claims themselves, I will say that what the Bermuda Environmental Energy Group is promising is extremely idealistic and therefore must be vetted seriously by the Ministry of Public Works before any decision to replace the Tynes Bay Facility is made.

Mr. Speaker, I can report that on April 20th, 2011, tactical officers from the Ministry met with them to investigate those claims and to learn about the process being proposed. The Bermuda Environmental Energy Sustainable Group, however, indicated that

they were unable to provide substantial information to support their claims or provide any concrete methodology on how they would achieve the goals until an initial study was performed. They were advised that to perform such a study, a Memorandum of Understanding (MOU) would have to be signed between them and the Bermuda Government.

The Memorandum of Understanding required substantial Government commitments, such as the provision of all the waste generated on the Island for the next 50 years, as well as a 50-year lease on the current Tynes Bay location, and an additional five acres of land that would be required adjacent to Tynes Bay. Obviously, the Government could not commit to such terms without knowing the details of what was being proposed and proof that the Group could deliver on the various promises being made. The Ministry, therefore, did not sign the Memorandum of Understanding, but did offer the full cooperation and sharing of information by its tactical officers in order for the company to obtain all information required to provide a comprehensive proposal to Government.

The Ministry is considering the proposed non-disclosure agreement so that any sensitive information submitted by the company would remain confidential. However, to date, the Bermuda Environmental Energy Sustainable Group is more insistent on signing an MOU before it will provide any detailed information needed for the Ministry to fully evaluate the system being proposed.

Mr. Speaker, while the Ministry will always remain open to new ideas and technology, we require the information to evaluate these ideas for accuracy, effectiveness, and most importantly, suitability in Bermuda before long-term commitments such as those being proposed by the Group are made. I would also like to remind the representatives of the Bermuda Environmental Energy Sustainable Group that, indeed, any entity seeking to make proposals on waste-to-energy- that the Ministry has over 15 years of hands-on experience in the waste-to-energy field, with key local knowledge and contacts throughout the waste-to-energy industry worldwide. Therefore, there is very little that the Ministry does not already know in terms of alternative waste-to-energy technologies available today, including the system being proposed by the Group.

Mr. Speaker, it would be important to note that the Government has already made a substantial investment of some \$25 million into the refurbishment of the Tynes Bay infrastructure, which will see the plant operating soundly for the next 10 to 15 years. The Ministry also plans for the addition of a third stream that will restore plant redundancy and provide long-term sustainability going into the future. To discard such an investment is simply not a wise use of the taxpayers' money.

We would recommend that Bermuda Environmental Energy Sustainable Group or any other

entity submitting extraordinary proposals must come with the hard evidence to satisfy the Government before any decision to replace our current system will be considered. To choose the wrong system would mean jeopardising the long-term sustainability of our Island's waste management infrastructure. And that is a risk that the Government certainly will not make.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Burgess, the Acting Premier, from Hamilton East.

Are there any further Ministerial Statements?
We will move on.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: The Honourable and Learned Member, Mr. Barritt, Leader of the Opposition, from Devonshire South Central, has a question to be put to the Honourable P. Minors.

Mr. John Barritt: No, no, no, no, Mr. Speaker, to the Honourable Wayne Perinchief, the Minister for National Security, with respect to his Statement.

The Speaker: I apologise to the Honourable Member. Go ahead.

QUESTION NO. 1 ON IMMIGRATION'S REVISED POLICY TO EXTEND PERIOD OF STAY FOR VISITING YACHTS

Mr. John Barritt: No problem, Mr. Speaker.

If I could, it is on page 2, and it is with respect to the new policy changes that the Minister has articulated in his Statement.

My question is, Will the requirement now to provide proof of citizenship replace, or be instead of, that requirement that some crew people are required to have visas issued from the British consulate? I understand there are some 60 nationalities heretofore that have required visas issued at British consulates to come ashore in Bermuda. Is this going to change that?

The Speaker: The Honourable Minister, Mr. W. Perinchief, is going to respond.
Minister?

Hon. Wayne N. M. Perinchief: I will have to take that under advisement. At present, a passport would be sufficient; but I will have to take that under advisement.

Mr. John Barritt: May I just follow up with a supplementary—

The Speaker: Yes.

SUPPLEMENTARY

Mr. John Barritt: —and ask the Minister whether he will give an undertaking to come back to the House? Because I understand this is a real [INAUDIBLE] spot.

Hon. Wayne N. M. Perinchief: I will indeed come back to the House with an answer.

Mr. John Barritt: Thank you.

And then my next question, if I may, Mr. Speaker?

The Speaker: Yes.

The Honourable Member has a further question.

QUESTION NO. 2 ON IMMIGRATION'S REVISED POLICY TO EXTEND PERIOD OF STAY FOR VISITING YACHTS

Mr. John Barritt: The nominal charge of \$250, is that going to be per yacht or per crew person, as it stands?

[Laughter]

The Speaker: Stay right where you are, Minister.

Hon. Wayne N. M. Perinchief: The extension would be less than that. The initial application would be \$250 per person, but any further extension would be less than that.

Mr. John Barritt: Supplementary, Mr. Speaker?

The Speaker: Yes, yes.

Mr. John Barritt: Do you have a figure yet?

Hon. Wayne N. M. Perinchief: Approximately \$150.

Mr. John Barritt: Thank you.

Perhaps, if I could just follow up with my last question.

The Speaker: Yes, yes. Go ahead, Mr. Barritt.

SUPPLEMENTARY

Mr. John Barritt: Because this is so important—and this is an important and welcome change—could the Minister perhaps come back next week with the details so that we can understand?

¹Hon. Wayne N. M. Perinchief: I shall indeed do that.

Mr. John Barritt: Thank you.

The Speaker: Thank you, thank you, Mr. Barritt, and the Minister Mr. W. Perinchief.

There is a further question from the Honourable Member, Mr. H. K. Swan, from St. George's West.

Mr. Swan.

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

Mr. Speaker, I have a question to the Minister, the Honourable Wayne N. M. Perinchief, with regard to the revised policy for the visiting yachts and their crews.

The Speaker: Yes. Let us hear the question.

QUESTION NO. 3 ON IMMIGRATION'S REVISED POLICY TO EXTEND PERIOD OF STAY FOR VISITING YACHTS

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

With regards to paragraph three of that Statement, where it reads, "The creation of a megaport for Bermuda has suggested either end of the Island as possible venues," it goes on to say, "The historic elegance of St. George's and its"—

The Speaker: Well, I am waiting to hear the question.

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

The question is, Is this a precursor for Government's giving its endorsement to the proposed mega yacht marina and hotel called the George Hotel being put forward by Leading Edge, which is before Planning, in which the current Member of that area supports, Mr. Speaker?

The Speaker: Minister Perinchief is going to respond.

Hon. Wayne N. M. Perinchief: The approval of any marina will be a matter for another Minister, as the planning. However, we at present, in Immigration, are just endorsing the arrival of [yachts] and yachts remaining for an extended period of time. That is simply all we are doing, although, as an aside, we mention that we do know that there is a marina being planned for the West End, and I believe there is one being planned for St. George's. And we would certainly endorse that, but we do not actually have the power to actually make it happen.

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

SUPPLEMENTARY

Hon. Hubert (Kim) E. Swan: Yes, yes, Mr. Speaker, because the—

The Speaker: Yes. Question. Ask the question.

Hon. Hubert (Kim) E. Swan: Well, the question is, On the collective responsibility, does the reference to St. George's being a fine spot for this activity suggest that St. George's would see some favour in this decision?

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

Hon. Wayne N. M. Perinchief: The favour that St. George's is going to receive is the extension from 21 days to 90 days for crews coming in on yachts.

Hon. Hubert (Kim) E. Swan: And we are most appreciative.

The Speaker: Yes.

Hon. Wayne N. M. Perinchief: It extends only to that.

The Speaker: Thank you, Minister Perinchief.
The Honourable Member Dr. Gibbons, from Paget East . . .
Oh, you had another?

Hon. Hubert (Kim) E. Swan: Well, I had Parliamentary questions on another.

The Speaker: Yes. We will get back to you.
I am going to hear Dr. Gibbons from Paget East. Dr. Gibbons has a question.

QUESTION ON BERMUDA'S LATEST TOURISM INITIATIVE

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

Mr. Speaker, my question is actually for Minister Minors in relation to her second Statement, page 2, in reference to Hospitality Week in the schools, run by the Bermuda Hospitality Institute.

The Speaker: Yes?

Dr. the Hon. E. Grant Gibbons: The question for the Minister is, Is this a one-off event or will it be repeated on a regular basis?

The Speaker: Minister Minors is going to respond.

¹ See Minister's further reply at page 1750

Hon. Patrice K. Minors: I cannot confirm, but I expect that it would be repeated on at least an annual basis.

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

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

The Speaker: Yes.

SUPPLEMENTARIES

Dr. the Hon. E. Grant Gibbons: Would the Minister consider a programme in which this was actually worked into the school year on a continuing basis as opposed to a one-off annual basis?

The Speaker: Minister Minors is going to respond.

Hon. Patrice K. Minors: I would imagine that that would be something that the schools and the principals would wish to take the initiative on. The purpose of the Bermuda Hospitality Institute is to have an on-going dialogue with the schools to ensure that the whole matter of hospitality is introduced. But the responsibility would rest with the principals.

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

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

The Speaker: Yes.

Dr. the Hon. E. Grant Gibbons: Would the Minister consider discussing this with the Minister of Education?

The Speaker: Minister?

Hon. Patrice K. Minors: Any wise Minister would do that.
Thank you, Mr. Speaker.

[Laughter]

The Speaker: Dr. Gibbons?

Dr. the Hon. E. Grant Gibbons: I have got a second question, Mr. Speaker.

The Speaker: Yes?

Dr. the Hon. E. Grant Gibbons: Okay. Will the Minister consider a similar programme for international

business, given its critical importance to our future and our children's future? Thank you.

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

Hon. Patrice K. Minors: Yes, Mr. Speaker.

The Speaker: Good. The answer is yes.
Thank you, Minister.
Dr. Gibbons has a further question.

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

The Speaker: Supplementary. Yes.

Dr. the Hon. E. Grant Gibbons: Thank you.
The question for the Minister is, When would this likely happen?

The Speaker: Minister Minors is going to respond.

Hon. Patrice K. Minors: When the Honourable Member comes forward to me with a programme to do so, Mr. Speaker.

[Laughter]

The Speaker: Thank you, Minister Minors.
I am back to the Honourable Member, Mr. H. K. Swan, from St. George's West, who has a further question of another Minister.

Hon. Hubert (Kim) E. Swan: Yes. Minister Minors, Minister for—

The Speaker: Yes. Go right ahead, Mr. Swan.

QUESTION ON TOURISM ENTERTAINMENT INITIATIVE

Hon. Hubert (Kim) E. Swan: With regards to the Minister's Tourism Entertainment Initiative Statement, Mr. Speaker, on paragraph two, the Minister makes reference to—

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

Hon. Hubert (Kim) E. Swan: Yes. The Crown & Anchor Demonstrations for Froggie dollars—will visitors have to purchase the Froggie dollars, or whether or not they will be gratis to the visitors?

The Speaker: Minister Minors is going to respond.

Hon. Patrice K. Minors: They will be given the Froggie dollars, Mr. Speaker.

The Speaker: Yes. Thank you, Minister.
Any further questions?

SUPPLEMENTARIES

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

With regards to the same Statement, paragraph four, Mr. Speaker, with reference to the activities. As the Minister outlined a number of activities, noticeably absent was St. George's. Would the Minister be willing to entertain entertainment on Sunday afternoons in St. George's—as that has become a very popular spot—where tourists could be encouraged to attend? We would hope the Minister would entertain that question.

The Speaker: Minister Minors is going to respond.

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

Tourists are already encouraged to go to St. George's, because every Sunday they have (I cannot remember the right term, but) the market. So we cannot, Mr. Speaker, provide entertainment at every venue. But what I have shared is entertainment that we intend [to have happen] and will happen from East to the West. And while it may not incorporate a Sunday musical entertainment at St. George's, there will be other opportunities at St. George's that will be welcomed by the visitors.

Thank you, sir.

The Speaker: Thank you, Minister Minors.

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

The Speaker: There is a further supplementary question.

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

The Speaker: What is your supplementary question?

Hon. Hubert (Kim) E. Swan: The question is the same question. Would the Minister be prepared to entertain providing some . . . assisting with entertainment on the Sunday markets that we have introduced in St. George's to enhance that and make it more palatable for our tourists?

[Inaudible interjections]

The Speaker: Minister Minors is going to respond.

Hon. Patrice K. Minors: If I may be quite clear, Mr. Speaker, what I have shared is what will happen. So at this point, no, there will be no further consideration of entertainment in St. George's along the lines that the Honourable Member has requested, sir.

[Inaudible interjections]

The Speaker: Thank you, Minister.

No further questions.

You must indicate to the Speaker whether you have a question. Yes, yes.

Hon. Wayne N. M. Perinchief: Mr. Speaker, may I furnish answers to questions that were asked by the Honourable John Barritt?

The Speaker: With the indulgence of the House.

Hon. Wayne N. M. Perinchief: With the indulgence of the House.

The Speaker: Minister Perinchief.

Hon. Wayne N. M. Perinchief: Yes, on the answers—and I will answer all the questions at the same time. The charge of \$250 is per person granted permission to stay.

The second question: Visa-controlled nationals can secure visa waivers or secure Bermuda entry visa on arrival in Bermuda, provided they have a valid US or UK entry visa. The renewal fee is \$100 for renewal of the permission to extend. So they get the first permission of 90 days, \$250, and then after that it is \$100 per person.

Mr. John Barritt: Mr. Speaker, with your indulgence—

The Speaker: The Honourable and Learned Member Mr. Barritt, Leader of the Opposition, seems like he wants to ask a question.

Mr. John Barritt: I did, Mr. Speaker, because I tried to follow the answer closely. But there are, as I understand it, Mr. Speaker—and this is the question to the Minister. These 60 nationalities that require these *British* visas issued at *British* consulates before they can land or enter our shores—is this proposed to replace that and get around it? That is the direct question.

Hon. Wayne N. M. Perinchief: The answer came back as being, only visa-controlled nationals. Some nationals do not require visas and can enter in any case into Bermuda. But these are only those who would require visa control. But in any case, they can still get a Bermuda entry visa here on application. Yes, they can.

Mr. John Barritt: Okay. Thank you, Minister.

The Speaker: Any further questions?

We will move on.

An Hon. Member: You forgot me, Mr. Speaker?

The Speaker: No, I did not forget you. Members wishing to ask questions should acquaint the Speaker before Question Period starts. If I indulge you now, then we are going to run into problems later.

We will move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: I am going to have to take the Honourable Member.

[Laughter]

The Speaker: The Honourable Member, Mr. K. Horton, from Southampton West, has the floor.

Hon. K. H. Randolph Horton: Right. Thank you very much, Mr. Speaker.

Mr. Speaker, first I would like to take this opportunity to offer congratulations to the T.N. Tatem Middle School for the outstanding, outstanding float that they prepared for the annual Bermuda Day Parade. Mr. Speaker, these kinds of projects are what do much to develop school spirit, teamwork, and a sense of community. And it was heart-warming, Mr. Speaker, to see the students and the teachers involved as they walked the streets of Hamilton with their first-class float. I only hope that many other schools [will participate]—there were only, I believe, four schools participating out of some twenty-five public schools. And this type of project is one that just brings schools and schoolchildren together, Mr. Speaker.

Mr. Speaker, also, on a sad note, I would like to ask this House to send condolences to the family of the late Dr. Joseph “Zacky” Marshall. I associate the Honourable Mr. DeVent, Minister De Silva, Minister Butler, Minister James, Dr. Gibbons.

The Speaker: Everybody in the House.

Hon. K. H. Randolph Horton: Thank you. All those people whom he taught—Mr. Moniz.

But I can certainly say, Mr. Speaker, that having been an educator, having been a principal, and indeed in my early days as a principal at Warwick Sec, I had the privilege of working with Dr. Marshall very closely.

The Speaker: Yes.

Hon. K. H. Randolph Horton: The Honourable Mr. Butler will know, too. But because as a young principal, Dr. Marshall was not one who just walked the straight road according to the Department of Education. Maybe he led me down the wrong path in that way. But I certainly learned that I would run my school the way that it should be run, whether there was a

Department of Education or not. And I can tell you that Dr. Marshall was an outstanding principal. Much of what I learned, I take my hat off to him. And he gave me time—to answer questions that I had about how to run a school.

If you ever walked into Warwick Academy, just walking into that school you knew that it was ordered. You walked into the school, and it looked like a place of school business.

The Speaker: A place of learning.

Hon. K. H. Randolph Horton: And that school business is learning.

The Speaker: Yes. That is very true.

Hon. K. H. Randolph Horton: So, Mr. Speaker, we certainly ask that condolences be sent off to a man who indeed was a legend in the field of education.

The Speaker: Thank you, Mr. Horton.

I am going to take the Honourable and Learned Member, Leader of the Opposition, Mr. Barritt, from Devonshire South Central.

Mr. Barritt has the floor.

Mr. John Barritt: Thank you, Mr. Speaker.

The Honourable Member, Mr. Horton, stole some of my thunder because I wanted to ask the House to send condolences to the family of the late Dr. Joseph Melville “Zacky” Marshall—Zacky, as he was probably better known, Mr. Speaker. And in so doing, also to pay tribute, which the Honourable Member, who was an educator himself, just did, I think, when he spoke of some of his work and the direction and guidance he gave not just to those who came to Warwick Academy, but to others who consulted with him. The Honourable Member is absolutely right. He was, I suppose you could say, a strict disciplinarian in many respects who saw that what he thought was right and was not afraid to stand up for it. And he got into some controversy and hot water from time to time, the Honourable Member found himself, I guess, in not necessarily always following the directives from the Department of Education.

And I dare say, Mr. Speaker, that in that life that he led as the headmaster—and now I will come on to him as a parent—there is a template there. There is a model that ought to be replicated far more often than is the case today, Mr. Speaker, because as a parent, I think he practised what he taught and what he preached as well. If one looks at his family and the children—a lawyer, an accountant, and a doctor, heart specialist, cardiologist—he taught from humble beginnings what sacrifice and discipline can get you and get your family. He put his family ahead. And in that sense, he was a great family man. And I think for that, too, today he should be honoured.

And in closing, Mr. Speaker, what I will say is that his life, the very life that he lived, was probably the greatest lesson he gave. And it was the lesson that probably people could understand and appreciate, because it was real.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Barritt.

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

Minister?

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

I have a few, and I will try to get through them really quickly. First of all, on the Bermuda Day—

The Speaker: Well, you have got three minutes, Minister.

[Laughter]

Hon. Glenn A. Blakeney: Okay. I would like to congratulate the winners, respectively, the male and female categories of the Bermuda Day Half Marathon: Mr. Chris Estwanik, on his four-time victory, in 1 hour 8 minutes 26 seconds, one second off of his own record; and female surprise winner Deon Breary, who completed the course in a staggering 1 hour 30 minutes 32 seconds.

Also, cycling, Darren Glasford, the male winner; the female winner, Nicole Mitchell. Junior cyclist Dominique Mayo won the event, the Heritage Day cycle event. The Heritage Junior Classic race was won by Jeremiah Steed in the male category; the female was Quaashie Douglas. So I would like congratulatory wishes to go to all of those winners on Bermuda Day.

Congratulations to Mr. John Lee, Mr. Speaker. I would like this Honourable House to convey such, and to the Entertainment Task Force, for a splendid line-up of local talent showcased at Victoria Park on Bermuda Day. It was a very fun-filled event, and it seemed that everyone in attendance thoroughly enjoyed the local entertainment that was on display.

I would like as well to congratulate 14-year-old Tyler Smith, who won the WER Joell Memorial Tournament Women's Open Singles title at the Tennis Stadium last weekend in convincing fashion, beating defendant champion, Tara Lambert, in straight sets.

Also, Mr. Speaker, with regard to the Bermuda Day Parade, we heard one winner, the T.N. Tatem School won the D. J. Williams Award; Prospect Primary, the Dr. Kenneth E. Robinson Award. The LCCA Award for best charity organisation went to the Bermuda Autism Society. The Best Government Department Award went to the Bermuda National Library. The Best Community Volunteer Political Award

went to St. Mark's Anglican Church. The Premier's Award went to T.N. Tatem Middle School, as well. The Reggie Ming Award for the Most Beautiful float went to the Bermuda Autism Society. The Ministers Award for the Most Original float went to the Bermuda National Library, and the Ruth Thomas Award (or Heritage [Award]) went to St. Mark's Anglican Church. Finally, the Community Honourable Mention Award went to the Mid-Atlantic Boat Club.

So I would like all of those winners for their float entries to receive congratulatory wishes on their participation in the 2011 Bermuda Day Parade.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney.

I am going to take the Honourable Member, Mr. C. Swan, from Southampton West Central.

The Honourable Member, Mr. Swan, has the floor.

Is the microphone working?

Mr. Charles F. B. Swan: Pressing the wrong button, Mr. Speaker. Thank you.

The Speaker: Yes. I am sure he will get acclimatised to where he is.

[Laughter]

The Speaker: Go right ahead, Mr. Swan.

Mr. Charles F. B. Swan: No, this seat feels very comfortable, Mr. Speaker.

I wanted to be associated with the condolences to the family of Dr. Joseph "Zacky" Marshall. Having been a student at Warwick Academy from 19—I will not tell you; that would give away my age—68 until 1974. I did about two, two and a half years with Dr. Marshall as my headmaster, Mr. Speaker. And a lot has been said by other Members of this House which are truly correct. Dr. Marshall was a consummate headmaster, one to be at the same time respected and loved, and also feared.

Many may not know, but Dr. Marshall was a boxer. That was not public knowledge, Mr. Speaker. But a few chosen students knew at the school. Those were the days.

[Inaudible interjection and laughter]

Mr. Charles F. B. Swan: I was not one of those chosen few.

But those were the days when you walked into Warwick Academy; you literally were inspected, as a student. The days when young ladies might have been singled out, taken to the quadrangle, and made to kneel on the ground, and the height of their skirt above their knees measured, Mr. Speaker.

I have grown up and known the family. Obviously, he was the brother of a former Member of this House. I have known the family for a very, very long time. So I would like to be associated with those condolences to Betty his wife, Chris, Tim, Shane, and Kim.

Thank you very much, Mr. Speaker.

The Speaker: Thank you, Mr. Swan.

I am going to take the Honourable Member, Mr. D. Butler.

Mr. D. Butler has the floor.

Hon. Dale D. Butler: Thank you, Mr. Speaker.

First of all, I would like to ask the House to send—

The Speaker: Warwick North East, I should announce.

Mr. Butler?

Hon. Dale D. Butler: Yes. Thank you.

Congratulations to the Minister responsible for Culture. While I was not here—I was at my son's graduation—I had numerous e-mails and received numerous telephone calls congratulating the Ministry for its leadership and its staff for its leadership and the numerous participants and everyone. My constituents seem to have had an excellent time, and I think he should be recognised for that.

This morning, Mr. Speaker, I join Kristy Burgess of HOTT Radio; Mr. Bobby Horton, Permanent Secretary; and Suzette Harvey in being at the Paget Primary School for a first-class oratorical competition involving some 40 of our young people. Poems like "Still I Rise" and "A Roomful of Sisters" were given by these very young students from P1 to about P6. They were confident, gifted, and talented. They were judged on their voice projection, voice clarity, eye contact, expression, and posture. They did extremely well. I had to leave to be in the House today, and so the prize-giving took place in my absence. But I would like to congratulate the school principal, the teachers who were involved, and organisers, and especially the participants and their parents. I ask that the Premier be associated with those remarks, and the Education Minister, Dame Jennifer Smith.

Thank you.

The Speaker: Thank you, Mr. Butler, the Honourable Member from Warwick North East.

I am going to take the Honourable Member, Mr. W. Lister, from Sandys South Central.

The Honourable Member Mr. Lister has the floor.

Hon. Walter M. Lister: Thank you, and good morning, Mr. Speaker.

In my capacity as Chairman of the Audit Committee, I am going to ask this House to join me in sending congratulations to Mrs. Heather Matthews, who has been appointed as a Fellow of the Chartered Accountants for the Institute of Chartered Accountants, Mr. Speaker. Mrs. Matthews is a very professional accountant in her own right, and she is very professional there. Also she is very respected.

I think the Auditor General makes a very valuable contribution to Bermuda. And to be honoured in this manner, I think, speaks to those qualifications and the contribution and the sincerity and dedication in which she takes her job. So I am asking other Members of the House to join with me in saying congratulations to Mrs. Matthews.

While I am saying congratulations, Mr. Speaker, I would just like to recognise two persons, Mr. Llewelyn Peter Simmons and Mr. Loderick Holder, who were acknowledged this week for their contribution to the community. Both of these members are from Warwick, Mr. Speaker. Mr. Simmons, who has held many posts in the community, was a community activist for many years, has also been active on the board of the Berkeley Institute, and has also been a member of the Parish Council for Warwick. He was also acknowledged by Minister. Kim Wilson.

Mr. Loderick Holder is also a person who is very active in the community. It is always good, Mr. Speaker, when we take our people who have made a contribution and say "Thank you" to them for the contribution that they have made to the community as a whole.

Also, Mr. Speaker, I would like to say, in my capacity as Chairman of the West End Development Corporation, that last night Heritage Nights was held for the first time. And it is just like what many of the Ministers have spoken today about the street events which we hold in Hamilton and St. George's. This was a smashing event, Mr. Speaker, very well attended. And we believe we are onto a good thing. We had, Mr. Speaker, local entertainment, local vendors, and we will be having a different theme each night. This will go on for 18 weeks, Mr. Speaker.

Also, Mr. Speaker, not to say that only Monday nights—this means that Dockyard will have the event on Monday nights and also on Thursday nights. Monday nights, it is going to be from the Clock Tower. And last night, every Thursday night, it is going to be inside of the Victualling Yard. We are very happy about this response last night.

The Speaker: You are congratulating them, I hope.

Hon. Walter M. Lister: Yes, very much so, Mr. Speaker.

[Laughter]

Hon. Walter M. Lister: And I think I would like to congratulate my staff for the sterling work that they did, and thank them very much.

The Speaker: I am going to take the Honourable Member, Mr. N. Simons, from Smith's South.

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

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

Mr. Speaker, I rise to send this general congratulatory remark to the young people of Bermuda.

An Hon. Member: General?

[Inaudible interjections]

Mr. Nelson H. Cole Simons: Mr. Speaker, recently, they have had a bad rep and we are not expecting much of them. Mr. Speaker, what I would like to say today is, I want to commend all of the young Bermudians who were involved in the Bermuda Day festivities. They were participating in a marathon, they were drummers with the Gombeys, they were involved with building the floats.

Mr. Speaker, these young people had to train. They had to put time in. They had to be productive. And I would highlight their involvement, because as I say, recently our young people have not been getting the best press. And I think a lot of young people are doing good things, and they generally should be supported and showcased. So I thought I would send a message to our young people that they have been noticed, their hard work has been noticed, and their contributions to the Bermuda Day events have, basically, not gone unnoticed by this House, Mr. Speaker.

Mr. Speaker, I would like to also associate myself with the comments made in regards to Heather Matthews in becoming a Fellow in the Charter Institute of Accountants. I worked with her on the Audit Committee, and I can say she is a very professional, competent, and tenacious Auditor General, and that I had great pleasure in working with her.

I would like to also associate myself with the comments made in regard to St. Mark's Church's float—very well done, all original flora. And I would commend the members of St. Mark's Church for a job well done.

I would like to also associate myself with the condolences to Zacky Marshall, a supreme educator of this country. He will be sadly missed by the people of this country. Thank you.

The Speaker: Thank you, Mr. Simons.

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

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

I would just like to associate myself as Acting Education Minister, and also associate the Education Minister, if it is possible, who is abroad, with the condolences to former Principal Zacky Marshall. As certainly a product of the public education system, I did not go to Warwick Academy. But even at other schools, you heard about Dr. Marshall. So his record and notoriety as a principal are well known to many, clearly. Perhaps we all can learn from his record and the excellence he required of his school and students.

I would also like to ask that congratulatory remarks be sent, in particular, to a recent graduate of the Bermuda College. I know last week some remarks might have been made for the overall graduating class, but there is one particular young man I would like to ask that we give congratulatory remarks for, and his name is Magic Boyles. He was the only student who actually completed his time and graduated with two degrees—one in business and also one in actuarial studies. So he was the only student in the class that graduated that had this achievement, which I believe is absolutely—well, it is outstanding.

And what I also say, he is a graduate of the public school system, a young man. And we hear a lot about our young men these days, not always positive. But this is an achievement that must be noted, I think, in an extra fashion. That he is a product of the public school system says something that we all in this House, irrespective of our persuasion, can take some consolation that there are jewels being produced from the CedarBridge Academy and from all the schools of the public system, and we need to ensure that we as leaders encourage that ever more.

I would also like . . . Although I am not asking for any message to be sent to this particular person, I would like to just note it for the record. I was scouring the paper and saw the mention of another CedarBridge graduate, a Lorenzo Whitehurst, who is a BFIS [Bermuda Foundation for Insurance Studies] scholar. And there is a little profile of him in the local paper. I just thought, again, here is another product of the public school system. Both of these young men are products of CedarBridge, and they are achieving excellence, Mr. Speaker, in areas that Bermuda is also a leader in, in the insurance industry. Certainly, we expect Mr. Boyles will move on to greater heights. Clearly, Mr. Whitehurst, who also is a graduate of Temple and received his Actuarial Science degree in January of this year, is also a student of excellence.

Thank you.

The Speaker: Time is up.

Thank you, Minister Roban.

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, thank you, Mr. Speaker.

Mr. Speaker, I would ask that congratulations be sent to Nicky Gurret on her silver medal at the Royal Chelsea Flower Show, and of course, her team from [the Department of] Parks as well. As some Honourable Members will know, Nicky Gurret has been participating; this is her fourth time there. In three of those times she has won medals. This one was a silver. Previously, it was a bronze and a silver gilt, which is actually, I believe, a little bit above silver as well.

But she has done a terrific job in drawing attention to Bermuda in this very well-attended flower show in London and, I think, certainly, as was mentioned in the Minister's Statement earlier on, we owe her some gratitude for her support of tourism in this sense, as well.

While I am on my feet, Mr. Speaker, I would also like to be associated with the condolences to the family of the late Dr. Zacky Marshall. He was, I think, clearly a distinguished educator who made a significant and positive impact on many generations of young Bermudians. I would also like to be associated with the congratulations to Heather Matthews on her induction into the Fellows of the Institute of Chartered Accountants.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons.

I am going to take the Honourable Member from St. David's constituency, Mrs. L. Foggo.

Mrs. L. Foggo has the floor.

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

Firstly, I would like to be associated with the congratulatory remarks for Heather Jacobs-Matthews. Indeed, she is very adept and proficient at all of what she does and deserves to be noted for that.

Congratulatory remarks for the Lister family, in particular, Monique Lister [PHONETIC], who was called to the bar, I believe, yesterday.

Some Hon. Members: Yes.

Ms. Lovitta F. Foggo: She is the daughter of the Honourable Terry Lister. She, too, is a graduate of the public school system and is indeed a testament to the fact that we produce students of extremely high quality and calibre.

Thank you, Mr. Speaker. I would like to also associate the Honourable Dale Butler with those remarks.

The Speaker: Thank you, Mrs. Foggo, the Honourable Member from St. David's constituency, 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: I was one of Zacky's boys; I hear that. My honourable friend Mr. Swan notices, Mr. Speaker, one of Zacky's boys. I take great pride in having someone recognise that. I was actually one of Dr. Marshall's head boys in 1982.

An Hon. Member: Are you a head boy?

Mr. Mark Pettingill: I was the head boy. And I accord credit the influence, the guidance, and the discipline of Dr. Marshall in my life with anything that I may have accomplished that is positive. I named my oldest son Zackary in honour of Dr. Marshall.

[Pause]

The Speaker: Do you wish to continue? Carry on.

Mr. Mark Pettingill: I do not know that, for once—for once in this place or any other place, I do not have the words.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pettingill, the Honourable and Learned Member from Warwick West.

I am going to take Minister T. Lister, from Sandys South.

Minister Lister, you have the floor.

Hon. Terry E. Lister: Thank you, Mr. Speaker.

Mr. Speaker, I want to join the chorus of congratulations to our fine young men. Today I would like to congratulate Mr. Casey Smith [PHONETIC], who in fact is my neighbour and a cousin of Minister Patrice Minors.

An Hon. Member: From St. George's.

Hon. Terry E. Lister: No, sir. He is one of us.

Casey just graduates today, this very day, from Cambrian College of Applied Arts and Technology, in Sudbury. Now, the fact that I say "Sudbury" means this young man is committed. Anybody in this House who has been to Sudbury knows you have to be committed to go there.

[Laughter]

Hon. Terry E. Lister: When I was at university, I played soccer against Laurentian University of Sudbury, but I played in October and it was pretty bad. So he has had to live through the winters for over two years there, completing his training.

Casey has completed an engineering programme, which qualifies him for a career at Tynes Bay or a career at BELCO, both of whom I understand are very interested in securing his services. So I am excited for him. And, you know, he is a young man who is what I think of as an example of how the family can come together and raise young men. He is from a single-parent household. So for those of you who think that children from a single-parent situation are just plain lost—I hold up Casey. For those that think the only way you can succeed is to put your head down and study, study—I hold up Casey. He is a fine middle-order batsman for the Somerset Bridge Recreation Club. My colleague, Mr. Bean, is not here, but I am sure he would like to say something, too, about him in that regard.

So Casey has really done a fine job of preparing himself for tomorrow. And I expect to see great things from him.

Mr. Speaker, all is not lost! I really want to emphasise that. We have fine young men who are prepared to step into our shoes as we move on. Thank you, Mr. Speaker.

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

I now recognise the Honourable Member, Mr. W. Perinchief.

Minister Perinchief from Pembroke Central has the floor.

Minister?

Hon. Wayne N. M. Perinchief: Thank you, Mr. Speaker.

I wish to be associated with the condolences sent to the family of Dr. Zacky Marshall. Many years ago when I was a police officer, I ran a junior police cadet programme at Warwick Academy. I will tell you this. Some people said, *Oh, Zacky would never allow that in his school*, because he was not one to allow anybody from outside the system, you know, to enter his school.

[Inaudible interjection]

Hon. Wayne N. M. Perinchief: He allowed me to do a pilot project.

One of his sons, in particular, joined that. And I remember in one instance we set as a project to remove an old cedar stump from his backyard with the old Land Rover, police Land Rover. The boys did that successfully, and after that I was *in like Flynn*. So the police junior cadet programme went very well at Warwick Academy.

Mr. Speaker, I also rise on a sad note to ask that condolences be sent to the family of Mrs. Eulyn James, of Pembroke Park. She is my very-next-door neighbour. She passed at four o'clock this morning in the hospital, very sadly. She was a faithful member of

St. Theresa's [Roman] Catholic Cathedral. Mrs. James leaves to mourn her several family members, but including are her extended family and neighbours of Pembroke Park, especially my sisters, Lauren and Patty [PHONETIC], who wish to be included in these condolences, and also wish to include in the condolences the family of the Lynch-Wades [PHONETIC] of St. Kitts, who were dear friends of Eulyn James.

Thank you, Mr. Speaker.

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

I now recognise the Honourable Member from St. George's West, Mr. H. K. Swan, 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 join the chorus of tributes being paid to the memory of the late and great Dr. Joseph "Zacky" Marshall. On hearing the news, I immediately had to make a few calls to his immediate family, who have had a profound impact on my life. I can certainly have great empathy and respect for the tribute that was paid by two of his former students here, and Mr. Pettingill, in particular, his head boy. Certainly, Mr. Marshall's legacy extended far beyond the school that he taught, as persons who had to go to other schools as a consequence of tough disciplinary influence certainly were positively affected in life as decisions were made in their best interest at the time.

And, Mr. Speaker, I know Mr. Pettingill's tribute was one of great sincerity, and I applaud him for that. I have heard many Dr. Zacky Marshall stories from a good friend of mine, the late Mr. Harry Viera, Member of this House, who used to always refer to Zacky as tough boxers, as they were in the day when they went, you know. And you had to be tough to box your way out of certain situations. And then, you know, they applied that type of application to their mind so that they were using their mind to box their way out of certain situations.

And it is that type of love and affection that his friends and his colleagues held for him, that the influence that he had extended far beyond the borders of his own family enclaves. I considered it a privilege to have been influenced by his family in such a way, and I am pleased to have the opportunity to stand and pay my honourable respects to his legacy and to that of his grieving family, which include the former Honourable Member, Mr. Ralph Marshall, his brother, who is deeply saddened by his brother's passing.

I would also like a suitable letter sent to the family of the late Brenda Fray, from Wellington Back Road, St. George's, Mr. Speaker. I know the Honourable Member, Mrs. Foggo, would like to be associated with those remarks as she and I were in attendance at her home-going service at Christ Church in Devon-

shire not too long ago. She leaves to mourn her loving husband, Mr. Kenny Fray, well-known cricketer in his day for the Southampton Rangers, and a Warwick family. But the relationship that they had together was very memorable, and I knew the Frays. They were constituents of mine. She was a constituent of mine, and I always enjoyed visiting with them, Mr. Speaker. And I would like a suitable letter, if possible, sent to that family mourning her death.

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

I now recognise the Honourable Member, Mr. Z. De Silva, from Southampton East Central.

Minister De Silva, you have the floor.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, many words have been said about Dr. Zacky Marshall, and I would just like to add my condolences. We have had a bit of history on Dr. Marshall, and what some folks may not remember or recall is that he was also an avid runner, Mr. Speaker, at a time when I was an avid runner. And I recall many days when myself and my former coach, Mr. Garry "Buster" Wilkinson would link up with Zacky to enjoy some of our longer runs together when we were preparing for marathons.

In fact, it is ironic that I am the Minister of Health and his passing comes whilst I hold this post, because, as many Members may know in this House, he was quite fit, Mr. Speaker, because he did run in several marathons. But of course, one may also recall that he had a heart attack whilst he was at one of the fittest times of his life, Mr. Speaker. And that only proves the point that, you know, we can run and exercise as much as we like, and are encouraged to, but you must eat the right foods. And you know I have been beating that drum for certainly since November 1st, Mr. Speaker.

The Speaker: Yes.

Hon. Zane J. S. De Silva: Mr. Speaker, whilst I am on my feet, I would like congratulations to be sent to a young man who has just graduated from Howard University with a Bachelor of Arts degree in Radio, TV, and Film. This young fellow is no other than Ewart "Trey" Brown, the son of former Premier, Mr. Ewart Brown, and the son of the former wife of Ewart Brown, Ms. Priscilla Murray Brown, Mr. Speaker.

Thank you very much.

The Speaker: Thank you, Minister De Silva.

Any further speakers?

I now recognise the Honourable Member, Mrs. P. Minors, Smith's North.

Minister Minors, you have the floor.

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

I rise so that I might be associated with the congratulations extended to Nicky Gurret in her accomplishments on behalf of the Departments of Tourism and Bermuda Parks Department in the silver award for her exhibit in the Chelsea Flower Show.

And also to be associated with the condolences to the family of the late Mrs. James. I am her daughter, Ideitha James, in particular, for whom she was the key caregiver.

Mr. Speaker, I also rise to ask that a letter of congratulations be sent out to the executive producers of this CD that is taking Bermuda by storm, that being "Proud to Be Bermudian." Specifically, the Bermudians' executive producers comprise Janice Battersbee and Erica Rance-Cariah, the main key persons that are promoting this CD and DVD combo, which all proceeds for the first year are going into the public school system so that it might assist teachers with equipping their classrooms.

It is a phenomenal CD and DVD, which is being played throughout all the schools. Each school has been provided with a copy. It is a very catchy tune. It is being played on our radio stations. And I am, Mr. Speaker, convinced that this CD, as it continues to be heard by many in Bermuda, will bring about a mindset, a change in our mindset, as to who we truly are as a people.

It features all-Bermudian talent, all-Bermudian musicians. It is filmed and photographed by Bermudians. And I would encourage all of Bermuda to go out and purchase this. They are doing extremely well. They have ordered 2,000 more because they are seeing the increase of the attention given to this CD. So we would encourage them—I would encourage, as an unofficial spokesperson for them—to truly get out and get this CD.

Thank you, Mr. Speaker. I associate, I think, probably everybody in the House who has heard it, or if they have not, they can go out and get it. Thank you, sir.

The Speaker: Yes. Thank you, Minister Minors.

Any further speakers before we move on?

I just wish to join in with all the tributes that have been paid to the late Dr. Marshall. My two children attended Warwick Academy when Dr. Marshall was the principal. He is the brother of a former Member that sat here, Mr. R. O. Marshall who sat in this House for a good number of years; that is his brother. And having lived a good life, we know that his legacy will continue. It will continue on in the lives of those he touched. I am sure it has been said: "Enter into the joy of the Lord, Thou good and faithful servant."

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: I recognise the Honourable Member, Mr. Z. De Silva, from Southampton East Central. Minister?

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker. Mr. Speaker, I move that the Bill entitled Psychological Practitioners Amendment—

The Speaker: Just a minute. Just a minute. Who is introducing the Motor Car? All right. Minister, yes. I am sorry. You were trying to pre-empt.

[Inaudible interjection]

The Speaker: That is all right. It is okay. I recognise the Honourable Member, Minister P. Minors, from Smith's North. Minister Minors is going to introduce a Bill.

FIRST READING

MOTOR CAR AMENDMENT ACT 2011

Hon. Patrice K. Minors: Thank you, Mr. Speaker. On behalf of the Honourable Member, Mr. Terry Lister, I would like to introduce the following Bill for its first reading, the Motor Car Amendment Act 2011.

The Speaker: The Motor Car Amendment Act has been introduced. No leave of the House is required under Standing Order 28—the Motor Car Amendment Act.

Any further introduction of Bills?

NOTICES OF MOTIONS

The Speaker: There are none.

ORDERS OF THE DAY

The Speaker: That brings us to the Orders of the Day for Friday, May 27. Order No. 1, the Second Reading,

the Psychological Practitioners Amendment Act 2011, in the name of the Minister of Health.

Now, the Honourable Member, Mr. Z. De Silva, from Southampton East Central, has the floor. Minister?

SECOND READING

PSYCHOLOGICAL PRACTITIONERS AMENDMENT ACT 2011

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker. You know we want to move as efficiently and effectively as we can.

Mr. Speaker, I move that the Bill entitled the Psychological Practitioners Amendment Act 2011 be now read the second time.

The Speaker: Any objection?
Agreed to.

[Gavel]

The Speaker: Carry on, Minister.

Hon. Zane J. S. De Silva: Mr. Speaker, I am pleased to stand today to introduce the [Psychological Practitioners Amendment Act 2011](#) for the consideration of this Honourable House. Mr. Speaker, the Psychological Practitioners Act 1998 regulates the practise of psychology in Bermuda. The Act restricts the use of the title "psychologist," establishes the Bermuda Psychologists Registration Council, and sets out the functions of the Council. It sets out the requirements to become a registered psychologist and for re-registration and requires psychologists to adhere to a code of conduct and provide for discipline when required.

Mr. Speaker, we have been made aware of a couple of issues with the way the Act is drafted which needs to be corrected. These could be termed "housekeeping changes," but for practising psychologists, the issues are material.

As I said earlier, the Act requires psychologists to re-register every three years. Upon application to have their certificate of registration renewed, the psychologist must provide proof that they have completed at least 100 hours of psychological services per year in two of the preceding three years, or they have completed the required continuing education.

The key word here, Mr. Speaker, is the word "or." When the Act was first being developed, the intent was that psychologists who were applying for renewal of their certificate should provide evidence of clinical hours *and* continuing education, not clinical hours *or* continuing education. Clearly, this was an error, and one of the purposes of the Amendment Act being debated today is to correct that error.

Mr. Speaker, I also said that the Act provided for discipline of registered psychologists. The Act gives the Council the authority, after holding an inquiry, to suspend or restrict the practise of a psychologist under certain circumstances. One of those circumstances is if the registered psychologist becomes incapable of properly carrying out his professional functions by reason of old age. It is our view, Mr. Speaker, and the view of the Council, that this wording is less than ideal and should be amended. It is proposed that we change this provision so that the Council can take action in a case where it is proven that a registered psychologist is unfit to practise by reason of adverse physical or mental health.

Finally, Mr. Speaker, you will be aware that individuals who are appointed to Government boards, committees, and councils put in a huge amount of their time. Typically, they receive some compensation. But that compensation rarely makes up for the time that they have to commit to their public service. As we reviewed this Act we noted that there were no provisions for the members of the Council to receive compensation, so we are taking steps to correct that oversight as well. A new paragraph will be inserted into the Schedule to the Act to allow Council members to be compensated for their service.

A consequential amendment will also be made to the Government Authorities (Fees) Act 1971 to add the Bermuda Psychologists Registration Council to the first Schedule of that Act.

With those brief introductory remarks, I will take my seat, Mr. Speaker. Thank you.

The Speaker: Thank you, Minister De Silva, the Honourable Member from Southampton East Central.

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 on behalf of the One Bermuda Alliance this morning to respond to the Honourable Member from this side of the House. I am actually pinch-hitting. My honourable colleague, Mrs. Jackson, is away at the present time, so I am going to fill in and do my best here. But certainly, it is on behalf of the Opposition.

Let me just start by saying that, as the Honourable Member said, in many respects the parent Act, the Psychological Practitioners Act, is a relatively recent piece of legislation. It was passed in 1998. And on reviewing some of the changes that are being proposed, we certainly, on this side of the House, had no objection. They seem to be sensible, and we support them, Mr. Speaker.

It is an area—that is, the practise of psychology—which is increasingly important in Bermuda in this day and age and, I think, as we see some of the

increasing issues in schools, in the community, with families. And certainly, with some of the budget cuts that have gone through, the practising psychologists, from what I understand, in many respects, and some of those involved with Government practise, are under increasing pressure.

In fact, one of the issues that came up on a fairly regular basis was the shortage of psychologists. My understanding is, there are a little over 30 on the current register, but as we heard earlier in a Statement this morning, many of those who are practising have their hands full at this point, Mr. Speaker.

And I guess I would urge Government, and particularly the Ministry of Health, to look to see whether there are other ways in which they can facilitate the practise of psychology in Bermuda and make sure that those who are working, particularly in areas of Government, whether it be education, MAWI [Mid-Atlantic Wellness Institute], prisons, or certainly in the Health Department, have the support they need, because they are fulfilling a particularly important and critical role at the present time.

Mr. Speaker, the three basic amendments we have, which effectively, as the Honourable Member said, are ensuring the clarity with respect to the re-registration process requiring both a certain number of hours of continuing education and also the requirement that they provided at least 100 hours of psychological services per year in two of the preceding three years—to have both of those be required for re-registration makes imminent good sense. Certainly in the medical profession, continuing medical education and, essentially, ongoing practise are important. The issue of bringing this particular legislation into the current age by removing the restriction on old age and replacing that by adverse physical or mental health being a qualification makes sense to us. And of course, finally, the issue of paying members of the Council for their work is important as well.

I did hear in some of the conversations I had that there have been occasions where the Council has had to do some extra diligence and some extra work, and there apparently were not funds available to do that in terms of looking into the background of someone who is applying. So I would simply say to the Minister, maybe that is something that the Ministry should look into. Obviously, the members are now, or will be, paid for their participation as members of the Council. But I did understand that there occasionally in the past have been requirements for spending a little money to do some extra diligence in their responsibilities.

Mr. Speaker, really, those are the only points that I would like to make. We support the legislation and feel that it is, as I said, sensible and updates the 1998 parent Act. Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons, the Honourable Member from Paget East.

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 very much, Mr. Speaker.

Briefly, this legislation, we are entirely in agreement with as well. And basically everything that has been said, I was going to touch on. But I will just get to one item that was not.

The amendment talks about continuing education as prescribed. I would wonder if the Minister might be able to, sort of, give an idea as to prescribed by whom or what body? Is it the Council? To do with the Council, if there is one in existence—and I believe there is—it would be helpful to know who is on it.

The Member who just spoke said there is just in excess of 30 registered psychologists. And I have got the list here; there are 32.

[Inaudible interjections and laughter]

Mr. Charles F. B. Swan: And he is right, you know. They are under increasing demand in this day and age. And I also wondered if the Council is made up of members from this list.

Another question I had was to do with the change in the stipulation of being ineligible to practise due to age and changing that around, if that was intended to open up the door for perhaps people who are—I do not know—retired, or what have you. I guess, what is being done to encourage additional members to join and what efforts are being made to attract them?

Those are my comments, Mr. Speaker. Thank you.

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

Any further speakers?

I now recognise the Honourable Member, Mr. K. Horton, from Southampton West, Deputy Speaker of the House.

Mr. Horton has the floor.

Hon. K. H. Randolph Horton: Yes, Mr. Speaker.

I cannot add much to what has been said. But certainly, I would like to take a stand and just say how great it is and what a wonderful start that One Bermuda has, because the level of support that has come in terms of this piece of legislation is certainly what we would like to see.

But certainly, Minister, I congratulate you on moving this, particularly in regards to the question of age and allowing members to continue on, because they have older age. Older age does not necessarily mean that members, doctors, or psychologists do not have the physical or mental capacity to be able to—

The Speaker: I know some of us know about that, do we not?

[Laughter]

Hon. K. H. Randolph Horton: Absolutely. Some of us know that once we go past a certain age, we still, Mr. Speaker, are able to continue, sometimes at the level of much younger people.

So, Mr. Speaker, I congratulate the Minister on the moves that he is making in this regard.

The Speaker: Thank you, Mr. K. Horton, the Honourable Member from Southampton West.

Any further speakers?

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

Minister Scott, the Attorney General, is going to have the floor.

Minister?

Hon. Michael J. Scott: Mr. Speaker, I thank you.

I am happy to also add my support to the Minister's amendments to the psychological practitioners provisions that we are considering. Certainly, within Corrections, Mr. Speaker, within the Department of Corrections, I am happy to report that we have increased the human reserves and resources of professional psychologists up to three, so that they deliver the important work of analysis and assessment of inmates within the corrections facilities that are on Island.

And I have taken the opportunity to meet with these professional doctors just to try and understand some of the issues and profiles that they have to deal with, and assist and move through their concerns.

There was a time in Bermuda when the then-Minister of Health—this was the Minister of Health Mrs. Gloria McPhee—lamented at the level of human resources in the area of psychologists in the country and always advocated that there be more. Dame Lois supported this kind of need. But we have a college now of three professional senior doctors who are engaged in the important work.

One of the things that I took note of was the fact that these doctors have noted that our children, particularly, are being asked to raise themselves and get involved in responsibilities that are much too onerous for them at young ages. It almost cuts off their time to experience a childhood.

There were a number of items that we covered, of course, as I asked them to share the profiles that they are encountering in Bermuda. But, obviously, we are seeing the stresses and strains on the psyche, the collective psyche of our country. We need to put together a body of work through the doctors who are here with us which is fed through to the Minister of Health, fed through to myself as the Minister of Justice, so that we posit and project the right responses

in our country as a consequence of the analyses of our doctors.

So I really wanted to merely confirm that we have an improved, increased staffing of psychologists in the country, certainly on the public side, within the Department of Corrections, that is doing good work.

Thank you.

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

Any further speakers?

No further speakers.

The Minister in charge is going to reply, Minister De Silva, from Southampton East Central.

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank Members on both sides for their contribution today. And for the Honourable Member, Mr. Charlie Swan, I do have for him to go through, if he likes, a 14-page document with regard to the education that the Council used as their guide for the psychologists, Mr. Speaker. I am happy to pass that to the Honourable Member when we are done. And of course, I also have a list of the Council members that I will gladly pass on to him, as well, when we are done.

On that note, 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, Deputy Speaker, please take the Chair of Committee?

House in Committee at 12:11 pm

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

COMMITTEE ON BILL

PSYCHOLOGICAL PRACTITIONERS AMENDMENT ACT 2011

The Chairman: Members, we are now in Committee on the Psychological Practitioners Amendment Act 2011.

I now turn the floor over to the Honourable Minister, Zane De Silva, from Southampton East.
Minister?

Hon. Zane J. S. De Silva: Southampton East Central.

The Chairman: Southampton East Central.

Hon. Zane J. S. De Silva: Thank you, Mr. Chairman.

Mr. Chairman, I would like to move clauses 1 through 6, with the indulgence of all Members.

The Chairman: Carry on, Minister.

Hon. Zane J. S. De Silva: Thank you very much.

Clause 1, Mr. Chairman, provides the short title of the Bill.

Clause 2 amends section 11(c)(i) of the [principal] Act to change the word "or" to "and," which will require psychologists who are applying for renewal of their certificate to provide evidence of clinical hours and continuing education.

Clause 3 amends section 16(1)(b) of the Act by deleting the authority of the Council to suspend or restrict the practise of a psychologist by reason of old age, and giving the Council the authority to take action in a case where it is proven that a registered psychologist is unfit to practise by reason of adverse physical or mental health.

Clause 4 amends the Schedule to the Act to allow members of the Council to be paid a fee in accordance with the Government Authorities (Fees) Act 1971.

Clause 5 provides for a consequential amendment to the Government Authorities (Fees) Act 1971 to create a reference for fees to be paid to the Council. Clause 6 provides for the commencement of the Act.

The Chairman: Thank you, Minister.

Would any other Member like to speak to this Bill?

No other Member would like to speak.

Minister, would you like to have a further word?

Hon. Zane J. S. De Silva: Yes, Mr. Chairman. I move the Preamble.

The Chairman: Sorry. We will first of all ask for all Members in favour of approving clauses 1 through 6 to please say Aye. All those against, please say Nay.

AYES.

The Chairman: The Ayes have it.

[Motion carried: Clauses 1 through 6 approved.]

The Chairman: Honourable Minister?

Hon. Zane J. S. De Silva: Mr. Chairman, I move the Preamble.

The Chairman: Thank you, Minister. And reported to the House?

Hon. Zane J. S. De Silva: And I move that the Bill be reported to the House.

Agreed to.

The Chairman: Thank you, Minister.
The Bill will be reported to the House.

[Gavel]

The Speaker: Carry on, Minister Blakeney.

[Motion carried: The Psychological Practitioners Amendment Act 2011 was considered by a Committee of the whole House, passed without amendment, and will be reported to the House.]

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

Mr. Speaker, the purpose of the Adoption of Children Amendment Act 2011 is to make amendments to the principal Act, the Adoption of Children Act 2006, so that Bermuda's adoption legislation fully meets international standards and is consistent with the requirements of Bermuda immigration.

House resumed at 12:15 pm

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

Mr. Speaker, as Bermuda is a small jurisdiction, it has to maintain its integrity in the international community and ensure that safeguards are in place not only for our own children who are adopted, but also for those children who are brought here from other countries to be adopted. This is extremely important in light of the reported worldwide concern about an illegal black market for adoptions.

REPORT ON BILL

PSYCHOLOGICAL PRACTITIONERS AMENDMENT ACT 2011

The Speaker: Is there any objection to the Report of the Committee as printed?

Agreed to.

[Gavel]

Mr. Speaker, the Adoption of Children Act which was passed by this Honourable House in 2006 repealed the Adoption of Children Act 1963 and paved the way for adoption to be in the child's best interests first and foremost. The Adoption of Children Act 2006, which was preceded by the Children Act 1998, as amended in 2002, was yet another milestone in this Government's commitment to operate within best practise standards in the decisions affecting children's welfare. The Adoption of Children Act 2006 extended the duties of the Director of Child and Family Services with respect to:

ANNOUNCEMENT BY THE SPEAKER OR MEMBER PRESIDING

APOLOGY

The Speaker: Just before we move on, I just wish to indicate that I have received a communication from the Honourable Member, Mr. W. A. Scott, who is unable to be in attendance at the House, as he has been experiencing some health challenges this past week. So that can go into the records. Thus explains my reason for not being quite so prompt, in returning to the House, that is.

We move to the Second Order. Order No. 2 on the Order Paper is the Adoption of Children Amendment Act 2011, in the name of the Minister of Youth, Families, Sports, and Community Development.

I now recognise the Minister, Minister G. Blakeney, from Devonshire North Central.
Minister?

- (a) placing a child for adoption;
- (b) obtaining the medical and social history of the child's biological family and preserving this information for the child;
- (c) providing counselling to birth parents and information about alternatives to adoption;
- (d) the approval of potential adoptive parents on the basis of a favourable home study;
- (e) and the dispensing of parental consent in certain prescribed situations to prevent a child languishing in foster care.

SECOND READING

ADOPTION OF CHILDREN AMENDMENT ACT 2011

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

Mr. Speaker, I move that the Bill entitled the [Adoption of Children Amendment Act 2011](#) be now read the second time and committed.

Mr. Speaker, the Adoption of Children Act 2006 also made provisions for the transfer of a child from Bermuda to an overseas adopter and for a child to be brought into Bermuda from overseas for the purposes of adoption. However, the Department of Child and Family Services identified a number of problems with overseas adoptions which, if not addressed, have the potential of placing children who are in these situations at risk.

The Adoption of Children Amendment Act 2011 is intended to safeguard children and families and to address issues relating to overseas adoptions either into or out of Bermuda.

The Speaker: Any objection?

Mr. Speaker, we as a society have a responsibility to ensure that adoption is always based on the best interests of the child, and that every effort is made to ensure that the rights of the child, birth parents, and potential adoptive parent are protected. Overseas adoption should only be considered after all family and local community options have been exhausted.

For these reasons, it is important that Bermuda set the bar high and recognise adoptions of children from countries who are signatories to the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption (Hague Adoption Convention, for short). As of January 2011, this Convention has been ratified by 83 countries, including the United Kingdom, United States of America, and countries in Europe, Africa, and Central and South America, who have Hague [Adoption] Convention status. These countries are committed to protect children and their families against risks of illegal, irregular, and ill-prepared adoptions abroad, and to prevent the abduction, sale of, or trafficking of children.

Mr. Speaker, the Bill before the House today defines an approved jurisdiction and provides that a child cannot be brought into Bermuda for adoption without the approval of an overseas court and the permission of the Bermuda Department of Immigration. Mr. Speaker, the Bill also provides the Minister with discretion to approve other jurisdictions which do not have Hague [Adoption] Convention status if these jurisdictions can demonstrate that they have similar safeguards in their legal and child protection system to the ones described previously for children and families.

Mr. Speaker, in the case of a child who is adopted by a relative or a person who adopts the child jointly with the parent, the requirement with respect to an approved jurisdiction does not apply.

Mr. Speaker, I am informed that children are rarely sent out of Bermuda to be adopted. When this does happen, a relative normally adopts the child after all options have been explored. The Adoption of Children Amendment Act 2011 adds two additional provisions which require the approval of the court and Director before a local child can be placed with an adoptive parent overseas.

Mr. Speaker, the Bill also seeks to ensure that only people who have strong ties to Bermuda can apply to the Bermuda courts to adopt. Hence, a "resident" is defined as "a person who under the Bermuda Immigration and Protection Act 1956 has Bermudian status, is deemed to have status, is the spouse of a person who has status, or holds a permanent resident certificate."

Mr. Speaker, under the Adoption of Children Act 2006, persons could register in the Adopters Register even if they had been convicted of offences which would make them ineligible to be a foster parent

under the Children Act 1998. The Bill before the House today corrects this anomaly such that, before persons can be registered in the Adopters Register, they must submit a police records check to rule out any offences with respect to children identified in section 55 of the Children Act 1998.

Mr. Speaker, another issue which was not addressed by the principal Act was the status of a child if an application for adoption was refused. The only option for the Director in such situations was to obtain a care order under the Children Act 1998. However, the adoption of the Children Amendment Act 2011 allows the Director to assume care and custody of the child and place the child with another adoptive parent or a caregiver.

Mr. Speaker, the proposed Adoption of Children Amendment Act 2011 addresses gaps in the principal Act and will place Bermuda on par with other approved jurisdictions with respect to local and overseas adoptions. Bermuda will then be well positioned to start the process of having Hague [Adoption] Convention status extended to the Island by the UK and meeting accreditation standards for adoption.

Mr. Speaker, it is to be noted that revised adoption rules and adoption regulations are in the process of being completed, and these will be published by notice in the official *Gazette* on the same day that the Minister appoints for gazetting of the Adoption of Children Act 2006, as amended by the Adoption of Children Amendment Act 2011, once it is passed by the legislature.

Finally, Mr. Speaker, once the Adoption of Children Amendment Act 2011 is passed, the Department of Child and Family Services plans to develop a public awareness campaign to educate the public on the new legislation.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister Blakeney.

Any further speakers?

I now recognise the Honourable Member, Mr. D. Hunt. The Honourable Member, Mr. D. Hunt, is the Shadow Minister for Youth, Families, Sports, and Community Development.

Mr. Hunt, you have the floor, sir.

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

Mr. Speaker, I shall be brief. We on this side of the House, the Opposition, certainly have no major reservations with this particular Bill. We understand that this is a Bill that comes to the House that will improve the adoption process, the adoption of children not only in Bermuda, but overseas. And that is something that we all can applaud, certainly.

Mr. Speaker, we also understand that this brings us up to international standards. And the other thing it does is align us with the immigration policy, our own immigration policy.

So with regard to the whole gist of this Bill, we have no problem in general. We are in agreement. But what bears in mind only is the understanding that the 2006 Act, the Adoption of Children Act 2006, was in fact, as we understand it, not operative. It was not something that was enforced. And we believe that it is the purpose of this particular Act that makes the 2006 Act enforceable based on the fact that there were some immigration anomalies that occurred as a result of the 2006 Act.

But in general, Mr. Speaker—and I will not take too much time. We do embrace this Act. There is the protection of children, as well as parents. There is consideration to bringing children into Bermuda, as well as sending children outside of Bermuda. And we appreciate that holistically. With that said, I will take my seat. 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. C. Swan, from Southampton West Central.

Mr. Swan, you have the floor.

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

We, too, in the remaining UBP side of the House—

[Laughter]

Mr. Charles F. B. Swan: —truly support any sort of legislation that strengthens and protects the rights of children in situations like these, Mr. Speaker.

[Inaudible interjections]

Mr. Charles F. B. Swan: Now, obviously,—

[Gavel]

Mr. Charles F. B. Swan: —the whole idea of putting children up for adoption is fraught with untold risks. The fact that we are aligning ourselves with this Hague [Adoption] Convention is laudable.

Now, there are a couple of, I think, things I would like to, sort of, point out. The Minister in his brief alluded to the fact that, you know, we do want to meet international standards and requirements. And much of what is in the legislation, or just about all of what is in the legislation, goes a long way to meeting that. We have not met these requirements yet, Mr. Speaker. But we are well on the way, with this legislation.

I got a little bit concerned. I did dig out the UK legislation to have a look. And in one section of the proposed amendments here, we talk about [the fact that] the Minister may designate any other jurisdiction as an approved one. Now, the Hague [Adoption] Con-

vention has an approved list, I believe. And it also has a restricted list, or it requires individual countries to keep their own restricted list. So I have a couple of questions in that regard, Mr. Speaker.

The comparison between the Minister being allowed to designate a country as approved here in Bermuda is quite a bit different from what I saw in the UK legislation where the Secretary of State there really can only deal with the approved list and a restricted list and countries that move in between those two. And, if indeed, [he] wants to approve a restricted list for any country [he] must consult with other bodies. And I wondered if there is any provision, or what provisions there will be in our legislation in that regard so that . . . I believe, you know, having the Minister have authority.

And I know it probably is to enable the section that deals with, you know, if there is a parent or relative that wants to adopt, but they are in an unapproved country, that restriction of it being approved is removed. But I believe it is incumbent for us to really be sure that we deal with countries, both sending kids out and bringing kids in, that have the proper standards and meet the international requirements. So there was a question to do with the Minister's discretion to designate countries as approved.

The other slight, I guess, confusion—not confusion, but the reciprocal approval by an overseas court, I believe that was mentioned. In the first paragraph of his statement, I think he talked about international standards and consistent with the requirements of Bermuda Immigration. And I just wondered, what sort of section of the Immigration Department? Is this going to be an additional job within the Immigration Department? I think that was my question there.

But, Mr. Speaker, we have no real objection to this. As I said, when Bermuda is meeting international standards, it is a good thing. And hence, I support the legislation as it stands, but just have those few questions.

Thank you very much.

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

I was about to catch the eye of Mr. Acting Premier. Mr. Acting Premier, Mr. D. Burgess, Minister Burgess, you have the floor.

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, may we adjourn for lunch, please?

The Speaker: It has been moved that we adjourn for lunch.

Any objection to that motion?

Agreed to.

[Gavel]

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

Proceedings suspended at 12:32 pm

Proceedings resumed at 2:02 pm

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

SECOND READING

ADOPTION OF CHILDREN AMENDMENT ACT 2011

[Continuation of debate thereon]

The Speaker: We are going to resume debate on the Adoption of Children Amendment Act 2011, in the name of the Minister of Youth, Families, Sports, and Community Development, the Honourable Minister, Mr. G. Blakeney, from Devonshire North Central.

Any further speakers?

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

Mr. Moniz, you have the floor, sir.

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

We listened carefully to the Minister's brief with respect to this piece of legislation, the Adoption of Children Amendment Act 2011, which is amending the Adoption of Children Act 2006. I guess what was not made pellucid in his opening was that the 2006 Act has never been made operative. It was assented to on the 29th of December 2006, but as of yet it has not been put into operation.

Now exactly what the issues are there, they were not enumerated, as the Minister did not refer to that fact. And we are left in a position in the Opposition of using some conjecture as to why that piece of legislation was not put in, to date.

Now, this is an area of the law which is challenging. And as the Minister referred, there was a Children Act 1998 which affected some of these matters and that Act, in and of itself, brought up some difficulties. We also were referred by the explanatory memorandum for today's piece of legislation to the Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption. As the Minister said, that is normally referred to as the Hague Adoption Convention and is dated, I believe, 1993. I think he said it is now active in some 83 countries in the world.

So we are dealing with a mix of legislation here, and we are dealing with a convention, and we are trying to bring Bermuda's legislation up to date with other advanced Western countries.

I think we need to speak to some of the problems that occur. This is an area, of course, that affects people intimately in their family lives and in their emo-

tional lives. And, you know, there can be very real hardships caused by some of the situations that arise. I would estimate that most of the situations that arise in adoption are fairly simple and straightforward. They do not involve other countries. They do not affect nationality or citizenship or Bermudian status. But in Bermuda, as a small, very international community, we do get those cases which involve other countries, involve nationals of other countries, and involve adopted children which are citizens of other countries.

[Gavel]

The Speaker: I apologise to the Honourable and Learned Member. Carry on.

Hon. Trevor G. Moniz: I am obliged, Mr. Speaker. You are doing your job admirably.

The situation here . . . And I have been involved with some of these difficult cases in my legal practise. And in most other countries, the situation arises where if nationals of a country adopt a child, the child will assume the nationality of the adoptive parents automatically, by operation of law.

Now in Bermuda, for some reason, for some odd reason, that has never been the case. And it was one of the provisions of the earlier legislation that that would become the case, that Bermuda would come into line with other jurisdictions so that when Bermudian parents adopted, the child would automatically assume British nationality and Bermudian status.

When the previous legislation was passed, to my knowledge, there was a great kerfuffle, let us say—that is the kindest way to put it—a great kerfuffle between, I guess it was in the Family Services Department under the Health Ministry, and the Immigration Department, which is now under National Security. And the Immigration Department, to the best of my knowledge, would not accept that these children would automatically gain Bermudian status, and the Immigration Department, as part of their role, are very protective of who gains Bermudian status.

My information was that the reason the legislation was never brought into effect was because of this clash between what the Family Services Department and the adoption people wanted to do with respect to adoption, and what the Immigration Department would accept or not accept with respect to who would get Bermudian status in an adoption. And there are some very, very hard cases. They may be rare, but they are hard cases in the sense that they affect people and their families very personally and very deeply, and they cause a lot of hardship and hurt.

Now what this piece of legislation does, notably, under clause 2, which amends section 2 of the Adoption of Children Act 2006, is it restricts those people who are able to adopt in Bermuda. And under the new section 2(3), it defines a "resident of Bermuda" as a person who (a) possesses Bermudian

status, (b) is deemed to possess Bermudian status or is the spouse of a person who possesses Bermudian status, or (c) holds a permanent resident certificate.

So I guess the way that the Government have found around or through this difficulty that they have was by restricting the category of people who can adopt in Bermuda to those people who are entitled to permanent residence in Bermuda, either because they are Bermudian or because they are a permanent resident certificate holder. I think those people deemed to possess Bermudian status are another odd case of people who, in my experience, normally were not able to possess British nationality. Where they would otherwise be Bermudian, they were not able to because they did not possess British nationality.

But there is another situation that arises. And admittedly, I have not seen this in my own legal practise or in my own life. But there are those people who come to Bermuda . . . as we know, we have a large percentage of our workforce who come from abroad who come to Bermuda and then they wish to adopt. Now, the question we have on this side is: How do those people adopt? They are not Bermudian. They are not deemed to be Bermudian. They do not possess a permanent resident certificate. They come to Bermuda. They want to adopt. But let us say, for the sake of this argument, they do not want to adopt from abroad, but they would like to adopt right here in Bermuda and provide a good home for a child in Bermuda.

It appears to us that under this legislation, that is not going to be permitted. And that would seem to be denying a wonderful opportunity to some very deserving Bermudian child who is up for adoption. It would expand the category of those persons who are able to adopt children locally and would perform, in our view, a great service in this community. And we would ask Government to revisit this, to review this aspect of it. Or, if they are not willing to review it, explain to us why that is not the case. We cannot see the harm that would be caused by that.

Now, you know, there are difficult circumstances. For example, going back to where I started, if the couple comes to Bermuda and they adopt a Bermudian child, then there is a hard decision to be made. If the child assumes the nationality of the parents—say, the parents are Canadian—the child becomes Canadian. Does the child still keep its Bermudian status? The child was born in Bermuda of Bermudian parents. If the child keeps his Bermudian status, then, under the Immigration Act, the parents are normally—

[Inaudible interjection]

Hon. Trevor G. Moniz: No. The parents have a right to remain in Bermuda at least until the child is an adult, until the child reaches the age of 18. So there may be issues there. But we on this side would like to

see those issues explored fully and explained fully so that we know that we have a piece of legislation that is good and effective.

Now, one area which causes us some difficulty is that this Act amends the 2006 Act and also purports to amend the rules made under that Act. Now the old rules were from, I think, 2004, the old adoption rules. In fact, I am not sure if they do not go back to 1964. The original Act was 1963. So there are new rules to be promulgated. And this piece of legislation refers to those rules and purports to amend those rules, but we in this House and the people of Bermuda have never had the opportunity of seeing the new rules. They have not yet been promulgated. They have not yet been passed through this House.

I have been informed that they would come through this House by way of negative resolution procedure, meaning that if no one objects, they will pass through smoothly. But again, we in the Opposition are in a difficult situation of approving an amendment to a piece of legislation and to rules which we have not seen and which apparently exist.

Now we understand, of course, that there has been a lot of consultation which may have to take place between various governmental and nongovernmental bodies with respect to the rules that come out of this. But as we said last week, and as my Honourable Leader, the Honourable and Learned John Barritt, said, it would always be helpful if these things come to this House in a draft form first so that we can see them in their totality, so that by the time we get to the House to debate these issues the matters are clear. If there are any areas of dispute, those areas of dispute are clear. But today we find ourselves in a position [with] a piece of legislation which overall we support. But as always, the devil is in the details.

There are certain situations that arise, as rare as they may be, which may cause very real and very deep problems to some families. There is the possibility of some opportunities being denied to Bermudian children who are available to be adopted, and there is just a mystery about what the new regulations under this legislation will say, exactly what the framework of it is.

So, with those comments, Mr. Speaker, I thank you and will take my seat.

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

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: Yes, Mr. Speaker, thank you.

Mr. Speaker, I think this amendment is absolutely important. As the Honourable Member who just took his seat said it is important, as we move and

make these amendments, that we get it right. Because adoption, Mr. Speaker, is based on the premise that every child has a right to belong to a family; to be in a family. I think the UN [Convention on the] Rights of the Child kind of speaks to the fact that every child has a right to be with a family. And wherever a child cannot have a family, then the society has a responsibility, I believe, to see that children are placed in families.

So, Mr. Speaker, I take my hat off to my colleague for moving to bring clarity to the Adoption [of Children] Act [2006].

Mr. Speaker, there is no question in people's minds, because I believe the research will show that adopted children generally make good, better in life than those who stay in the care system. I believe it is important for us to do all we can to ensure that we have as few children as possible in the care system. And so adoption, and a good adoption system, I believe helps us to meet the goal of providing, as the UN would warn, that family home for children.

You know, the Honourable Member who just took his seat, I think made a good point, which I had actually thought of for some time. Because I was thinking that when, for instance . . . I mean, you just use a name, for instance. If Ross Perot, who lives here a lot of the time, decides that he wants to adopt a young Bermudian child—

The Speaker: Hypothetical case.

Hon. K. H. Randolph Horton: —hypothetical case— then why should he not be able to do that? So I think that is something that, certainly, if not even at this juncture, we do and certainly look at as we move forward.

But certainly, I think the Minister and his team have done a good job in progressing, I believe, the Adoption of Children Act 2006, and removing . . . Because we do know as well the incredible risks involved in adoption. When we look around the world and see what has been done to children and how children have been abused many times in these systems, it is important for us to get it right.

So I commend the Minister and his team on moving to close the gaps to ensure that we eliminate the risk that is involved with adoption.

Thank you, Mr. Speaker.

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

Any further speakers?

I now recognise the Honourable and Learned Member, Leader of the Opposition, Mr. J. Barritt, Devonshire South Central.

Mr. Barritt?

Mr. John Barritt: Thank you, Mr. Speaker.

I would like to join in the chorus and the line that was just delivered by the Honourable Member, Deputy Speaker, Mr. Randy Horton, in terms of, this is an improvement, this is an advancement, and this is something we must do to enhance adoption in Bermuda, and at the same time protect and enhance Bermuda's reputation in this field.

The difficulty I have with that line, Mr. Speaker,—

[Gavel]

Mr. John Barritt: —and Honourable Members, (and I am not trying to create conflict where there need not be any; let me make that clear) is that what we have here before us today is an amendment Act to a piece of legislation that was first passed in 2006, but has not been put into operation for coming on now four and a half years. And I think in those circumstances the country deserves a clear explanation as to what has taken so long to get to this point, to enhance and improve a piece of legislation.

My honourable and learned colleague, Mr. Moniz, has speculated that there has been conflict—and there may have been conflict between those who are responsible for adoptions in Bermuda and the Immigration Department. It behoves the Government to answer and respond to that because it is a legitimate question: What has been the delay? Is that the reason for the delay? And then one wonders how we ever got to that point because, in my day, Mr. Speaker, if someone brought forward a Cabinet paper from one Ministry for a proposal, it was run by the other Ministries that stood to be affected, so that you had not only collective responsibility, but you had all necessary Ministries looking at all the sides to a problem so you would not get into this position.

Now perhaps we are off base here. Perhaps there is something else that we do not know about. But I think it is legitimate to ask those questions and to have them answered on the floor of the House.

Mr. Speaker, you know I have been a great proponent for having a Private Bills Committee where you can do that with the policy makers and the drafters in the room so that they can answer these questions, because they are straightforward ones that ought not to become the subject of politics, raw politics, Mr. Speaker. That is what I do not wish to engage in; that is what I am trying very hard not to engage in, in asking these questions.

Because you come on to the next question with respect to this Act, and that is that we see now how residence is being limited, Mr. Speaker, so that you either . . . The Honourable and Learned Member read out the section, Mr. Speaker. But it now appears that it is not available to a couple who are living in Bermuda who are either not Bermudian or do not hold a permanent resident certificate. I am sure there is some good policy reason for that, or there is in the

minds of the people who are making that amendment. Share that with us, Mr. Speaker, so that we can understand what it is that we are trying to limit, as it were.

Because the Honourable Member who just spoke, and the Honourable and Learned Member, Mr. Moniz, as well, talked about the rights and interests of children being paramount in these cases, and in all cases, frankly, that involve children. And if you do have a couple here looking to adopt—the Honourable Member picked the name of Mr. Ross Perot. If he were to do it for a Bermudian child, that would be akin to winning the lottery. Why would we want to deprive some child of that opportunity, Mr. Speaker?

These sorts of questions need to be answered because I do not know, as well . . . We do not know on this side how many cases have the adoption agencies, the authorities, come up against that warrant this as well, Mr. Speaker? That needs to be answered. You know, often we say with legislation, you are aimed at trying to cure a problem. In the legal profession, we call it, “What is the mischief that you are trying to cure?” That always sounds so pejorative and harsh here in the House. So instead, I will say, What is the purpose? What is the problem? What is the problem?

I see this as being separate from cases where, say, people are in Bermuda and trying to adopt from countries that are not signed onto the Hague [Adoption] Convention. We understand that. We are entirely on board with that point, that there have to be countries that are approved and part of the Hague [Adoption] Convention. That might not even be in the best interests of the child. It could be, as someone said, the illegal trafficking in children. You do not know. You want to know that they come from a reliable jurisdiction, and you want to know that they will be recognised as well, I think, in the home jurisdiction.

So there are many angles to this. And I guess on this side, while we are prepared to support the legislation, we were hoping that some of these questions would be answered. Because if you have got a couple living in Bermuda who are on work permits, let us say, who do not have permanent residency, they could give birth—as indeed they do—to children while they are living here. And we deal with that problem. So what is the difference where a couple wants to adopt? What is the problem that we are trying to cure or prevent? And how pervasive is it that we are going to the lengths of this particular amendment here today, to try and cure it?

These are some of the questions that I think warrant an answer, Mr. Speaker. And I would love to hear, as I have to from the Minister, from the policy makers, the people who have been apparently wrestling with some of these problems for now four and a half years. Four and a half years . . . One wonders what has been happening in the interim and whether or not we have really adversely affected the interests

of some children with respect to adoption, Mr. Speaker.

That is why I think on this side we are asking those questions. While we are on board and want to join not only in the chorus, but in doing all we can to improve and enhance Bermuda’s reputation on the ability to adopt, there are, nonetheless, these questions and concerns that linger in the absence—in the absence, Mr. Speaker—of explanation.

Thank you.

The Speaker: Thank you, Mr. Barritt, the Honourable and Learned Member, Leader of the Opposition, from Devonshire South Central.

Any further speakers?

I now recognise the Honourable Member, Mrs. L. Foggo, Government Whip, from St. David’s constituency.

Mrs. Foggo?

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

I think this is a very important piece of legislation. And the reason for that is because, as we all know, family tends to be the bedrock of any community. By having this Adoption Amendment Act put in place where you, sort of, actually give it more structure and give those who are involved in the process more teeth, so to speak, to come in and act should the need arise, if things are going awry, does become important. Because the whole point, as I see it, of trying to have a proper process in place is to give every reasonable guarantee that the families that are, I guess, awarded or assigned the task of parenthood with our young kids at least appear, as best as one can see, to have all of the attributes that anyone would want in parents to ensure that the right type of values, et cetera, will be instilled in our young ones as they grow.

Having been an educator, I have seen firsthand, Mr. Speaker, the difference that can be made when a kid grows up in a warm, nurturing, safe environment. I think all of us, all adults, in any community, want to see our children self-actualise, reach their maximum potential. When you look at all of these psychological, I guess, books on childrearing, one of the key things is that kids are placed in a nurturing, safe environment. Those are fundamental to ensuring that our kids grow up to be wholesome in their outlook on life.

I guess having guidelines in place . . . We have all seen via the media what can go wrong. The Honourable Member, Mr. Horton, mentioned the foster care system, which is a great system. But we have seen examples where, if we have not done our proper research and homework in terms of child placement, we can see what can go wrong and, indeed, how badly it can go wrong. I think it is incumbent upon us, because we are our children’s keepers—it is incumbent upon us to ensure as best we can that the envi-

ronment within which our kids are going to be placed is safe and meets all the necessary standards that we feel will lead, hopefully, to us developing and growing wholesome citizens within either our society or any other society that kid may grow up in.

I think that having, I guess you can say, certain regulations in place will allow us to be able to reach across or maintain some sort of contact that we will be able to ascertain, if necessary, if we did indeed do the right thing and perhaps be able to intercede, if necessary, should things go differently from what any child placement service, adoption service, would want to happen for any child that is being placed in those types of environments.

So I do not think much can be said other than the fact that, Mr. Speaker, being our children's keepers—setting up the right type of conditions for the adoption process with all the checks and balances in place—is paramount to ensure that that child will get all of the necessary care to, hopefully, lead to their having a full and fruitful life, and in so doing be able to contribute to society in a positive way.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mrs. Foggo, Government Whip, from St. David's constituency.

Any further speakers?

No further speakers.

The Minister in charge, Minister Blakeney, has the right to reply.

Minister Blakeney?

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

Mr. Speaker, you know, could you answer me a question, with respect, why is it that learned Members—

The Speaker: Did you say the Speaker?

Hon. Glenn A. Blakeney: Yes, yes.

The Speaker: No. The Speaker does not do that in here.

[Laughter]

The Speaker: You have to do that, Minister!

Hon. Glenn A. Blakeney: I am being a bit facetious.

The Speaker: Well, I know, but the Minister must respond.

Hon. Glenn A. Blakeney: Why do the attorneys and lawyers always want to complicate things, especially when, you know, we are doing a piece of legislation that is enhancing what already exists, bottom line?

The clarification should be quite obvious. And since they are learned minds, they may have, I am

sure, consulted the Hague [Adoption] Convention and gotten some of the answers. But since it does not seem that they did, Mr. Speaker, one of the reasons [for] the delay relative to the 2006 situation was as a result of a long-standing case, court proceeding, with regard to an adoption that involved a child that was sought to be adopted from, I believe, Cambodia or one of those countries that was not looked well upon.

So before we, kind of, went forward with it, we wanted to see what the courts were going to decide. And there were other due diligence processes that took quite a bit of time with regard to looking at Bermuda and looking at what the Hague [Adoption Convention] was intended to do, et cetera, and how it related to Bermuda. In fact, even the UK has some caveats with regard to their compliance with the Hague [Adoption Convention]. So that is one of the reasons for the delay.

A question was asked regarding how many adoptions per year. That is a fair question. My information has it that only about three or four adoptions per year are actually consummated, but most are foster case adoptions. And that is because, of course, we here in Bermuda do not have orphanages where other international prospective parents or guardians would have an opportunity to adopt children from Bermuda. So I believe that answers the questions.

And with that, Mr. Speaker, I move that the Bill now be committed.

The Speaker: Any objection?

Agreed to.

[Gavel]

The Speaker: I am just waiting for the Member to return.

[Pause]

The Speaker: With your indulgence.

In the meantime, the Honourable Member, Mr. Tucker, would you hold until—

Mr. Darius D. M. Tucker: In the meantime?

The Speaker: Oh, all right.

Mr. Darius D. M. Tucker: Mr. Speaker, in the meantime, could I just clarify a point? My inference in asking you a question is related to the legislation.

The Speaker: Well, when you get into Committee, you probably can take an opportunity. The Chairman will give you an opportunity.

Mr. Darius D. M. Tucker: Oh, okay. No problem. I did not mean to offend you in any way.

The Speaker: No, no, no, no, no! We are all friends in here.

Will the Honourable Member, Mr. K. Horton, from Southampton West, please take the Chair of Committee? He is the new Deputy Speaker.

[Inaudible interjections]

House in Committee at 2:35 pm

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

COMMITTEE ON BILL

ADOPTION OF CHILDREN AMENDMENT ACT 2011

The Chairman: Members, I would turn it down if I were you.

[Laughter]

The Chairman: Thank you, Members.

We are looking at the Adoption of Children Amendment Act 2011. We have the Minister for Families, the Honourable Glenn Blakeney, who has the floor.

Minister Blakeney.

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

Yes. I would like to move clauses 1 through 6.

The Chairman: Carry on.

Hon. Glenn A. Blakeney: Clause 1 confers title on this Bill as the Adoption of Children Amendment Act 2011.

Clause 2 amends the interpretation section of the principal Act, providing new definitions.

Clause 3 amends section 6 of the Act to ensure that the Director of Child and Family Services does not register a person as an adopter if that person or anyone living with them has been convicted of any offences under section 55 of the Children Act 1998.

Clause 4 provides that no child shall be placed overseas without the consent of both the Director and by order of the court.

Clause 5 amends section 44 of the Adoption of Children Act 2006 to ensure that the Director arranges for the care and custody or placement of the child if an adoption order application is refused.

Clause 6 defines approved adoption jurisdictions and provides the Minister with the power to make an order designating other jurisdictions as approved jurisdictions for adoption purposes if such jurisdictions are not party to the Hague [Adoption] Convention and are not restricted jurisdictions under UK legislation.

The Chairman: Thank you, Minister.

Is there any other Member who would like to speak to this matter?

No one would like to speak.

Clauses 1 through 6, all those in favour of clauses 1 through 6, please say Aye. Those against, say Nay.

AYES.

The Chairman: The Ayes have it.

[Motion carried: Clauses 1 through 6 passed.]

The Chairman: Mr. Blakeney, you may continue.

Hon. Glenn A. Blakeney: Honourable Member.

The Chairman: Honourable Member, Mr. Blakeney.

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

Clause 7 amends—

The Chairman: Honourable Minister.

[Laughter]

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

I would like now to move clauses 7 through 12.

The Chairman: Clauses 7 through 12.

Carry on, Minister.

[Pause]

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

Clause 8 makes it an offence under section 48 of the principal Act for a person to put a child up for adoption without the permission of the Director and the approval of the court.

Clause 9 amends section 62 of the principal Act to grandfather applications filed before the principal Act commences such that they would be processed under the Adoption of Children Act 1963, if the court deems this to be in the best interests of the child.

Clause 10 deletes references to the old Adoption Rules 1964 and refers to the new rules, which will become operational at the same time as the principal Act.

I believe I missed—

The Chairman: Clause 8, I believe.

Hon. Glenn A. Blakeney: No, clause 7.

The Chairman: Clause 7.

Hon. Glenn A. Blakeney: Clause 7 amends the section 47 of the Act to require that the court only grant approval for adoption of a child from an approved jurisdiction and places certain additional conditions on such adoptions, including that an overseas court has granted permission for transfer of a child to Bermuda and that Bermuda Immigration approval has been granted for the purpose of adoption.

Clause 10 deletes references to the old Adoption Rules 1964 and refers to the new rules, which will become operational at the same time as the principal Act.

Clause 11—

The Chairman: Consequential amendments, Minister.

Hon. Glenn A. Blakeney: Clause 11 makes consequential amendments by deleting references to the old Adoption of Children Act 1963. And finally, clause 12 indicates that the Act will come into operation by notice published in the official Gazette.

The Chairman: Thank you, Minister.

Would any Member like to speak to those clauses?

I recognise the Learned Member from Devonshire South, the Leader of the Opposition, the Honourable John Barritt.

Mr. John Barritt: Thank you, Mr. Chairman.

I have one question for the Minister with respect to clause 7. And that is the new subparagraphs that are being inserted, that “[e)] approval has been granted by a court under the law of the jurisdiction in which the child resides for the child to be transferred to Bermuda for the purpose of adoption.” I think we all understand the reason for that.

But then it adds, “[f)] the specific permission has been granted under the Bermuda Immigration and Protection Act 1956 for the child to enter Bermuda for the purposes of adoption.”

My question is this: Is this intended that the Immigration Department . . . if the court in the jurisdiction has approved it, then Immigration may serve, may be in a position to block it? Or is this just a formality? Or perhaps the other question is: Why is it there?

The Chairman: Honourable Minister, would you like to answer that question, please?

Hon. Glenn A. Blakeney: Yes.

Taking into consideration that the child's interest is first and foremost, it gives leverage to the court to decide, once there is the background in supporting the adoption or not, with the cooperation of the Department of Immigration having conducted a due diligence exercise.

The Chairman: Mr. Barritt?

Mr. John Barritt: For a minute there, I thought perhaps I had not been understood, but I guess—

The Chairman: Would you repeat yourself then, please?

Mr. John Barritt: No, no. I think the Minister is saying it. He can confirm this.

What he is saying is that that is there for the Immigration and Protection Department to do a separate check with respect to this child, as opposed to the one that . . . you know, the approval that has been granted by a court of law up there; that there is a separate check done by the Department of Immigration. I guess the Department of Immigration can serve to upset the whole thing if you have already gone to the court up there.

The Chairman: And they go the other way.

Mr. John Barritt: Yes.

Minister, would you speak to that?

Hon. Glenn A. Blakeney: Yes, if that is warranted as a result of intervention by Child and Family Services, who will play a very intricate part in determining the wellbeing of the child. So, yes.

The Chairman: Mr. Barritt, you still do not seem to be clear on that.

Mr. John Barritt: No, no. I hear what the Minister is saying. I just do not get it because the best interests of the child will be determined by Child and Family Services. It is obviously an adoption that they think is worthwhile permitting. But you have got to get the approval of the home—

The Chairman: Overseas jurisdiction, yes.

Mr. John Barritt: —which presumably is going to consider the best interests of the child. And then it appears to be that after all of that, you have got the Bermuda Immigration Department deciding whether or not the child can come into the jurisdiction. I do not know. Maybe it is a question of, you know, if you have gone all that distance, and then the Immigration Department says no, something clearly is wrong.

The Chairman: Yes.

[Inaudible interjection]

Mr. John Barritt: But in what circumstances? I know they have that right.—

The Chairman: Minister, are there any—

Minister?

Mr. John Barritt: —but it seems that something should have been done first rather than after the fact, if you follow what I am saying.

[Inaudible interjection]

Mr. John Barritt: Yes, but you wonder—

The Chairman: Minister, maybe you can help bring clarity in terms of what the possibilities are.

Hon. Glenn A. Blakeney: Yes. Well, you know, just as an example, as the Learned Member would probably be able to understand this time, the status of countries could change. They could become a restricted country in the process of the adoption.

The Chairman: And in that case, it may be turned down.

Hon. Glenn A. Blakeney: And in that case, the Immigration Department could turn it down.

The Chairman: That is certainly an example, Mr. Barritt.

[Inaudible interjections]

The Chairman: Does any other Member—Mr. Barritt, are you satisfied? You do not look satisfied with that. But do you have any . . .

Mr. John Barritt: It is not my satisfaction at stake here; thank you, Mr. Chairman. I was just trying to understand why it is there and why it is not a sort of a top checklist. Because I understand . . . if a jurisdiction suddenly becomes restricted, I think we all understand the process stops. You do not need the Department of Immigration under this Act. You simply cannot go ahead.

So I just . . . the question remains: If there had been some belt and braces, as we call it in the trade, the legal profession, where someone stuck this thing in and said, *Well, let's just have that last check just in case.* Maybe that's all it is; it is just in case. But it seems to me that before couples went all the distance, Mr. Chairman, of adopting and making applications in other jurisdictions, the one thing you would want to do first—first, not after the fact—is to make sure that there is clearance for that child to come to—

The Chairman: To come to Bermuda.

Mr. John Barritt: Yes! Rather than after the fact. That is my point.

The Chairman: All right. Thank you, sir.

Hon. Glenn A. Blakeney: Yes, well, you would think so. But not all people have that kind of common sense. Common sense sometimes is not that common, with certain people.

The Chairman: I think you might be right there, Minister.

Hon. Glenn A. Blakeney: So, you know, the more things change, the more they remain the same, indicative of the new Opposition, with the same old ways.

The Chairman: Thank you. Thank you, Minister.

Are there any other matters, as we look at clauses 7 through 12? Would any other Member like to speak?

There are no other Members who would like to speak.

So can we see, please, on clauses 7 through 12, all those in favour of clauses 7 through 12, please say Aye. Those against, say Nay.

Ayes.

The Chairman: The Ayes have it.

Clauses 7 through 12 are accepted, which means that clauses 1 through 12 have been accepted, Honourable Minister.

[Motion carried: Clauses 7 through 12 passed.]

Hon. Glenn A. Blakeney: Thank you, Mr. Chairman. I move the Preamble.

The Chairman: The Preamble, yes.

Hon. Glenn A. Blakeney: And I move that the Bill now be reported to the House. Thank you, Mr. Chairman.

The Chairman: Thank you, sir. The Bill will be reported to the House.

[Motion carried: The Adoption of Children Amendment Act 2011 was considered by a Committee of the whole House, passed without amendment, and will be reported to the House.]

House resumed at 2:48 pm

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

REPORT ON BILL

ADOPTION OF CHILDREN AMENDMENT ACT 2011

The Speaker: Is there any objection to the Report of the Committee as printed?

Agreed to.

[Gavel]

The Speaker: You must not show the Speaker your back. Thank you.

We are going to move on.

The next Order is Order No. 3, Specified Business Legislation Amendment Act 2011.

[Inaudible interjection]

The Speaker: Carried over? Also Order No. 4 (no need to call it). That is being carried over, as indicated by the Acting Premier.

There are no further Orders.

I recognise the Honourable Member, Mr. Z. De Silva, from Southampton East Central.

Minister?

SUSPENSION OF STANDING ORDER 21

Hon. Zane J. S. De Silva: Thank you, Mr. Speaker.

Mr. Speaker, I move that Standing Order No. 21 be suspended to enable me to move the Bill entitled the Psychological Practitioners Amendment Act 2011 be now read for the 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

PSYCHOLOGICAL PRACTITIONERS AMENDMENT ACT 2011

Hon. Zane J. S. De Silva: Mr. Speaker, I move that the Psychological Practitioners Amendment Act 2011—

The Speaker: Do now pass.

Hon. Zane J. S. De Silva: —do now pass.

The Speaker: Yes. Yes.

Any objection?

Agreed to.

[Gavel]

[Motion carried: The Psychological Practitioners Amendment Act 2011 was read a third time and passed.]

The Speaker: I now recognise the Honourable Minister, Mr. G. Blakeney, from Devonshire North Central now has the floor.

Minister?

SUSPENSION OF STANDING ORDER 21

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

I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Adoption of Children Amendment Act 2011 be now read the 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

ADOPTION OF CHILDREN AMENDMENT ACT 2011

Hon. Glenn A. Blakeney: I move that the Bill do now pass.

The Speaker: Any objection?

Agreed to.

[Gavel]

[Motion carried: The Adoption of Children Amendment Act 2011 read a third time and passed.]

The Speaker: Mr. Acting Premier, there are no further matters before the House.

ADJOURNMENT

Hon. Derrick V. Burgess, Sr.: Yes, Mr. Speaker, I move that the House adjourn.

The Speaker: Is there any objection to that motion?

Agreed to.

[Gavel]

The Speaker: I now recognise the Honourable Member, Dr. Gibbons, from Paget East. Dr. Gibbons has the floor.

MOVE MORE BERMUDA CAMPAIGN

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

Mr. Speaker, I think many of us will remember that this morning the Minister of Health read a Ministerial Statement talking about his joint programme with the Ministry of Education. And it is a campaign entitled "Move More Bermuda." I would like to take a few minutes just to talk a little bit about this and use this sort of as a starting point for what I think is a broader issue here.

Let me say right off the bat that I do not have any particular issue with what the Honourable Member is doing, either the Minister of Health or the Minister of Education. As far as it goes, it is fine. But from my perspective, and I think from what we have seen on this side of the House before, it is not enough.

Let me be more explicit. The programme is a very clear one. It basically sets out the benefit of physical activity, and that was a campaign, I think it started, as the Minister said this morning, in Victor Scott School. There are some very noble objectives here. The key messages, according to the Minister's Statement, are that physical activity needs to be incorporated as part of a healthy lifestyle, and everyone needs to engage in physical activity each day and to participate in activities that they enjoy. All fine, Mr. Speaker, no problem with any of that.

He goes on to say, "We need to make a concerted effort to be active every day." He highlights a Healthy Wealthy programme with, I think, about 14 students in one of the other schools, Victor Scott, with a teacher, Mr. Ephraim. And I think that is fine as well.

Where the crunch starts to come, Mr. Speaker, is towards the end of the Minister's Statement. He says, "According to the 2006 Health Survey of Adults and Children in Bermuda, 29 per cent of adults reported doing vigorous physical activity three times per week, and 29 per cent of adolescents reported doing vigorous physical activity five times a week." He then goes on to state, "This is not good enough."

And I agree with him because, really, what I was hoping to hear from the Minister of Health and, obviously, working with the Minister of Education, was a significant full-blown programme in our public schools that really put a serious effort to put some time into physical education.

Mr. Speaker, you will recall back in February I highlighted some comments that Derek Broadley, who was the football Technical Director, made about physical education in public schools. Just as a quick refresher, he said that in the last 20 years physical education in the national curriculum has dropped by almost 75 per cent and that many high school students now may get an hour of PE each week, compared to up to four hours in the 1980s, and, in fact, that some students probably can go through an entire

calendar year without getting any physical education whatsoever.

So the point, Mr. Speaker, here is . . . as I said, what I was really looking to hear after all of this, was not so much a campaign. A campaign is useful. Education is useful. It does give the Minister some nice photo ops, and his proficiency, obviously, with the hula hoop has increased in the last week or so.

But what we really need—what we really need—and I see the former Minister of Education back there, who I am sure would agree—is much more of an integrated curricular programme in the schools which deals with physical education. And it is not just the question of health for students. We all understand (the Minister of Health has certainly pointed this out) that obesity—I think it is now up to 25 per cent of children, and in adults it is slightly higher in Bermuda—is a serious concern because of diabetes, cardiovascular concerns, and simply being a burden to themselves and a burden on the health system down the road, because we are going to reap what we have sown there.

But I say it is more than that because there are enough studies—and I think I have referred to them before in this House—which show a clear correlation between fitness in schools and fitness in children and academic performance. In fact, there were a number of studies the US Army did awhile ago which showed very clearly that exercise and access to exercise allows young soldiers to do a much better job on academic-type tests. In fact, there are a number of high schools in the United States where studies have been done to show that regular activity, particularly starting out in the morning with students, allows them to be more alert and to do a better job in their academic work as well. In fact, they perform better on tests.

And there is an additional bonus here as well, Mr. Speaker, because particularly when it comes to young males—and that is obviously a concern for all of us in this House when it comes to discipline in the schools—there is also a clear indication that regular exercise and fitness allow an environment with much better discipline, and some of these schools have actually incorporated a longer and more extensive physical education programme.

Now, we have talked about it before. I know there is certainly a reluctance within the Ministry of Education to expand any physical education programme. The arguments usually fall down in a couple of areas. One is that we have got enough problems trying to deliver the curriculum we have. You know, that takes a lot of time. Teachers do not have time; the students do not have time.

And the simple answer to that, which we on this side of the House have been calling for, for many years now, is lengthen the school day. Not only would this allow more time for physical education and exercise . . . And I am not just talking football and cricket

and track here. There are all sorts of exercises, from dance to even some of the martial arts, which could be incorporated into a longer school day. But there is also, with the longer school day, the opportunity to incorporate more remedial exercises, other extracurricular activities, and it helps to deal with this issue of latchkey kids, which we have talked about in this House before.

So there is a win-win situation here, Mr. Speaker, which I think we need to explore. We need more than a campaign in the schools. We need more than just education. We need actually to put this programme into practise in the schools. I think it is not something that any of us in this room are not familiar with. When we were growing up and going to school, there was a lot more emphasis in schools put on PE two, three times a week, and certainly many of us stayed for an hour or two after school, played football, cricket, track, whatever it was.

As I think times have moved on, and I think there has been more of an effort to try and get additional stuff into the curriculum, a lot of this has fallen by the wayside. So we are not talking about reinventing the wheel here, Mr. Speaker.

The other issue which I occasionally get from educators is, *Well, fair enough. I hear you on the physical education. I hear you on sort of running them around the track, or whatever exercise that you want them to do. But we do not want to deal with a whole bunch of sweaty children in the classroom.* To that I would say, there is a way to overcome that. Because of the benefits on the other side, and because of inculcating some of the early lessons, both in terms of exercise, leadership, and just fitness, I think we can get around the classroom full of sweaty children, whether it be showers or whether it be other ways to deal with it, so you time it in such a way, perhaps, as they go home after they have done this.

But anyway, Mr. Speaker, I do not want to take a lot of time here. But my point is a very simple one. Pleased to hear what the Minister said this morning, pleased that he is working with the Ministry of Education on this. But frankly, Mr. Speaker, it is simply not good enough, to use the Minister's own words. What we need is much more of a systematic, integrated programme that will allow the kinds of things the Minister is trying to achieve through, sort of, a campaign to actually take place in our schools.

Thank you, Mr. Speaker.

The Speaker: Thank you, Dr. Gibbons.

Any further speakers?

I now recognise the Honourable Member, Mr. W. Furbert.

The Honourable Member, Mr. W. Furbert has the floor, from Hamilton West.

Mr. Furbert.

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

The comments from the Honourable Member, Grant Gibbons, are noted regarding the physical education. We realise that physical education is very important also. It has been a long time. I took note that he said that "we have been calling for this for a long time." Well, the party has only been in the system for two weeks, so I do not know how long that is called a long time.

[Laughter]

Hon. Wayne L. Furbert: But, Mr. Speaker, I stand here today to—

[Inaudible interjections]

IMMIGRATION'S REVISED POLICY TO EXTEND PERIOD OF STAY FOR VISITING YACHTS

Hon. Wayne L. Furbert: But I will in a few minutes, Honourable Grant Gibbons, if you will just take a time out. I will explain to you what I mean.

Mr. Speaker, let me congratulate the two Ministers, Minister Perinchief and Minister Minors and, of course, the Cabinet for the new change in the policies for yachtsmen. This is going to do a great benefit for the town of St. George's. I am sure the Honourable Member who represents that area, the Minister Dame Jennifer Smith and, of course, the Honourable Minister Kim Swan, are quite happy to see this new policy is taking place down there in St. George's.

Mr. Speaker, it has taken some time, but it shows that the Government is listening for the views that are coming forward. So I congratulate them for making this move.

TOURISM ENTERTAINMENT INITIATIVES

Hon. Wayne L. Furbert: Also, Mr. Speaker, let me just say that the entertainment sounds great. I am sure I will do my best to get there to some of the events taking place. This is what the country has been crying out for some time for, for entertainment for tourists. I just pray that the tourists will enjoy these significant changes that are taking place. And, of course, the locals that will come out to enjoy the entertainment that is taking place throughout the Island—Prestige and, of course, HindSight, and other people involved. I will do my best to get up to Shine's for karaoke night, you know, do a little singing up there. So I will do my best to get up there a few evenings.

RE: ARTICLE IN *BERMUDA SUN* BY SIR DAVID GIBBONS

Hon. Wayne L. Furbert: But, Mr. Speaker, I also stand because I took interest in the article today in the *Bermuda Sun* where Sir David said that "OBA can win

election.” An ex-Premier sees parallel with the Bahamas.

Mr. Speaker, the OBA is no FNM [Free National Movement]. There is no parallel between OBA and FNM in any shape or form—not in any shape or form.

[Inaudible interjection]

Hon. Wayne L. Furbert: Mr. Speaker, let me just say what I mean. And let me just say . . . it is interesting. I read the comment by Sir David. [The *Bermuda Sun*] said, “Sir David . . . said the Bahamian UBP—a 1950s model later copied by the founders of the United Bermuda Party—had been very successful”—and the UBP *have* been successful—“but ultimately failed after realizing that they were out of date . . .”

[Inaudible interjection]

Hon. Wayne L. Furbert: Well, no, that the UBP were out of date. The United Bermuda Party were out of date; they failed.

[Inaudible interjection]

Hon. Wayne L. Furbert: No, but the United Bermuda Party failed because they are out of date. And, well, I am not condoning it. My record is clear. I made it very clear that they are out of date, sometime back. But they failed to listen.

But what is interesting about this, Mr. Speaker, is this: That the FNM . . . First of all, there was a group within the Progressive Labour Party (PLP) in the Bahamas. They disagreed with the development in Freeport. Hence, they called for a vote of no confidence, and their party leader at that time was Sir Lynden Pindling. Somebody changed the motion which caused Members to stand on their feet to say that they disagreed with what was happening. So eight Members stood up and disagreed with the PLP. That was the beginning of the breakaway from the Progressive Labour Party.

And then first I think they were called the Free PLP Party, led by—and I am sure other Members will pick up on that later on. Then, later on, other Members joined them. The United Bahamian Party, which was basically the model that was copied by Sir David (which was the first time I ever heard that, I knew the name was similar, but I never knew they copied the model) . . . later joined the Free National Movement. That is a difference. The breakaway PLP literally started that new group, and then FNM joined them.

Now, let me just say . . . the leader of the new OBA knows where I stood. We had many meetings at the very beginning of 2007 when we were talking about breaking away from the United Bermuda Party,

and some models were pretty similar to what we were talking about, if he recalls.

But let me just say this further, Mr. Speaker, that the FNM, which, as I said, broke away from the PLP, had some different scenarios at that time. The Bahamian is pretty well 90 per cent black and 10 per cent white. When they joined the FNM, the FNM, of course, pulled in particularly a large black sector of the community. It was the United Bahamian Party which joined later on which was that 10 per cent. And this is interesting: It took 21 years—21 years—for the FNM to win, to be the Progressive Labour Party in the Bahamas.

Now, why am I saying all this, Mr. Speaker?

[Inaudible interjection]

Hon. Wayne L. Furbert: I mean, I am hearing now individuals out there, some of the former party leaders coming out in support of the OBA, and other stalwarts within the PLP. So are you trying to tell me there is a difference between the United Bermuda Party and the OBA? I would have thought, if they were clever enough, that they would have told some of them to at least be quiet and not speak up in support of the OBA, because once you do that, you tie the United Bermuda Party into the OBA.

[Inaudible interjection]

Hon. Wayne L. Furbert: That just is political sense. You cannot have the old group now tying themselves in with the new group. And if they remember, if they read their report clearly that is out there, the report basically said something like that. Do not tie yourself in with the new group coming forward. But I guess the report was not released to the higher group within the party.

So, Mr. Speaker, we have the OBA, which is trying to separate themselves going forward. And they are honourable colleagues and good friends of mine. I worked with them in the past. But to say that they are anything different from what they used to be, they have not showed me anything different. Yes, they will come out with new ideas and probably some new platform things. But it does not make one different. It does not make one different. It is a change of the heart that makes them different, not the change of a name.

[Inaudible interjection]

Hon. Wayne L. Furbert: It is a change of the heart, Mr. Speaker, that makes a change of a group going forward, and not the change of a name.

So, Mr. Speaker, I just want to make sure that the public is aware, based on what Sir David Gibbons has talked about, that there is no parallel between the OBA and the FNM—two different formations, how

they took place. And I just wanted to clarify that for the record.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Furbert, the Honourable Member from Hamilton West.

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

Minister?

MOVE MORE BERMUDA CAMPAIGN

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

I would just like to make a few comments in relation to the Opposition Member who speaks for Education. It was very interesting because the Honourable Member seemed to tie the statement from the Minister of Health and make it an education issue—very interesting, because I am currently Acting Minister of Education. But I am sure that the principal Minister of Education will have something to say about some of what has been articulated by the Shadow Minister upon return to this Chamber.

But what I would certainly like to say is that I do think that there has been a slight misrepresentation by what the Honourable Member said in giving the suggestion that there is nothing being done to ensure the improvement of our students' health in the system, particularly, in the public system. I think it is very important that I get up and note that the Ministry of Health, as articulated by the Honourable Minister earlier today, and the Ministry of Education, have been working for many years together to address the issues of children's health and health in our schools.

One of them being—and I am sure the Honourable Minister of Health will articulate on this quite heavily when he has his opportunity—the Healthy Schools Programme that was actually put in place during the time of the Hon. Nelson Bascome, of which the Health Ministry and the Education Ministry have partnered to ensure a dramatic improvement on the health of our children.

This Government has been, as are many governments in the Western World, fully aware that there has been a declining situation with the health of children. Diabetes, other related illnesses within children are occurring at an alarming rate, and Bermuda has been no different in some of these circumstances. Certain diseases seem to be occurring that normally would occur when persons are in their latter years, and are coming about earlier in young people. And certainly this is as a result of bad habits accumulated as a child.

So what has been done? The Healthy Schools Programme was initiated, a partnership between the Ministry of Education and the Ministry of Health. Some of the things that have been done during that time, one of which was the removal of high

sugar-based products in the schools, the soda machines that might have been traditional in the schools, and vending machines that give out high sugar high-calorie snacks were removed from schools. Water-based programmes where our children are required to drink more water while in school—all these things are currently in our schools and have been put in place to address the very issues—

An Hon. Member: By this House.

Hon. Walter H. Roban: —that needed to be focused on around children's health.

So there has been a partnership in this Government on that issue, and it has been addressed for a considerable amount of time.

Now I noticed that the Honourable Member did not bring any actual fact or data about what has happened in our schools around the actual health of children in our schools, or even acknowledge, because certainly, if he is the Shadow Minister, he would have known that these programmes are in schools.

[Inaudible interjection]

Hon. Walter H. Roban: Although the Member, I said, sort of, used one issue to like address another. An issue of the Health Minister, which actually is a fine initiative, which is clearly to aggressively address the issue of health in schools, to attack an education issue which, ultimately, is to be addressed by the Ministry of Education, which is the Physical Ed programmes and what is happening there, after-school programme.

And, in fact, I do think the Honourable Member would know that there are after-school programmes run in our public schools. There are programmes that are run in these schools that allow for children to stay on after the 3:30 deadline. Extracurricular activities, numerous are going on, particularly in the public schools.

So these programmes are going on. So I do not wish to pour any total cold water on the Honourable Shadow Minister's concerns, because they are genuine. But I do think he slightly misrepresented them, not in the actual, accurate way. But I am sure that the Honourable Minister of Education will address these in more fullness upon return to this Chamber.

RE: ARTICLE IN *BERMUDA SUN* BY SIR DAVID GIBBONS

Hon. Walter H. Roban: Mr. Speaker, the other that I would like to address are the interesting comments of the speaker just previous to myself, the Honourable Member, Mr. Wayne Furbert.

History is a very interesting tool. I, too, read the article with interest in the *Bermuda Sun* today. Frankly, I was flabbergasted by the facts as related by

the former Premier as to how he characterised this sort of correlation between the party that has been formed by the former United Bermuda Party member and by the Free National Movement—

[Inaudible interjection]

Hon. Walter H. Roban: —in the country known as the Commonwealth of the Bahamas, and this interesting correlation of history he sort of tried to create, or foster.

Now, perhaps it is a part of some grand PR campaign or sting campaign by the Honourable Members of the Opposition and those who support them; I do not know. I do not know much because they have only been around for a couple of weeks, Mr. Speaker, so I do not know that much about them.

An Hon. Member: So do not say much.

Hon. Walter H. Roban: But I am sure that in the fullness of time, whether a year, 10, 15, 20 years, we will figure out who they are and what they represent. I am sure of that.

But I will just go on to address some of the facts as related by Sir David Gibbons, former Member of this Chamber, former Premier of this country, former Minister of Finance, as to this interesting correlation of history. And I must congratulate my honourable colleague, Mr. Furbert, who did a very good job with sort of describing the Free National Movement's origins, which certainly do not in any way correlate with the Opposition party that has been formed by the former United Bermuda Party members.

Another fact I think that needs to be highlighted is that, frankly, the Free National Movement, as it then became, did not really make any headway until a couple of things happened. But I will highlight this one fact, in that they got a leader, one. Two, that was a leader of great ability. Three, that leader was also a former PLP member. Four, that former leader was a protégé of one Sir Lynden Pindling.

Some Hon. Members: Yes.

Hon. Walter H. Roban: And that is the only successful leader that they have ever had—as a fifth actual point—and remains their leader today. In fact, that leader, the Hon. Hubert Ingraham, became the leader; took from the victory, then left; they lost; then came back, they won again. That is the level of success he had.

Now, I do not see yet any correlation like that with the party that has been founded by the former member of the United Bermuda Party. I do not see that yet. But perhaps, yes, in the fullness of time, perhaps five, 10, 20, 25, 30 years, we will see it. Maybe we will see that.

But I think it is very important, Mr. Speaker, that, for the benefit of our public, history be represented properly.

A number of other interesting facts were highlighted by the Hon. Sir David Gibbons in the article about, seemingly, the great ability of the Free National Movement to churn up investment and bring about a better investment climate in the country of the Bahamas. Well, I do recall, Mr. Speaker, not too long ago, in 2010, one of the rating agencies, I believe—or perhaps it was the World Bank—gave an extremely critical review of the Bahamas and some of the policies of the FNM as to, essentially, jeopardising the investment climate of the Bahamas, in a very serious way. You know, it was a public document. It was out on the Internet and well read, and it was highly serialised in the press.

So, you know, one has to often make sure that we know the facts of history, and just the facts, before we make certain statements. But I am doing this, what I am saying, Mr. Speaker, is for the benefit of the public, who do not necessarily have great knowledge of the Bahamas itself and, certainly, might even consider that the utterances of the former Premier are good to follow and are valid because of his reputation and his long-standing in the community as a solid businessman, and all these sort of things, of which that is probably what the public believes. I mean, there are other facts that perhaps could suggest otherwise, but I will not get into that. My main focus is the comments in the paper.

Another set of comments that were made—and I am sure there are other Members in the House who might get up and talk about this, and I am going to leave more detail to them. But there is a recent . . . And it is mentioned in the actual article about the hotel development, this huge \$2 billion development, the Baha Mar, which was recently announced in the Bahamas—massive development, perhaps much like our own Morgan's Point development,—

An Hon. Member: Bigger, much bigger.

Hon. Walter H. Roban: —which perhaps in my context to the country, it is similar in reference to the impact it is going to have on the community. Just as the Morgan's Point development, which has been ably stewarded to us by Members of this Government, including the Hon. Derrick Burgess and the former Premier and other people, to ensure that level of development is attractive, the Baha Mar is a significant investment project—significant, \$2 billion or more in value.

But it is sort of a partnership, apparently, with the Chinese. And one of the issues around this development which has brought great concern to the Bahamian public is the fact that attached with the project is the importation of thousands of Chinese workers.

An Hon. Member: Only about 8,000.

Hon. Walter H. Roban: Oh, yes, that is right, about 8,000, along with the project. Now, like many parts of the world, the Bahamas is experiencing economic stresses. We know that. They have had perhaps—I know they have a more severe debt situation than perhaps some would argue Bermuda has, considerably.

But I would think that putting Bahamians to work would be more of the objective than to bring in a project that is going to bring in a whole slew of foreign workers into their country that may displace them. Now that is what is coming out of the policies of the FNM. Now I have not heard anything from the new Opposition that suggests that they support those sorts of policies. But it is the correlation that certain leading members of the community are trying to establish. They might want to carefully consider how they are correlated.

So, Mr. Speaker, there are other issues going on in the Bahamas under the FNM government right now which we could talk about ad infinitum that have brought great consternation and great concern to the people of the Bahamas, and it appears as if their country is being sold off to foreigners, non-Bahamians, which are being stewarded by the FNM government.

But, Mr. Speaker, my main focus is about history and the fact that is important is that we reflect history for what it actually is, that the facts are properly communicated, and that we do not allow [people], no matter how esteemed or respected people are in public eye, to misrepresent it. Because it is clear that with some utterances there is an effort to shape the minds and perceptions of our people. It is a duty of all of us to be honourable and to be proper when communicating information like that, and where there is need for correction, we do so.

Thank you, Mr. Speaker.

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

Any further speakers?

I now recognise the Honourable and Learned Member, Mr. J. Barritt, Leader of the Opposition, from Devonshire South Central.

Mr. Barritt has the floor.

Mr. John Barritt: Thank you, Mr. Speaker.

I do not think I have to declare that I am no protégé of Sir Lynden Pindling,—

[Laughter]

Mr. John Barritt: —or any other Progressive Liberal or Labour Party member who may have preceded me, Mr. Speaker.

And I think most people know that I am John Barritt, former Member of the United Bermuda Party, and, as I am often described in the newspaper, Veteran MP, who has been around for awhile, I think is the way they meant to convey. And some people may say “too long awhile,” but I understand and respect that.

I also understand and respect people and their opinions and the views that they want to give with respect to the One Bermuda Alliance and its birth and its formation. It saddens me, however, and disappoints me that we feel the need to deal with that here on the floor of the House. And I will tell you why, Mr. Speaker. There are two reasons.

The first is this. For the longest time, I think all Members will agree that we have been calling for a change in politics in this country. We have been calling for a change in the way we . . . you can hear the people say it all the time. It is reflected in the polls. *Can you please do better? Can you please do better by me?* And this is a genuine attempt to try and change the old UBP/PLP dynamic, which seems to beset so many debates, that prevents us from getting to issues.

[Inaudible interjection]

Mr. John Barritt: And for that, Mr. Speaker, already we get decried and criticised. Okay, that is the people's right to do that. And there is political mileage in it, Mr. Speaker. There is political mileage in it.

[Inaudible interjection]

Mr. John Barritt: People will see it for what it is, Mr. Speaker. Again, we get interpolations about what was done in the past and not done in the past. I believe the people of Bermuda want to turn that page, get off that chapter and write a new one, Mr. Speaker. I am trying to do my part to make that happen, and so are my colleagues.

The second reason that it upsets me is that it so exercises Members that they feel the need to speak on this issue. What ultimately happens, I think, is that the country gets done a disservice because it is a distraction from the real issues that beset the country.

At lunchtime today, Mr. Speaker, I wanted to go visit Victor Scott; I could not go down there. The roads were blocked off. These are becoming common occurrences, let alone the shootings and the headlines of somebody who shot 16 times, Mr. Speaker.

Then you read about today another business that is closing up and more jobs—well, in this case, not being lost, but jobs that are being lost. You have got an economy in some trouble. And then last night I happened to watch this film, “Poverty in Paradise” and all the issues that it raises that we need to tackle, “we” being the legislature and the Government, in particu-

lar. There are some really big issues out there that we need to come to grips with—that the Government needs to come to grips with.

And here we are, the third . . . It is the third Friday back, is it not? after being off for eight weeks. And we have not had a great deal of legislation to deal with. You know, the country has got to be wondering, “Okay. If Government has got a plan, share the plan. Let us get on with it. Let us deal with the issues!” Put the OBA, put the UBP, put any “P” to the test. Show them what you are going to do for the country, what you are doing for the country to turn things around. That is what people want to hear, Mr. Speaker, not this other stuff, I dare say.

[Inaudible interjections]

Mr. John Barritt: Not this other stuff; I dare say, Mr. Speaker.

You know, you want to criticise the OBA or the UBP and the way it is founded and whether a certain script is being followed or not, Mr. Speaker. These are not the important issues to the people of this country. They want to know whether you have got your house in order. And I do not mean the PLP house! I am talking about the country’s house. What you are responsible for is the Government. Let us hear more on that, Mr. Speaker. That is where we ought to be focusing our attention, and not be distracted by these issues or deflected from the real issues that are of concern to the people of this country. Those are the ones that we want to address and get on with. Those are the ones that we want to break through the old dynamic, the old way of doing things, Mr. Speaker, to see whether we can tackle them.

Members in this House and the public know that I am genuine on that issue. I have long been a proponent for change, Mr. Speaker, up here and in the way we do things. That is what we really need to be focusing on, Mr. Speaker, not this. And I am not going to spend any more time on it.

Thank you.

The Speaker: Thank you, Mr. Barritt, the Honourable and Learned Member from Devonshire South Central. Mr. Barritt leads the Opposition.

I am going to take the Honourable and Learned Member, Mr. M. Scott, from Sandys North. Minister Scott, the AG, has the floor.

RE: ARTICLE IN *BERMUDA SUN* BY SIR DAVID GIBBONS

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

Mr. Speaker, it is entirely legitimate for the Honourable Member, Mr. Furbert, of this House to reflect upon an article in the *Bermuda Sun*. And for it to be mischaracterised by the Honourable and Learned Member Opposition Leader, Mr. Barritt, as an

assailment on the OBA is to mischaracterise in the more egregious of ways.

This is the Motion to Adjourn, and it is entirely legitimate so that the public knows that this is fair game. For the early days of the Honourable and Learned Member and his leadership of the OBA to mischaracterise a perfectly legitimate article, which as the Minister of Infrastructure Strategy and Mr. Furbert were indicating, where representations of history that needed to be clarified; this was an opinion, an op ed.

And, you know, the Honourable and Learned Member, Mr. Barritt, who writes in the press all the time, must realise that if there is something in the media that raises a controversy, we are entitled to comment upon it.

And it is not to be taken out of context, should not be taken out of context. We are not in the House, of course, to comment on the Opposition or Government’s formations. But this was perfectly legitimate, given that it had been raised in the way that it had been raised.

What was being questioned by Mr. Furbert was the inaccuracies. And I am glad that he did it. It reminded me of some of the details of the history of the Bahamian politics, compared with our politics. I thank him for it.

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

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

Mr. Swan, you have the floor.

IMBALANCE IN THE ELECTORAL SYSTEM

Hon. Hubert (Kim) E. Swan: Mr. Speaker, thank you for this opportunity. I had no intention of speaking on the matter that the Honourable and Learned Member, Mr. Scott, just spoke on, but I will just make one or two comments on it.

As people do what they have to do, you really want to understand the dynamic of the racial divide that exists in this country. Let me characterise it this way: The life that a person that has to contest a marginal seat—

An Hon. Member: Yes.

Hon. Hubert (Kim) E. Swan: —is totally different to the mindset that it takes to know that before you get to the gate, if you can get to the gate, you are going to win.

An Hon. Member: Yes.

Hon. Hubert (Kim) E. Swan: That is the mindset that is crippling this country. And you cannot be so disingenuous not to admit that it exists, Mr. Speaker!

I spent 30 years of my life in active work in politics for the United Bermuda Party, which I am proud of. I am proud of the bad things that the United Bermuda Party did . . . as its Leader, I have taken ownership on this floor of the House for the wrong, and the good, that it has done. And I stand today as a Member of this party because persons felt it not robbery, or persons felt it necessary and expedient to go without fully adhering to the party constitution. Okay? I am a person that believes in democracy. I am a person that has stood by every member of Opposition benches without talking about party business, and it is not my intention to do so now.

But do not be disingenuous to think for one minute that we live in the same level playing field in this country [when] it comes to getting elected. It is not so! Because a person who is so blessed and ordained to be in a safe seat, be it UBP or PLP, knows before they get to the poll that their life is already as a Member of Parliament. They only have to figure out whether or not they are going to sit on Government benches or Opposition benches.

It is a totally different life to that of those of us, like the Honourable Member, Mr. Butler, like the Honourable Member, Dame Jennifer Smith, like the Honourable Member, Mrs. Lovitta Foggo, like the Honourable Member, Mr. Donte Hunt, like the Honourable Member, Mr. Furbert when he ran for the United Bermuda Party—I cannot attest that he had the same station in life (he might have switched over)—and like a few other Members. That is the dynamic!

If you really want to figure out how you are going to change the politics in this day, you have to be prepared to look at the possibility of proportional representation, as I have said before and I believe. Or you can look at models like in Jersey and Guernsey that elect truly independent Members of Parliament, and then pick their Cabinet from the people that get elected. Or look at a composite or variation. That is true for governance!

But you cannot tell me that it is right to . . . and I am a person, Mr. Speaker. I know what it is like to toil in the vineyard. That is why I have such great respect for the seat that I hold and the people of St. George's West that put me there. I am a Somerset boy by birth. I am a White Hill boy at heart. And when I go to funerals in that area, they say to me, "You know where home is," and I say, "Home is where the heart is, and I am wearing blue on blue today because my heart is in the East, and they are going to bury me up in St. George's if I am good and lucky." And if Government finally gets around to doggone getting that golf course back, they might sprinkle my ashes or bury me somewhere up around St. George's Golf Course.

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: But, Mr. Speaker, the real inequity lies in the fact that there is an imbalance in the electoral system as it comes to seats in this country.

The Speaker: Do you want to change the voting system?

Hon. Hubert (Kim) E. Swan: Mr. Speaker, persons that believe in good governance—

[Inaudible interjections]

Hon. Hubert (Kim) E. Swan: —have to be honest with themselves and appreciate where the imbalance lies.

But let me get on to what I really want to speak about today, Mr. Speaker.

The Speaker: Yes?

IMMIGRATION'S REVISED POLICY TO EXTEND PERIOD OF STAY FOR VISITING YACHTS

Hon. Hubert (Kim) E. Swan: And that is, I wanted to salute the Government this day, Mr. Speaker, for introducing the 90-day policy and say that the work and the voice of Alderman Steven Hollis and Worshipful Mayor Kenneth Bascome and, indeed, myself, toiling in the vineyard for a great number of years, have fallen on receptive ears. And I congratulate the Minister of Public Safety for bringing that legislation.

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: That policy, that policy.

The Speaker: Yes, policy.

Hon. Hubert (Kim) E. Swan: And his colleagues for supporting it. Why? Because the amount of money that yachtsmen spend in a country at a port, and notwithstanding that, Mr. Speaker, the fact that not only the crew that travel with yachts, but also, Mr. Speaker, the owners of yachts will then look at Bermuda and spending a bit of time whilst their yachts are in transit from north to south, or south to north, or indeed trans-Atlantic.

But I was particularly tickled up this morning when the Minister made reference to the fact that, because St. George's has no permanent cruise ship anymore, and we certainly see the impact of those type of policies, that, you know, the opportunity for a marina is worth considering.

Well, let me say, Mr. Speaker, that before planning—and I hope with the blessing of this Government and the full support as they have given to some developers, other developers where bricks and mortar have not materialised and a bulldozer has not

been seen, like up on the hill in St. George's that we knocked down some three years ago—we are still waiting for Mr. Bazarian's project to take hope.

An Hon. Member: How about the previous 20 years?

[Inaudible interjection]

Hon. Hubert (Kim) E. Swan: Mr. Speaker, there is a development called the George Hotel and Marina that desperately needs the support. And as the area MP, I am throwing my support behind that development of that project. It calls for a full-service marina on Ordnance Island, and on the other side of the harbour there, in the area known as the Car Park, where the ferry terminal docks now, just below the large building off of Water Street, a hotel there, a boutique hotel.

And indications are that there are investors willing and ready to jump onboard, and it certainly is going to have to pass the test for planning, I know. But it would not hurt to hear a Government Member to speak in the same spirit that I heard the Minister sort of tip-toe around this morning, and embrace this. It would help St. George's.

Yes, there are persons that said, "Yes, there are landlords there that have their buildings empty." But everyone knows that you need major investors in a community to get it rejuvenated. And St. George's, for years, Mr. Speaker, has been a working town. I remember one of my former constituents in that community had pressed upon me the importance of, for centuries, St. George's being the centre of commerce, indeed, in the North Atlantic.

This is an opportunity for us to stamp our authority on that type of label once again. It is important for us, Mr. Speaker. And others will come. Indeed, we have heard rumours about the golf course reopening, but no formal announcements yet, Mr. Speaker. We know it hinges upon the lease that was issued to Mr. Bazarian. We need to hear from those in authority, particularly the Ministers who love to come up here with Ministerial Statements, that these types of initiatives will get the blessing of the Government, Mr. Speaker.

TOURISM ENTERTAINMENT INITIATIVES

Hon. Hubert (Kim) E. Swan: Mr. Speaker, on the Ministerial Statement by the Minister of Tourism this morning, I certainly asked the question, and I certainly hope . . . and I throw this out to the Minister again. With the initiatives with entertainment, we support that, Mr. Speaker. It was gratifying to hear the Minister. But as a representative for St. George's, I could not help but notice that the town of St. George's was not included. I know that there is only but a little bit of money to spread around. But, you know, when I go to Dockyard and I see how Government has put so much into Dockyard—

[Inaudible interjections]

Hon. Hubert (Kim) E. Swan: —and I know my cousins for the West love that. But we in St. George's feel like the forgotten stepchild in that regard. Certainly, we might find a way, Mr. Speaker, to encourage the Government when it is looking to rejuvenate an area to take some of those resources and think of St. George's first.

Once again, Mr. Speaker, as one whose heart is certainly firmly in the East End, I know we have a responsibility ourselves. The responsibility as one who spent a lot of years working and promoting this community, we need to become "Destination St. George's." We need to ensure that every person that sets foot on this Island, be it by air or sea, feel it necessary and compelled to visit the town of St. George's at least once. And with a golf course reopened, and with a marina and a hotel there, I am sure they would find reasons to come more than once during their visit.

That is our challenge. But we cannot do it alone. And certainly we have seen what the dearth of Government dollars has done to us in, oh, but a short period of time—a period of time where we once had two cruise ships in port; we have none.

Mr. Speaker, in conclusion, let me reiterate that if the *Veendam* can fit through Two Rock Passage, it makes no sense to have it moored off of St. George's when it can be in port. We in St. George's have a better opportunity of getting those passengers to the town of St. George's if they have their discretion to travel as they see fit in port in Bermuda.

And that is a policy that was made and involved with the consciences. I am not faulting those who made the policy. All I am saying is that I know I speak on behalf of business owners, and indeed the Mayor has expressed it himself. It makes far more sense to have passengers in port, and then we find a way to encourage them to visit the parts of the Island that will service us best.

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 and Learned Member, Mr. T. Moniz, from Smith's West.

Mr. Moniz, you have the floor.

DIFFERENCES WITH ONE BERMUDA ALLIANCE

Hon. Trevor G. Moniz: Mr. Speaker, I just rise to make a very short statement.

My honourable friend and past Leader, Mr. Kim Swan, has made a statement on several occasions which, in my view, does not fairly represent the truth of the situation. He said it last week when he

gave his ²personal explanation, and he has repeated it today in the House.

He talks about the decision by the Central Council of the United Bermuda Party to dissolve and to merge with the new party, One Bermuda Alliance. Now, despite what anyone may be saying and all the conspiracy theorists (which, of course, includes the Honourable Member, Mr. Wayne Furbert, now) with the rubbish that they are putting out, the truth of the matter is that it was a very difficult and long process with some unhappy campers. And those unhappy campers include that Honourable Member, Mr. Kim Swan, and the Honourable Member, Mr. Charlie Swan. So there were people who were very unhappy through this process.

However, I think I can speak about this now because I have been given to believe that the court proceedings have been discontinued by Mr. Swan and the other applicants. There is no requirement—

The Speaker: So you have proof of that, do you?

Hon. Trevor G. Moniz: Oh, yes, sir.

The Speaker: It has been discontinued?

Hon. Trevor G. Moniz: I will submit it to you. I will submit it to you.

There is no requirement in the United Bermuda Party constitution to consult the full membership. The decision was taken by the Central Council, which is a very large body including not only the officers and the speaker, with delegates from each and every constituency. But throughout the process that the negotiations were taking place, of course, the leader of the party was that Honourable Member, Kim Swan.

The Speaker: Let me get the Honourable Member to confirm what you have just said.

Hon. Trevor G. Moniz: He will have his turn. He will have his turn. Oh, no, you have the statement.

The Speaker: No, no, no. You are talking about a matter that, as far as we know, is before the courts.

Will you confirm whether it has been withdrawn?

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

The Speaker: Okay. Fine, fine.
Now, you are at liberty.

Hon. Trevor G. Moniz: Yes, yes.

The Speaker: Thank you, Mr. Swan.

Carry on, Mr. Moniz.

Hon. Trevor G. Moniz: And, Mr. Speaker, just to make it clear, there is no personal animosity here.

The Speaker: I hope not.

[Laughter]

Hon. Trevor G. Moniz: I served with great pleasure as Deputy Leader to Kim Swan and the United Bermuda Party for two and a half years. We worked very closely together. There is a great deal of trust between us, and respect.

But the only point I rise to make is, it is not my belief—neither as the Deputy Leader then of the United Bermuda Party or as an attorney—that there was any requirement in the constitution, or otherwise, to go to the full membership. That the process was appropriate—was not unconstitutional—and not only that, but at no point in time during the process, to the best of my knowledge, did the Honourable Member, Kim Swan, object to the way we were doing it.

The first time I heard him suggest that it was unconstitutional to use the Central Council was after the decision was made.

Hon. Hubert (Kim) E. Swan: Point of information, Mr. Speaker.

The Speaker: Do you yield?

Hon. Trevor G. Moniz: Yes, yes, Mr. Speaker.

The Speaker: The Honourable Member, Mr. Swan, has the floor.

The Honourable and Learned Member is yielding for you.

POINT OF INFORMATION

[Clarification]

Hon. Hubert (Kim) E. Swan: Yes, I appreciate the Honourable and Learned Member, Mr. Moniz, making the clarification that he did. And the point that I want to provide for him is that following the meeting of May 3rd, Mr. Speaker, I did, as a member of the United Bermuda Party, make representations to the Dispute Tribunal as to whether or not it was necessary for us to go to the general membership as a consequence of a great deal of concern that was raised. And, as a consequence of not being given that opportunity as provided in the constitution, I took—

The Speaker: Well, we cannot have another speech.

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

Hon. Wayne L. Furbert: Point of order, Mr. Speaker.

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[Inaudible interjection]

Hon. Wayne L. Furbert: Point of order, Mr. Speaker.

The Speaker: Well, he has not opened his mouth yet.

Hon. Wayne L. Furbert: I am not sure whether the family dispute—

The Speaker: No, no, no, no. The person that was speaking has taken his seat. So there cannot be a point of order. And the Honourable Member yielded.

Hon. Wayne L. Furbert: Well, the point of order—

The Speaker: Yes. Carry on.

The Honourable and Learned Member, Mr. Moniz has the floor.

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

Well, just to make it very briefly, I do not dispute anything that Mr. Swan—

Hon. Wayne L. Furbert: Mr. Speaker, point of order to the Member who is just speaking.

The Speaker: Well, I have not even heard anything.

Hon. Wayne L. Furbert: Well, I heard it.

The Speaker: But anyhow, let me entertain his point of order. I have not heard anything that would even—

Hon. Wayne L. Furbert: I heard it, Mr. Speaker.

The Speaker: The Honourable Member, Mr. W. Furbert has a point of order.

On what?

Hon. Wayne L. Furbert: Mr. Speaker, I do not know why this family dispute is being discussed in the House.

The Speaker: What is the point of order, Mr. Furbert?

Hon. Wayne L. Furbert: I thought the honourable Leader, the Leader of the Opposition, was talking about, he wanted to discuss about issues. I thought he told Members to discuss—

[Inaudible interjections]

Hon. Wayne L. Furbert: Well, you are not the Speaker.

But I do not know why this family dispute is being discussed in this Honourable House, Mr. Speaker.

Hon. Trevor G. Moniz: That is not a point of order. Let me just finish.

The Speaker: Yes. I am almost about to rule in your favour.

Hon. Trevor G. Moniz: Well, I was just going to wind up if he had not interrupted me.

The Speaker: Carry on.

Mr. Moniz has the floor.

Hon. Trevor G. Moniz: The only point I make is that if that Member . . . he is quite right. He raised the point after the meeting was over. But, of course, when you are the leader of a party who is directing the way it goes, it is very difficult for you to complain about what you have done. You are the one who led it in that direction. Then afterwards, you want to say, *Well, what I did was unconstitutional?*

I do not believe that what the Honourable Member did was unconstitutional. And I welcome anyone to produce evidence to me of such.

Thank you.

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

[Inaudible interjections]

[Gavel]

The Speaker: I now recognise the Honourable Member, Mr. M. Bean, from Warwick South Central.

Mr. Bean has the floor.

Mr. Marc A. R. Bean: Thank you, Mr. Speaker, and good afternoon to our honourable colleagues, and good afternoon to the listening public.

Mr. Speaker, I am going to seek to exhibit a degree of maturity and not stoke up what seems to have become a little family feud amongst the Opposition. Nevertheless, Mr. Speaker, I think it is important for me to make mention about a few points that were raised on this Motion to Adjourn.

Mr. Speaker, we have been subjected as a Government for the last 3, 7, 12 years to the words "transparency," "accountability," and all these other high-sounding principles of good governance. Yet, Mr. Speaker, when we see over the last few weeks the formation of a new political entity, we have seen that those very principles get pushed from the UBP's side of transparency and accountability, get pushed or set aside for nothing but political expediency.

In fact, you know, all the rules are pushed aside, it appears from the outside looking in, Mr. Speaker. Yet they have the nerve to consistently try and hold my Government to the fire to uphold the very same principles that they are quick to reject when it

applies to them. Mr. Speaker, the thing about rules, for them to be effective, they must be applied across the board. You cannot make rules and then apply them for your own selfish benefit.

Mr. Speaker, I wonder why the public . . . in fact, the Opposition Leader got up and he said that the public is getting a disservice by us—

[Inaudible interjection]

Mr. Marc A. R. Bean: —the Opposition Leader of the OBA [said], that we are doing a disservice to the public by raising the topic of the formation of a new Opposition party when there are so many other issues to discuss. And, absolutely, there are many issues that we as a collective Government on both sides have to deal with in this country.

But, Mr. Speaker, just last week, I was looking at TV, and I saw the new Opposition Leader. He got up and he acknowledged the racial inequity or . . . I cannot paraphrase him, but he acknowledged the racial inequity of Bermudian politics, and then he gave the same slogan, *We need a better way, we need change or Put Bermuda first*, or something. It was one of the slogans that they came with.

But just four days before that, Mr. Speaker, these same colleagues, honourable colleagues of mine, who I just so happen to sit on the same side of the House with, so I observe in real-life time—not what you see in the media, but I see what is going on for real. Just four days prior, when they had another shirt on (of the United Bermuda Party) there was an opportunity to get up during the Motion to Adjourn and say the exact same thing!

What happened during those four days? Did His Holiness, the Pope, fly in and immerse everyone in holy water? Did they have an epiphany? Did they have a rising in consciousness? I dare say not, Mr. Speaker.

I think it is the fact that, because we all know that an election must be called before next year December, Mr. Speaker, that time is not on their side.

[Inaudible interjection]

Mr. Marc A. R. Bean: Time is not on their side. So we see political expediency, right?

And to be honest, if you do not know me, you are going to know me now. I am going to give you the straight talk. What I have observed has been nothing less than political sorcery over the last three to four weeks—political sorcery.

And if you do not believe me, look at the fine print of this so-called constitution written by so-called learned Members, whoever they may be. I read that constitution, Mr. Speaker, and I was appalled. Mr. Speaker, if you look at that constitution, the so-called Preamble is an election platform—again, short-term thinking. But, Mr. Speaker, what stands out are the

rules, the by-laws, which are—and I am speaking from a PLP perspective; we have a grass-roots constitution.

Their constitution, Mr. Speaker, is the most top-down, centralised, autocratic, oligarchic set of rules that I have ever read in the Westminster system. In fact, it is 10 times worse than the United Bermuda Party ever was. But yet, again, in this desire to have power and control, political expediency, they would not take the time out to try and draft a document that can be effective in relating to the people they are trying to attract. And they know who they are trying to attract.

An Hon. Member: Black people.

Mr. Marc A. R. Bean: And that is why I call it political sorcery. I would have much more respect if you would just be yourself and you treat people as you find them instead of taking this electorate as fools!

An Hon. Member: And insulting their intelligence.

Mr. Marc A. R. Bean: Insulting everyone's intelligence. I am calling you out on it.

But, Mr. Speaker, I tell you what. I am proud of my Government because we have not focused on, as the Premier said, the "organised chaos" of the Opposition. We have been focusing on the task at hand. That is why we are going out canvassing over the last weeks. It is not because an election is coming. We know it is coming.

An Hon. Member: We do it every year.

Mr. Marc A. R. Bean: We do it every year! Okay? We do it every year. Because why? Because we realise, we recognise . . . And I will be the first one to say that over the last 12 years our performance has not been over an A-plus. We are not gods. We are human beings. We make mistakes, Mr. Speaker. And we have made some mistakes.

And as the youngest MP of my Government, unlike MPs on the other side, I will embrace the legacy of our past and the burden of the mistakes that were made. I will not pick up my marbles and run.

One should look at this. And we are talking about integrity. But we are focusing on ourselves, Mr. Speaker. We have no time to give too much effort to the organised chaos. We as a Government must improve our performance. And if you looked at this session today, by what Minister Perinchief said and the announcements by Minister Minors, you can see that our hands are in the soil and we are focusing on improving our performance. It is not based on the Opposition's expectations; it is based on our voters' expectations. I hope the Opposition never forgets that. And I hope that my party is encouraged to do better, because we can.

That is not destructive criticism. That is constructive criticism, because I am part of a team. Okay? I am part of a team. And even Barcelona, which is the best soccer team in the world, when they come off of winning a match, they still have room for improvement. Any time you think that you have reached the stage where you are perfect in terms of a Government, you will go in a decline. So we must improve our performance and do right by our people, do right by the country. And I have confidence that we are on that path, Mr. Speaker.

Now, in closing—

[Inaudible interjection]

RE: ARTICLE IN *BERMUDA SUN* BY SIR DAVID GIBBONS

Mr. Marc A. R. Bean: No, I am not sitting down yet, because I do not speak much. But I would like to refer to the article by Sir David Gibbons also. Now, I respect the fact that the Honourable Sir David Gibbons lived in a time period when the Bahamas went through a transition. I was not alive at that time. I respect the fact that he is a business titan, that he has strong commercial interests in Bermuda and in the Bahamas.

But I disagree with his story of Bahamian history, political history. It has been cleared up by my honourable colleagues. It is true it took the FNM 23 years to get government. And, yes, the FNM have done some good things for the Bahamas. The PLP did some good things. For my part, when I travel to the Bahamas, I am non-partial. I choose no sides. So, yes, both sides have done good; both sides have done bad.

But the question is, why, Mr. Speaker? What is the motive of the Big Cat himself coming out and endorsing the One Bermuda Alliance? This is not just a stalwart, you know. This is the Big Cat himself, the leader.

[Laughter]

Mr. Marc A. R. Bean: So why? What is the motive? It reveals, again, the political expediency of the pressure of our imminent election. And what is driving that motive? One thing: The desire for power and control.

Mr. Speaker, I had opportunity to speak to another eminent gentleman, former political leader. And he had another approach, which I appreciated. He said, "Marc, going forward in the future, I would encourage you as a young politician to do all that you can to move away from" what he called "a zero-sum game, winner-take-all game." And it is that zero-sum game that is actually making people sick and tired of the political system.

Now we know that that zero-sum game really came to the forefront in 1998 because those are the rules of the game up until this time. But we wanted to

bring notice and mention of it for the last 12 years. It is a winner-take-all type of game. The public is tired of it. The public is tired of a winner-take-all.

So what I would like to do is correlate that with Sir David's analysis of the Bahamas, because I agree with him. Bermuda can learn a tremendous lesson from the history of the Commonwealth of the Bahamas.

[Inaudible interjection]

Mr. Marc A. R. Bean: You better believe I am going to get to that.

[Inaudible interjection]

Mr. Marc A. R. Bean: I hope not.

But we can learn a tremendous lesson from the Bahamas. What I have noticed being in the Bahamas, Mr. Speaker, is that racial politics does not exist anymore. Racial politics does not exist. So the question is, How?

Now this is what I will say, and listen to me clearly because I think this is the approach we have to take to bring at least peaceful coexistence in this country in the future. We have to cooperate to compete to cooperate to compete. What do I mean by that? What do I mean by that? It is black people in Bermuda who have been economically marginalised. It is black people who feel a sense of victimhood. It is black people that our Government has been taking steps, through social policies, to help lift up from the marginalisation of the former 30 years of governance by the UBP—

An Hon. Member: Longer than that.

Mr. Marc A. R. Bean: —even longer than that.

But this is what I am going to say today: Going forward, we need to put aside this victimhood mentality, Mr. Speaker, and do for self—

[Inaudible interjection]

Mr. Marc A. R. Bean: Let me freely speak.

We need to do for self. So when I say "cooperate," black people in Bermuda need to start cooperating with one another socially, culturally and economically—and do it without apology because there is nothing wrong with doing that. There is nothing wrong with loving yourself in order for you to love your neighbour—nothing wrong.

But when we cooperate we are cooperating in order to become competitive—competitive against whom? Those who we feel owe us something because of the past. In this view, Mr. Speaker, by being competitive we no longer become victims. And when we become self-respecting, those across the table will

respect you, too, because a man respects you when you respect yourself.

So when we become competitive *vis-à-vis*—and it is a healthy competition, it is not negative—when we become competitive, then I believe, I truly believe, that *white* Bermuda is not going to feel the apprehension, the antagonism as a result of race. They are not going to feel that they have to owe us something. Because really they do not, in fact, the Opposition, I need to let you know, we do not need an apology for the past. We just need the freedom to do for self and to cooperate with you in peaceful coexistence.

For once, Mr. Speaker, we get to love our black people competing as a result of cooperating with one another. We will find that we as a country—white and black—will become more cooperative because it is no longer going to be *you owe me something because of this or that*.

The question is: Will white Bermuda have an issue when we encourage people to help themselves—when you see people becoming more competitive?

Will it be an issue when you see black Bermudians and, if they want to, white Bermudians, in cooperation with one another forming institutions that serve their interests to compete against other institutions?

Will it be an issue when you see people trying to go and catch their own fish instead of begging you for fish? Because if it is an issue, then that is when it is going to become a problem in this country. That is when the sun will set and never rise again, Mr. Speaker.

So we can learn from the Bahamas—there are no racial issues in politics. And I would like to leave you with this. The reason why there is no race outside of the demographics of the Bahamas is the fact, Mr. Speaker, that the Bahamas is a constitutional monarchy. The Bahamas is a constitutional monarchy.

Let me say this, as long as we have colonialism over Overseas Territory status, we will always have race as an issue because racism and colonialism are synonymous with one another.

People were colonised because of their racial complexion. And so, naturally, as long as the people perceive that we are a colony—which we are—you will have the antagonisms and tensions of racism.

But when you move towards constitutional monarchy, racism gets put aside, Mr. Speaker, and the real issues get focused upon. And that is where I think our country needs to go.

No, not backwards to the day when we had a House full of independents that some disingenuous and dishonest commentators are putting out there today. They know that the only shift forward from this current Westminster system that we are in is the movement towards a constitutional monarchy and all of us going to London for Constitutional Conference.

That is where we bring the real reform. Not in the election platform, but at a Constitutional Conference. Are we not mature enough to do that? Or are we still going to be playing games? Because I will tell you, in closing, Mr. Speaker, what happens after the UBP Opposition plays this zero-sum game up until the next election and they lose—what is next? I rest assured . . . and mark my words. The best opportunity after that to regain political power will be in a constitutional monarchy environment.

Listen and learn from the example of the Bahamas, Mr. Speaker, so we can move the country truly forward in a direction that enables our society to be competitive and truly free for the first time in its history.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Bean, the Honourable Member from Warwick South Central.

Any further speakers?

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

Mr. Lister, you have the floor.

NEW POLITICAL PARTY

Hon. Walter M. Lister: Good afternoon, Mr. Speaker.

It is extremely healthy to hear a debate on independence and an independent Bermuda in this House—a discussion which we have not heard for many, many years. If anybody would have told me when I first came to this House a number of years ago, that 35 years down the road Bermuda would still be a colony of Britain, I probably would have laughed at them. But, unfortunately, we are still here, Mr. Speaker. And the more we are here, Mr. Speaker, the more painful it becomes.

We are an intelligent people. And I ask people all the time, specifically those people who want to remain a colony of Britain, what is it that they want from Britain?

[Inaudible interjection]

Hon. Walter M. Lister: What does Britain do for you?

Mr. Speaker, let me cite two examples of why Britain will never help Bermuda in any form in the future. They will rule you and direct you and guide you.

Mr. Speaker, the colony of Anguilla had a problem with a fire truck down there last year and they asked Britain if they would send them a fire truck. And Britain said, *No, we are not going to send you a fire truck*. And this was an important part of the infrastructure of that colony.

But you know something, Mr. Speaker, I do not know if you have heard the news quite recently where the country of Portugal suffered great economic problems within its economy and Britain was one of the first countries to give millions of dollars to shore up

their economy. And I think Britain is correct because they are more committed to the European Common Market than they are to their colonies. So I cannot see, Mr. Speaker, what it is that people who believe in colonialisation want from Britain. They have to want something.

[Inaudible interjection]

Hon. Walter M. Lister: That's right.

By the way, I have been reminded from a Member across the floor of the House that this colony, seeing another colony in difficulty, came to their rescue—not Britain. So when your mother starts treating you and kicking you about, do you not think that she is trying to send you a message?

The debate in this House, when Sir Jack Sharpe was the Minister of Labour and Home Affairs quite some years ago . . . and he brought a Green Paper and a White Paper on independence for Bermuda. And the thrust of that discussion was, *Yes, we are prepared to go to independence, but not at this point in time.*

And I am wondering if the new party, Mr. Speaker, has adjusted its stance or if they still hold that same thing from the UBP—is this one of the policies that they brought over from the UBP. I am quite . . . or are they now an enlightened party that wants to give the country its own dynamics, its own political leadership and be an independent country. Or are they still, Mr. Speaker, taking those policies from the UBP, of they want a referendum? Because I know that that was one of the UBP's strong planks.

I want them, Mr. Speaker, to just stand up and defend what they say is the new party's policy because many people do not know. This is why people are very apprehensive of joining this new concern because they do not know what the policies are. I have no idea what the policies are on these issues, Mr. Speaker.

I just was rather tickled, Mr. Speaker, when the President of the UBP called for proportional representation. It was 1977 at a conference—you were present, Mr. Speaker—a Constitutional Conference. And the UBP spoke about proportional representation with STV (the single transferable vote). And I can remember very clearly that late one afternoon the question was put . . . well, Sir John Plowman . . . he was the one who wanted this single transferable vote—STV).

Do you remember that, Mr. Speaker?

The Speaker: Indeed, I do.

Hon. Walter M. Lister: And we ask, Mr. Speaker, if you would explain this to us so we all get a fair understanding of it.

Mr. Speaker, he stood up one afternoon to try to explain this proportional representation with a sin-

gle transferable vote. Well, he made such a mix-up that he did not understand it himself when he was finished. If he understood a little before, when he was finished he did not understand it. Now, he never brought it back again and neither did the UBP ever discuss it again until the Honourable Member, Mr. Swan, this afternoon has introduced it.

But he should look at Britain because very recently Britain has looked at it—

The Speaker: They turned it down.

Hon. Walter M. Lister: —and it failed miserably. So it is a thing, Mr. Speaker, which is not of great urgency in this climate in Bermuda and few places around the world. A single person with the “First Past the Post,” is the fairest possible vote that I think that we can have at this point in time.

I think, Mr. Speaker—

The Speaker: And it is easily understood, I think.

Hon. Walter M. Lister: —yes, of course, it is understood by all.

[Inaudible interjections]

The Speaker: I am trying to avoid getting involved.

[Laughter]

Hon. Walter M. Lister: I think the UBP in its present desperation feels that they may not hang on. But they know darn well, Mr. Speaker, with a single transferable vote and proportional representation, they would get at least one seat. And, you know, I understand—this party is 45 years old, Mr. Speaker. They have a history and a legacy and they do not want to bury it. The Swan brothers do not want to bury it. And they have got a point, Mr. Speaker, I sympathise with them. They have been left high and dry.

But, Mr. Speaker, there is nothing wrong with us to say—contrary to what the President of the Opposition says—that we should not discuss these issues of the United Bermuda Party and the new party on the floor. Well, this is a democracy, Mr. Speaker—

[Inaudible interjection]

Hon. Walter M. Lister: Well, that is what scares me. They try to tell you—this new party—what you can say and what you cannot say.

But let me show you one other thing. This is not the first time a party has split in this House.

[Inaudible interjections]

Hon. Walter M. Lister: This is not the first time. They are only following precedent, you know what I mean?

[Laughter]

Hon. Walter M. Lister: But, Mr. Speaker, I happened to be in the party before—I have got experience. I have got experience with these parties splitting. And, you know, Mr. Speaker, I know what it is like, and it is not a pleasant thing. But you can remember, Mr. Speaker, I sat in this House in a party that was only seven members at one time, and people thought we were going to be wiped out. But, you know, Mr. Speaker—

The Speaker: I was with you, Mr. Lister.

Hon. Walter M. Lister: —if you believe in the party and you believe in yourself, you will come back to be the Government.

[Inaudible interjection]

Hon. Walter M. Lister: And we did not change our name, Mr. Speaker, because we believed in the name of the party and we believed in the people who were behind us.

[Inaudible interjection]

Hon. Walter M. Lister: Mr. Speaker, the Honourable Member just reminded me that they called our party—the Communist Party—they called us everything. But, you know, in spite of what they called us, we still stood for principle.

[Inaudible interjection]

Hon. Walter M. Lister: And the other point that I want to make very clearly, Mr. Speaker, this division in this party—the United Bermuda Party, the One [Bermuda] Alliance—really got a good ride. Because you remember how every Saturday, every Friday in the paper, Mr. Wilcox would write a disparaging cartoon of our party. I mean, if you go back and see the historical side of it—

The Speaker: I would not say it was “disparaging.” We were usually the butt of the joke.

Hon. Walter M. Lister: Well, that is correct. We were usually the butt of the joke. But never once in the last six weeks, six months, whatever this division has been going on, have they made the UBP or the Opposition the butt of the joke.

And you see they have given them a good ride all the way through. So now they are saying that we cannot discuss it. Well, I have had the worst of it, Mr. Speaker, and I have survived. You know, you too, Mr. Speaker, have had the worst of it and you have survived.

So if you believe in yourself strong enough and you believe in your commitment—

An Hon. Member: And you have heart.

Hon. Walter M. Lister: —and you have heart and you talk to people to make them understand what you really believe, you will not go anywhere. We could be here for another 35 years. That is what the Honourable Sir David Gibbons did not say in his message—how many years the PLP in the Bahamas lasted.

But I still believe—going back to the position of independence, Mr. Speaker—we are an intelligent people, and it troubles me why we have to ask someone else to come to oversee. We stay up here until twelve o'clock at night fighting and arguing over Bills—but you know if a foreigner does not sign the Bill, nothing happens. When in actual fact, a Bermudian could very well do the same thing and probably at a better price.

But this is something which I think we have to address going forward. It seems like people do not really understand the meaning of colonisation. A lot of people do not really understand it—the blocks that we can do. For example, if we wanted to go to the United Nations or also certain money funds we would not be able to go unless we asked Britain. When in actual fact, we know what we do best for ourselves.

TOURISM ENTERTAINMENT INITIATIVES

Hon. Walter M. Lister: I just want to close on a point that Mr. Swan raised earlier [about] the progress in Dockyard and St. George's, Mr. Speaker.

In Dockyard, Mr. Speaker, we have made lots of progress and strides of which we are very proud. But we have not come to Government in over ten years, Mr. Speaker, to ask for a penny. We have gone out into the—

[Inaudible interjection]

Hon. Walter M. Lister: Mr. Speaker, he has raised a good question. But let me say this, Mr. Speaker, the fact of the matter that we have gone out and partnered with people both here and overseas—that is what you see in Dockyard. I have talked to a number of people, as a matter of fact, on how we can best develop the Dockyard and make it look like it is today. It is not easy, Mr. Speaker. The staff in the West End Development Corporation work very hard and I want to give them credit for it.

People come to Dockyard—for example, we had an event last night which I spoke about on the floor of the House earlier, and we have another one Monday coming—and look at the structures, all the buildings that we have there, and the Honourable Member talked about the Marina.

But we, Mr. Speaker, went outside of the country to find partners so that we could develop the area. Government has a great responsibility to do many things, but Government is busy trying to do those. We are a local representative of that area and we have to do what we can, and there is nothing wrong with that.

I encourage St. George's to do the same thing. I do feel very sorry, Mr. Speaker, when I go to St. George's because I know what St. George's was and I know what St. George's can be. And it will be that. But I think I want to encourage the leaders of St. George's to go out and get partners from overseas to partner with them to make St. George's what it was before.

It is all there . . . it is all there . . . it is not rocket science you know, Mr. Speaker. It is money. And you can go and get it, if you can show how you are going to pay for it. That is the bottom line on all money you get. The people who lend money want to know how they are going to get it back in the end. And that is the key—people want to borrow money, but people must be equally as responsible to pay the money back because otherwise you are an economic louse. And that is what the real thing is, Mr. Speaker.

And on the West End—

The Speaker: We call them “deadbeats.”

[Laughter]

Hon. Walter M. Lister: Pardon, Mr. Speaker?

The Speaker: We call them “deadbeats.”

Hon. Walter M. Lister: Well, that is another name, I think. But, you know, there are times when we do find corporate entities in economic difficulty because of mismanagement. But, you know, I am not going to stand here and point my finger at St. George's because that is not going to be right. But I want to give them some ideas as to how they can best help themselves to become an economic and viable entity here in this country.

I also want to point out that the whole entire world—the Western world—is presently going through what we call an “economic downturn” and very few people, if any, have escaped. But there are those in the Opposition, Mr. Speaker, who try to think that the downturn is only in Bermuda. You listen to them talk, the downturn they are saying is only in Bermuda.

Well, I have had the opportunity to travel pretty far and wide over the last couple of months and everywhere I go everybody says to me they too are feeling the pinch.

So what you see in Bermuda is reflected worldwide. We are a part of the world. Bermuda really is not another world. Bermuda is a part of the world. And what affects the other part of the world affects

Bermuda. The economic situation we find ourselves in is representative in many countries around the world—Britain, France, the United States, the Caribbean. There are few communities, Mr. Speaker, which are exempt from this.

So when we hear people get up on the floor of this House and try to accuse this Government of mismanagement of money, it is not true really, you know. It is not really true. We have managed what we have to the best of our ability and because of the economic downturn this is what we are seeing. This is what we are seeing, Mr. Speaker.

And I am proud of this Government for what we have done and the way we have managed things with the money we have got. We have tried to share it and spread it as best as we can. And we have had to make some cuts, Mr. Speaker, and they have been painful. But you know something, Mr. Speaker, the Opposition accuse us of further cuts. They want to spend more. But you cannot do it because we have the control of the purse and we too have a responsibility—

[Inaudible interjection and laughter]

Hon. Walter M. Lister: They are not in the House. The House finishes right here.

[Gavel]

Hon. Walter M. Lister: They are not in the House. And furthermore I am not speaking to them; I am speaking to the people of Bermuda and yourselves.

[Inaudible interjection]

Hon. Walter M. Lister: Well, it would do them good. But I think, Mr. Speaker, I have got to make this point about the economy. We feel it in our homes. Everybody feels it in their homes—

[Gavel]

The Speaker: Carry on, Mr. Lister.

Hon. Walter M. Lister: —there are few homes, Mr. Speaker—

The Speaker: Yes, I am just trying to . . . otherwise I am going to have to send them out.

Hon. Walter M. Lister: Send them out, Mr. Speaker.

[Laughter]

The Speaker: Carry on, Mr. Lister.

Hon. Walter M. Lister: Mr. Speaker—

[Inaudible interjection]

The Speaker: Mr. Lister has the floor.

BERMUDA'S ECONOMY

Hon. Walter M. Lister: Mr. Speaker, I have been accused of sending people out from time to time, you know, anyhow that was in a different setting.

But, on a serious note, Mr. Speaker, the economy of this country is still being rated as A1 by Moody's and the people—that AA+. So for someone to criticise an economy which is being rated like that, there is something wrong with the people who are accusing us, not the Government.

And that is what I want people to see very clearly. That everybody has to cut back. We have all got to pay—we have got to do more with less. Some people do not want to do it and those people who do not want to do more with less, those are the ones that are going to come to an economic disaster.

The road to economic success—it is no big secret, you know—there are rules and laws to economic success, Mr. Speaker, and if you follow them clearly you will be successful. But if you deny them, you will become a pauper.

For example, Mr. Speaker, we sit right here in this chair, right here in this Chamber every day, and gravity secures us all in our seats. But, Mr. Speaker, if you defy gravity and get off the balcony right there, the same gravity that helps you, will kill you when you fall from the second floor. So there are certain laws and certain rules which you have got to follow. And this Government tries to follow them.

No, no, it is true. This Government tries to follow them. And the same way to going to an independent country. It is a . . . it is unhealthy, it is a miscarriage of human law when one government is controlled by another government, because you are not really a government. You are a second-class citizen until you develop to your full maturity. Thirty-four years later . . . can you imagine a pregnancy going along for 400 years? My God! The mother's life is in danger.

Mr. Speaker, we cannot continue to go on as a colony saying, *But what actually has Britain done for us lately?*

[Inaudible interjection]

Hon. Walter M. Lister: And all those people, Mr. Speaker, who say they want to remain a colony, when I say to them, *What has Britain done for us lately?* They do not know. They really do not know, Mr. Speaker, what Britain has done for us lately. And I can tell you what they have done for us lately because I know—nothing.

But to be a developed nation amongst our peers in the world is an honourable place to be. I remember, Mr. Speaker, and you remember, back in the

60s when many countries in the Caribbean—lands in the Caribbean—were going independent. In 1966 when Bermuda went to the Conference, Mr. Speaker, I thought that we should become a statehood whereby we would have a Bermudian Governor. But the United Bermuda Party decided no; we will still remain the way we are.

The Speaker: Time is up.

Hon. Walter M. Lister: Thank you, Mr. Speaker, for the words. Thank you.

The Speaker: Any further speakers?

I now recognise the Honourable and Learned Member, Mr. M. Pettingill, from Warwick West.

Mr. Pettingill you have the floor.

Mr. Mark Pettingill: Mr. Speaker, I did not anticipate having to speak on this today because frankly—

The Speaker: I have heard that so many times, but carry on.

Mr. Mark Pettingill: I think there is a lot of distraction that is going on in this House today and has gone on in the media.

The fact of the matter is, Mr. Speaker, we need to get our collective selves together as we have done in the Opposition and worry about putting the issues of this country first and putting Bermuda first and addressing the real problems that we have, and it is a fact, Mr. Speaker, that we have problems.

And I have great concern for the fact of honourable friends of mine—and they are friends—who in my view raise the bar of being disingenuous. Mr. Wayne Furbert was well part of the United Bermuda Party—

The Speaker: The Honourable.

Mr. Mark Pettingill: The Honourable Wayne Furbert was well part of the United Bermuda Party and knew what went on there and should not be cherry-picking now with regard to firming up his own position in the Progressive Labour Party. It does not seem to be working anyway, but there is no point that he should be doing that and being disingenuous about it.

Mr. Swan knows full well—

Hon. Wayne L. Furbert: Point of order, Mr. Speaker.

[Inaudible interjections and crosstalk]

[Gavel]

The Speaker: There is a point of order. I am obliged to take that point of order.

POINT OF ORDER

Hon. Wayne L. Furbert: The Honourable Member is being disingenuous himself. I mean, how can he say that I am being disingenuous? I wish he would explain . . . I wish he would explain what he means by “disingenuous.”

[Inaudible interjections]

Hon. Wayne L. Furbert: I understand that they were just caucusing a few minutes ago.

The Speaker: Probably he will. The Honourable Member Mr. Pettingill—

Hon. Wayne L. Furbert: The Honourable Member knows full well that he went into the press and said that I was following a script. And he knows full well that I am not a script player—I am not a script writer—

Mr. Mark Pettingill: Point of order, Mr. Speaker.

Hon. Wayne L. Furbert:—and I have not followed any script!

[Gavel]

The Speaker: There is a point of order. What is your point of order?

POINT OF ORDER

[Misleading]

Mr. Mark Pettingill: I never told the press that he was following a script. I never said that they were following a script. I said for the Honourable Members to produce the report that was following the script.

[Inaudible interjections]

Some Hon. Members: Oooh.

The Speaker: Thank you.

Mr. Mark Pettingill: Let us be very clear on this. There may have been, as there are in politics, a political theory about how things should go. I did not, nor did my honourable colleagues, and my learned friend, Mr. Branco, follow any theory or script when we formed the Bermuda Democratic Alliance—that is number one.

And I verily believe that my honourable and learned friend, Mr. Furbert, knows that full well in relation to the three of us. He knows me as a person of integrity, he would not say anything else, and I stand on my oath and honour that I followed no script or theory in the things that have transpired in this country politically with regard to myself and my honourable

friends in the last couple of years—that is number one.

My honourable friend, Mr. Swan, knows full well that when issues rose that I was not prepared to follow along with and abstained in this Honourable House—much to the applause of learned friends and members on the other side of this House—

An Hon. Member: You are still a friend.

Mr. Mark Pettingill: I am. And much to the applause when I—

Hon. Hubert (Kim) E. Swan: Point of order, Mr. Speaker!

[Gavel]

The Speaker: There is a point of order. The Honourable Member, Mr. H. Swan, has a point of order.

[Inaudible interjections and general uproar]

POINT OF ORDER

Hon. Hubert (Kim) E. Swan: The Honourable and Learned Member [who] has been absent from this House can make no reference to anything I have said today that relates to him. And he needs to withdraw any remark with regard to anything that I said because I said nothing that refers to him. He has not been involved in the United Bermuda Party since 2009, and I made no reference to him. He has been given a script and is being disingenuous in that regard.

Some Hon. Members: Oooh.

[General uproar]

[Gavel]

Mr. Mark Pettingill: My honourable friend knows, as do Honourable Members on the other side, that I do not need a script to stand up on my feet and speak. That is why I am here. And I have been in this House today and heard what has gone on in either this Chamber or in another one. So I know full well what has been said.

[Inaudible interjections and general uproar]

Mr. Mark Pettingill: Honourable Members want to air out—hey, you want to air out the dirty laundry? Let us air it out because my clothes are clean. Okay? So I am happy to air it all out.

The Honourable Member knows full well at the time of the issue with the Uighurs and Dr. Brown that he had every intention of trying to form a new government with members of the government that he

believed would join in with him and form something called the One Bermuda Coalition.

[Gavel]

Mr. Mark Pettingill: And I was not prepared to be a party to that and I abstained.

So if you want to get genuine about people starting new parties and not doing it—the Honourable Member needs to be aware of what his whole approach was at that time with regard to an endeavour to form a new party. And I verily believe that members of the United Bermuda Party had no knowledge that that was his approach. Maybe a couple of people found out about it like I did, but they did not know that that was going to go on.

So if we want to get into this mud-slinging, Mr. Speaker, my experience has been—

[Inaudible interjections]

Mr. Mark Pettingill: My grandmother always told me that if you are going to put on a white suit and get into a pigpen and start throwing mud around, you had better expect to get dirty. All right? Those are the facts.

I would challenge any Member to contradict me with regard to those facts. Enough is enough is enough of this back and forward nonsense. It is all a distraction. Honourable Members on the other side of the House know it is a distraction. And we as Honourable Members and legislators in this country need to get to the business of Bermuda.

And the One Bermuda Alliance—and that is why I am here—is about getting to the business of Bermuda. And at this time before we formed the government, being the best opposition we can be.

[Inaudible interjections]

Mr. Mark Pettingill: If other people want to stay kicking and screaming into the 21st century, they can do that. But that is why we are here.

But I would suggest and advise verily that Honourable Members that know full well what has gone on in the past, know about things, stop the mud-slinging, and let things progress as they should. There is no script. There was no conspiracy and we have not been party to anything like that. We have acted—I have acted in what I believe strongly to be the best interests of this country.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pettingill, the Honourable and Learned Member from Warwick West.

Any further speakers?

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

Mr. D. Butler from Warwick North East has the floor.

Hon. Dale D. Butler: Thank you, Mr. Speaker.

I am somewhat shocked with the discussion that we have just recently heard, and I thank you for your guidance in ensuring that the House has not been brought into disrepute.

It was almost like a WikiLeaks event.

[Laughter]

Hon. Dale D. Butler: Lies right in front of us; and unrehearsed right in front of us—it is unbelievable! Something that is probably best in the backrooms. Why? Because the country listens to the comments and sees what is going on with the new party, but the country is not really interested in your “WikiLeaks.” The country is more concerned about what is happening with our youth, what is happening with our seniors, our education, and most importantly, crime.

And in addition to that, Mr. Speaker, we are missing golden opportunities to develop and harness potential and opportunity, and we continue to miss the boat when it comes to economic development. In fact, we still are having workshops on racism and the impact of this and the impact of that.

We rarely really knuckle down and ensure that we have an economic plan that will benefit and that the ordinary man in the street would become aware of as to how he can become a shareholder in his own country. Because the opportunities that are on the forefront that the Government is working extremely hard with (new hotel development bringing additional business into the Island), if we are not careful, the ordinary Bermudian, again, when these facilities are completed, will be left on the sideline and will only see themselves as employees.

We are missing a golden opportunity to therefore develop the potential that we have. We have so many of our college graduates coming home now seeking employment, some of whom will need the expertise and guidance of Members of this House who move in those areas. Some may have to be encouraged to go into the development of their own firms.

Those are the sort of productive discussions that I think we really need to have, and I ask that the Members who are so affected with their reputations and what happened in the past and whatnot should deal with those matters in the backrooms of the House, or the Letters to the Editor, and use this platform or forum here to really ask ourselves some detailed questions.

In spite of all of the resources that we are putting into the prevention of gun crime, it continues. I had to rush out of here at lunch because I feared for my family where there was a shooting right beside my house. Now, thank goodness the circumstances were not what they would normally be—the shooting of a person. At first when I got there someone said, *Don't*

worry, it is not that bad. They just shot a potential witness. So I said, *What do you mean?* They said, *It was a dog.* I said, *That is not a joke.*

The mere fact that we had three bullets, apparently only two bullets fired, is a serious situation. Thank goodness the police in an effort to get matters under control apparently were the ones who used their weapons to ensure that they were not physically harmed.

We have to ask those questions, however, Mr. Speaker. We are spending resources. We have numerous experts coming into the county. We have a growing number of Bermudians who say that they are concerned about what is going on, who appear to be stepping forward more readily now to become witnesses. We are implementing more legislation and more on the horizon to deal with gangs. Yet with almost impunity people feel that they can go out and do what they want.

Unbelievable, when you realise our tremendous past, Mr. Speaker, a group of people who in spite of all of the obstacles that we had we did not use any excuses, we just got on with it. We lost recently a great soldier in the field who identified those numerous obstacles and warned us about what would happen if we ignored the potential of our young people, if we failed to guide them and discipline them—Mr. Austin Thomas. We failed to listen to him on the floor of this House; we failed to listen to him when he left. We failed to listen to people like Dr. Hodgson who talked about the importance of our values.

We can continue to come up with more and more programmes, but at the end of the day it is going to boil down to those core issues—the glue that kept the society together and moved us ahead. Those basic values that we seem to have terminated and thrown out in terms—and I saw them today as I looked at the back of that room and saw grandparents and moms and dads and some estranged dads who still came even though they might have been warned that they are not supposed to show their presence—they came to support their child.

That level of support needs to be reinforced and people need to be reminded of those golden values that made us who we are in this House. That made us law-abiding citizens. We have to look seriously at that and how we can move forward in that regard.

So today's tantrums that we have seen in this House will not assist us in any way in moving the discussion forward.

And we do have to look at more collaboration because while they sit apart from us they are in the same boat as we are—they are! The Opposition is in this ship—the ship called Bermuda. So we do have to try and find opportunities for us to collaborate more because they do have ideas as we do and we can refine them and bring them to the public, find out from the public and move together as a country.

That will be the only way we will grow as a country and the only way that we will ever lay a foundation for the independence of Bermuda.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Butler.

Any further speakers?

I am going to take the Honourable and Learned Member, Mr. S. Crockwell, from Pembroke West.

Mr. Crockwell, you have the floor.

NEW POLITICAL PARTY

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

Mr. Speaker, I am pleased to follow that Honourable Member who I think we could have ended the discussion on those very wise comments. And I think that what he said we all should take heed to the Honourable Member, Mr. Butler, because as we have said and we have heard, Mr. Speaker, that we are all in this together and there is no question about that.

And let me say (before there is a point of order due to the fact that I have not been in the House today) I do not know if you received, Mr. Speaker, my apologies this morning. I appreciate that, Mr. Speaker. But I was in the Supreme Court and have been for the past three weeks and it looks like I am going to be for the next two weeks.

But, Mr. Speaker, we adjourned early this afternoon and as I returned to my office to change, I put the radio on to hear the debate and I was surprised by the discussion. And, you know, the 2007 election, Mr. Speaker, was a difficult election if you can recall. And it was specifically difficult for me as I became at some point the focus of a campaign within the campaign and it was difficult for me as there were personal attacks, and for my family. But I had no real difficulty with that. I was able to deal with it and move forward.

But for the first time since I have been in this Honourable Chamber and that I have been engaged in politics, I had a real sense of disquiet when I was listening to the radio this afternoon.

And you know, Mr. Speaker, I believe that I am a team player. I believe that in my employment or whatever organisation I am involved in, that I fundamentally believe in working and fighting hard for the team. Even in this Honourable Chamber, I look at my colleagues on the other side of the aisle as my honourable colleagues. And when we sit outside in the common areas, Mr. Speaker, we do so in an amicable fashion. And I had the opportunity a few weeks ago to play in a golf tournament with the Honourable Deputy Premier and we had a great time engaging in the social part of Bermuda.

Hon. Derrick V. Burgess, Sr.: And I beat you.

Mr. Shawn G. Crockwell: And he did beat me, Mr. Speaker.

[Laughter]

Mr. Shawn G. Crockwell: And I knew he was going to say that, Mr. Speaker, because I thought I had beat him as our team came in 11 under. And low and behold, the PLP team came in 12 under, Mr. Speaker.

But, Mr. Speaker, that is how it should be—we should be colleagues; we should be friends. But, you know, things happen. And let me say, Mr. Speaker, one of the most difficult decisions I have had to make in politics was when I left the United Bermuda Party. And it was difficult because I considered myself a part of that team and I respected my colleagues, Mr. Speaker. I respected them because I recognised that each and every one of them was involved in politics for the right reason and that we are all making the sacrifices for the same reason because everyone in this Chamber, I believe, wants to see a better Bermuda. And I was part of that team and I did not want to leave that team because I thought I was betraying the team. But we had a difference of vision, Mr. Speaker.

Now no one can find a statement from myself publicly or in this House where I have criticised or disparaged the United Bermuda Party or at that time when I was in the BDA, my former colleagues. I think that is wrong, Mr. Speaker. I think it is fundamentally wrong that you can be part of a team, that you can be part of private discussions, that you can consider someone a colleague and a friend, and then because of a difference you leave and then you go out there and you disparage your former colleagues. I think that is wrong, irrespective of your difference.

Mr. Speaker, I have no problem saying publicly that I am a divorced man, these things happen. But you know what? You would never have heard me disparage my ex-wife.

An Hon. Member: Apples and oranges.

Mr. Shawn G. Crockwell: I would not do it. I would not do it, Mr. Speaker, because you know what? There was a reason why . . . that was my family, it is still my family and it will always be my family. And I am speaking for myself. I heard people saying, *apples and oranges*.

But what I am saying is that I do not subscribe to the notion and what I consider to be gutter politics when people would leave an organisation and then disclose private discussions, disclose things that were privileged, Mr. Speaker, as a result of that membership of that team.

[Inaudible interjection]

Mr. Shawn G. Crockwell: Just because it happens in other places, Honourable Member, does not mean it is

right. It does not mean that we should follow it, Honourable Member.

What I am saying is, Mr. Speaker, that it is time that we need to raise the conversation. It is time that we need to put this country as its primary focus.

And that is why following the Honourable Member, Mr. Butler, I am privileged to do so because he made a gallant attempt to put the debate in its proper perspective.

Because it is regrettable that we have had to have a WikiLeaks, or a gossip-type of discussion today, Mr. Speaker, when we have crime—gun crime—still out of control.

[Inaudible interjection]

Mr. Shawn G. Crockwell: I heard your speech, Honourable Member, and I thought the majority of it was a very good speech, okay?

[Inaudible interjection]

Mr. Shawn G. Crockwell: It is my turn now.

An Hon. Member: Go ahead. Stop lying. Stay truthful.

Mr. Shawn G. Crockwell: Thank you.

I mean, you started your speech by talking about respect and maturity, well, give me that respect I ask.

Now, Mr. Speaker, the Honourable Member just said *stop lying*—I find that to be disparaging.

First of all let me say, Mr. Speaker, because it seems so interesting that—

The Speaker: He should not say that.

Mr. Shawn G. Crockwell: No, he should not say that.

The Speaker: Not in here.

Mr. Shawn G. Crockwell: No.

The Speaker: I did not hear it, but he should not say it.

Mr. Shawn G. Crockwell: Nonetheless, Mr. Speaker, I will continue. I thought that that Honourable Member was going to engage in interpolation, but you know, things change, Mr. Speaker.

An Hon. Member: They certainly do.

[Inaudible interjection]

Mr. Shawn G. Crockwell: Mr. Speaker, I am taking my feet today because I would like to address the statements that the Honourable Member, Mr. Wayne Furbert, has made in the press—whether or not it was

his direct . . . because I spoke to him privately and it is no secret that the Honourable Member and I are good friends—but we disagree.

I went to him first and I expressed to the Honourable Mr. Wayne Furbert that I disagreed with his comments in the press. He said that certain things were taken out of context.

But there is a perception now in the community, Mr. Speaker, that the formation of the BDA and the formation of the OBA was part of following a script. And I spoke to another Member in this Chamber who said that that is exactly what has happened and that if you deny it you are lying. So there is this perception, Mr. Speaker, some people believe that we were that brilliant and we were that disciplined to follow a script for the past two years.

[Inaudible interjection]

An Hon. Member: We know you are not.

Mr. Shawn G. Crockwell: But, Mr. Speaker, let me say this—that there is no question that there was a report that made numerous recommendations—no question—

[General uproar]

Mr. Shawn G. Crockwell: —and no one has denied that. I am sure that every political party gets reports from their consultants, Mr. Speaker. So there is no question there was a report and the consultant made numerous recommendations in terms of how the Opposition can better reposition itself.

Now, Mr. Speaker, the reality is and the Honourable Member, Mr. Wayne Furbert, knows this because he was there and the Honourable Member was part of the group within the United Bermuda Party at that time who were advocating for change—for significant change, for radical change.

An Hon. Member: Yes, and you were too.

Mr. Shawn G. Crockwell: And when that report came to light and we saw the various recommendations the reality is, Mr. Speaker, no action was taken whatsoever.

An Hon. Member: Not until now.

The Speaker: No action was taken. The report was literally shelved. And the fact that no action was taken on that report caused significant frustration for myself and the Honourable Member, Mr. Furbert. And the Honourable Member, Mr. Furbert—

Hon. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

An Hon. Member: Oh-oh!

The Speaker: What is your point of order, Mr. Swan?

POINT OF ORDER

[Misleading]

Hon. Hubert (Kim) E. Swan: Well, on the time that the Honourable Member bolted from the United Bermuda Party, the United Bermuda Party changed its constitution to reflect a lot of the comments made by these same Honourable Members. And if I can remind Members, I actually stood down and invited a challenge from my good friend, Mr. Bob Richards, based on a revised constitution. That was in 2009. That was within a week or so of their leaving that the constitution was changed as a consequence of ongoing discussions. So people have selective memories of how it suits their personal circumstances.

[Inaudible interjections]

The Speaker: Thank you, Mr. Swan.

The Honourable and Learned Member, Mr. Crockwell, has the floor.

Mr. Shawn G. Crockwell: Mr. Speaker, I do not quite understand the point of order.

[Inaudible interjection]

Mr. Shawn G. Crockwell: My statement was at the time . . . when the report came to light there was no action taken and that caused frustration within the group that was advocating for change.

And then that led to the Honourable Member, Mr. Furbert, leaving against my consultation—I asked him not to leave, let us keep fighting for change—but he felt that it was his time, he had to leave. And then, Mr. Speaker, it led to the Members who formed the BDA to leave.

But the point I am making here is that no one at the time took that report, acted upon the report, thought that the report had the value in order to say, *Okay, this is what we are going to do.*

[Inaudible interjections and crosstalk]

Mr. Shawn G. Crockwell: Now, Mr. Speaker, the BDA was formed because individuals wanted to change the landscape of politics in Bermuda. That is why we formed the party.

Mr. Speaker, we then entered into conversations with Members of the United Bermuda Party who wanted to also bring about change. And, Mr. Speaker, it took a long, protracted process. But I want to make this point, Mr. Speaker, as the other Members want to interpolate that is fine—I want to make this point.

The point is this: That there have been significant differences of opinion in terms of how we should proceed. There have been individuals who felt that change was not necessary. But I am proud to stand here today and say that the OBA is an example of how people can come together and recognise that change needs to happen and people are prepared to make those sacrifices to bring about that change. And that is the result of the One Bermuda Alliance.

And individuals like the Honourable and Learned Member, Mr. John Barritt, who is the Opposition Leader, Leader of the OBA, to stand up and say—*I am prepared to retire my seat so that this country can benefit from change*—I think is admirable, Mr. Speaker.

And there are going to be other things that come to light as we go forward where people are saying, *I am prepared to make a sacrifice in the name of change*.

And so, Mr. Speaker, I think it is unfortunate that we have engaged in this type of dialogue. Of course, it is entertaining.

An Hon. Member: Organised chaos.

Mr. Shawn G. Crockwell: And I am sure that the Government has enjoyed it. And you know what? Sometimes you need organised chaos to progress.

[Laughter]

Mr. Shawn G. Crockwell: It happens all the time, Mr. Speaker.

But I will tell you this, at the end of the day the people of this country are not interested.

An Hon. Member: Don't you believe that.

Mr. Shawn G. Crockwell: They are not interested in the backbiting, Mr. Speaker.

[General uproar]

Mr. Shawn G. Crockwell: I am sorry. Let me qualify that. Let me qualify that, Mr. Speaker.

[Inaudible interjections]

Mr. Shawn G. Crockwell: I will let the Honourable Minister speak if he wants.

[Gavel]

The Speaker: Have you finished your speech?

Mr. Shawn G. Crockwell: No, Mr. Speaker.

The Speaker: Well, you had better—

Mr. Shawn G. Crockwell: I was expecting the Cabinet Minister to show a little bit more courtesy, Mr. Speaker.

[Inaudible interjection]

Mr. Shawn G. Crockwell: Mr. Speaker, the people I speak to on the street—the people that I bumped into, Mr. Speaker, on Bermuda Day—they are not interested in this type of dialogue.

An Hon. Member: Is that what they tell you?

Mr. Shawn G. Crockwell: They tell me that they are interested in how we are going to get this country back on track.

[Inaudible interjection]

Mr. Shawn G. Crockwell: They tell me that they are interested in how we are going to be able to reduce the gun violence and reclaim our security in this country, Mr. Speaker.

An Hon. Member: They say that, true.

Mr. Shawn G. Crockwell: They say to me that they want to know how their children can be properly educated in this country, Mr. Speaker.

An Hon. Member: Yes, that is true.

Mr. Shawn G. Crockwell: They are concerned about healthcare in this country.

An Hon. Member: That is true as well.

Mr. Shawn G. Crockwell: They are not concerned about this type of dialogue that we have had today.

[General uproar]

Mr. Shawn G. Crockwell: And so, Mr. Speaker, I am standing here today to say—no, what I am doing, Mr. Speaker, is what is important. And what is important, Mr. Speaker,—

[Inaudible interjections]

Mr. Shawn G. Crockwell: That is fine. That is fine. I do not have a problem with being in the deep hole, Mr. Speaker.

What is important, Mr. Speaker, is that I am not going to allow individuals to come up here and not be honest about what has transpired. And so I have stood here, I have basically explained the circumstances—people can take it or leave it—but at the end of the day we need to get to work to get Bermuda back on track. And that is what we in the One Bermu-

da Alliance will do and remain committed to as we go forward.

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, Mr. W. Perinchief.

Minister Perinchief from Pembroke Central has the floor.

Minister?

Hon. Wayne N. M. Perinchief: Mr. Speaker, I do want to change the subject and I wish to allude to a topic that was raised today and that was the issue of safety and security.

And for the information of the House, with your permission, Mr. Speaker, there was a reported incident of a shooting at the back of Hamilton today. And with your indulgence, Mr. Speaker, I would like to relate or retell a press release that was given by the Commissioner of Police, with your permission.

The Speaker: You are the Minister responsible, so yes.

DOG CRUELTY IN PEMBROKE

Hon. Wayne N. M. Perinchief: Well, today this [press release](#) was given by Acting Chief Inspector, Calvin Smith that the circumstances are as follows:

“Around 12:30 pm today, police officers and Government Animal Wardens attended a report of dog cruelty in the area of Court and Elliot Streets in Pembroke. The owner of the dog was located but a confrontation and a foot chase quickly ensued. The dog was set upon the warden who was attacked violently and a passerby was also attacked in the process. The police officer in attendance was carrying a firearm. He determined that the nature of the attack required the use of lethal force and he discharged his firearm. Two shots were fired at the dog and the dog died from his injuries. Both the warden and the other person received bite wounds that required hospital treatment. A 19 year old man has been arrested in connection with this incident and is currently in police custody. In keeping with the police policy on the use of police firearms an enquiry has commenced immediately to ensure that all protocols were followed, but at this early stage it appears that the firearm was discharged in accordance with and under the authority of our policies.”

Thank you very much, Mr. Speaker, for your indulgence.

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

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 am going to work my way backwards.

The Speaker: Well, I am going to try to follow.

NEW POLITICAL PARTY

Hon. Zane J. S. De Silva: Thank you. I am sure that I will leave a trail that will be easy for you to follow, Mr. Speaker.

Mr. Speaker, the Honourable Member that just took his seat, Mr. Crockwell, started off his speech by saying it was the first time that he had had a real sense of disquiet. I am still trying to figure out exactly what brought about this disquiet.

Mr. Speaker, the Honourable Member went on to say that he is a team player. He also went on to say that we should put this country at its primary focus. We need to get to work and get Bermuda back on track.

Mr. Speaker, like I said, I do not know what caused the disquiet. It seemed to be that some of his former colleagues were talking about some inside information that maybe caused the disquiet. I have not figured it out just yet. But he went on to explain quite a few things that I do not think I have to reiterate.

But I would say this, Mr. Speaker, when the Honourable Member said, *Get to work and get Bermuda back on track . . .* well, from their standpoint they may have that goal. But from our standpoint, Mr. Speaker, yes, we have difficulties with crime, violence and the like, but I think we are on good track, Mr. Speaker. And the voters of this country have said so for the last 12 years. Okay, Mr. Speaker?

And you know what? They are going to have another say very soon.

An Hon. Member: They will say the same thing.

Hon. Zane J. S. De Silva: And I think, I am very confident, that they will repeat what they have done over the last three elections, Mr. Speaker.

Mr. Speaker, the other Honourable Member, Mr. Mark Pettingill, gave a very passionate 10 minutes.

[Inaudible interjections]

Hon. Zane J. S. De Silva: *Enough is enough! Enough is enough with this back and forth nonsense! Bermuda is tired.*

Mr. Speaker, enough is enough . . . this back and forth nonsense . . . Bermuda is tired . . . the Opposition seems to be hooked up into a bungee cord

that they just cannot get out of because they are going back and forth.

You know, the back and forth is certainly not on this side of the House, Mr. Speaker. The back and forth is over on that side of the House. And I would suggest that those Honourable Members are trying very hard, Mr. Speaker—they are together today, separate tomorrow, back together today. Named ABD . . . BDA . . . I do not know what, I cannot remember, Mr. Speaker—

[Inaudible interjection]

Hon. Zane J. S. De Silva: Yes, the Opposition, Mr. Speaker. Well, it is two Oppositions, maybe three, Mr. Speaker.

So, you know, is Bermuda tired? I think they are tired. But they are certainly not tired of this Government, Mr. Speaker, no sir.

I will rewind just a bit more to the new Opposition Leader, Mr. Barritt.

The Speaker: The honourable.

Hon. Zane J. S. De Silva: The Honourable, Mr. Barritt, yes, indeed.

An Hon. Member: The Honourable and Learned.

Hon. Zane J. S. De Silva: The Honourable and Learned. You know, I am glad to see that Members . . . you know, Mr. Speaker, I think it is time we brought a Bill to this House . . . and I am reminded by the Honourable and Learned Member, Mr. Pettingill, to say the word “learned.” Because there was a Member in this House, Mr. Speaker, that the United Bermuda Party failed to call “learned.”

Mr. Speaker, you may remember that same Member is being honoured later on next month as a hero.

Is it not true?

Mr. Gordon does not ring a bell with you?

Mr. Everard T. (Bob) Richards: Point of order.

Hon. Zane J. S. De Silva: I would think he should—

The Speaker: There is a point of order.

Hon. Zane J. S. De Silva: Let me help you out.

Mr. Everard T. (Bob) Richards: No, sit down. Point of order.

The Speaker: The Honourable Member, Mr. E. (Bob) Richards, from Devonshire East has a point of order.

Mr. Richards, what is your point of order?

POINT OF ORDER

[Misleading]

Mr. Everard T. (Bob) Richards: The Honourable Member is misleading the House, Mr. Speaker. That event took place long before the formation of the United Bermuda Party.

The Speaker: That is . . . yes, I do uphold that. That is true, he did not have his sequence quite right.

Hon. Zane J. S. De Silva: You know what, Mr. Speaker, that is a good point—the same players, same faces, different generation—same thing, Mr. Speaker. I think the Members get my point.

An Hon. Member: No we don't.

Hon. Zane J. S. De Silva: But, Mr. Speaker, let me say this. The Honourable . . . Opposition . . . Learned Member, Mr. Barritt, said very quietly, *Forget the past, let's forget the past. Let's move forward.* It seems to be a new theme for this new party—let's forget the past.

Well, that particular Member I hope is going to take that page and post it up on his mirror in his bathroom, Mr. Speaker. Because that particular Member has written several articles in the last five, six, seven years—in particular in the summer of 2007—writing about the past, insinuating certain things about certain Members of this party. So I hope he is going to take a page out of that book as we approach another election. And as he writes his weekly columns, I hope that it is going to be concentrating on the future and not the past. So we will see if that dragon should rise again, Mr. Speaker.

And if he looks back at his columns that he has written over the last six, seven years, Mr. Speaker, he will know exactly what I am talking about.

Mr. John Barritt: I do not.

Hon. Zane J. S. De Silva: You do not.

The Honourable Member says he does not.

Well, he had a lot to say about the Bermuda Housing Corporation, Mr. Speaker. That is all I am going to say. Let that Honourable Member go back and read articles—recent articles—of events that happened years before because we can bring up some too.

So Mr. Speaker, let us hope that the Honourable Member, Mr. Barritt, sticks to that programme. I do not know why he did not do a point of order on his own Member, Mr. Gibbons, because Mr. Gibbons—

The Speaker: The honourable.

Hon. Zane J. S. De Silva: —the Honourable Member—

The Speaker: Yes.

Hon. Zane J. S. De Silva:—followed Mr. Barritt's speech and all he talked about was education and what we have not done in the last umpteen years. I thought we were moving forward!

Mr. Speaker—

Mr. John Barritt: Mr. Speaker, I do want to take a point of order.

The Speaker: There is a point of order now.

The Honourable and Learned Member, Mr. Barritt, Leader of the Opposition, has a point of order.

POINT OF ORDER

Mr. John Barritt: I do not believe I ever said, *forget the past*. I said people want to turn the page.

Hon. Zane J. S. De Silva: You said forget the past.

Mr. John Barritt: And, Mr. Speaker, Dr. Gibbons—the Honourable Member—did not actually follow me, he preceded me. He was the first person to speak on the Motion to Adjourn. The Honourable Member needs to get these things correct.

The Speaker: Well, that is . . . yes, he did. Yes. Carry on, Mr. De Silva.

Hon. Zane J. S. De Silva: That is even worse, Mr. Speaker. Because he should have said, *Look Mr. Gibbons, let's forget the past*—like he started off his speech. So I do thank you for that correction.

But Mr. Speaker, the Honourable Member, Mr. Gibbons, started this debate today. And I am sure that when Dame Jennifer Smith, the Minister of Education, returns to Bermuda, I am sure she will have a response to some of the things that he mentioned.

And the Honourable Member, Dr. Gibbons, talked about the lack of progress with regard to not only education, but then he jumped into health. And he started off by talking about the Move [More] Bermuda campaign. The Honourable Member seems to be upset because my picture is in the paper.

Mr. Speaker, we all know in this House that the *Royal Gazette* and I do not have the best of relationships—if they wish to print my picture in the paper, Mr. Speaker, that is their choice.

The Speaker: Is that so?

Hon. Zane J. S. De Silva: Yes. So I can assure you that I do not have any buddy-buddy relationships with anybody on that side of town.

I was very disappointed, Mr. Speaker, very disappointed when the Honourable Member . . . if he

is going to be Shadow for Education, he should stick to education.

MOVE MORE BERMUDA CAMPAIGN

Hon. Zane J. S. De Silva: Mr. Speaker, you have to indulge me for just a moment because when he said there are no . . . the health issues, the health promotions in the schools are not happening, it is too slow. Mr. Speaker, let me run by a few things for you, if I may.

All schools participate in Healthy Schools throughout the eight components of health.

Every school engages the children in extra physical activity during the school day. And teachers give up their time to engage the students—sometimes after school—free of charge, Mr. Speaker. That is a slap in the face for some of our teachers who are giving up their spare time to give our kids extracurricular physical activities, Mr. Speaker.

Every school has a physical activity club, Mr. Speaker. Every school has a competitive club. They have a walking club. More than 50 per cent of schools have a school-wide walk once per year.

All school students are in the process of receiving the Healthy Schools Nutrition policy brochures and supporting letters to be sent home to parents.

The Healthy Schools Coordinator, Mrs. Marie Beach-Tucker—you cannot get anyone more effervescent and energizing than her, Mr. Speaker.

An Hon. Member: Yes, absolutely.

Hon. Zane J. S. De Silva: It is a discredit to that lady that works so hard to promote health with our children in our schools. Since 2004, I do not think there is anyone that has worked as hard as her with regard to health promotion for our children in schools, Mr. Speaker. Slap!

I cannot sit by here and let that Honourable Member slap down the people that are working very hard to increase health promotion and education in our schools, Mr. Speaker.

But the Healthy Schools Coordinator consults with schools regarding health-related problems and appropriate referrals [are] made for problem resolutions. Each year schools' level of compliance to the school health policies and health promotion activities are formerly evaluated and recognised at the annual Healthy Schools Awards ceremony, Mr. Speaker.

I will continue. The Healthy Schools Coordinator meets with PE, health teachers, safe and healthy committee chairpersons, and school principals to ensure that health is being promoted through the eight components. Assistance is also provided in increasing school's understanding of how regular school activities fit into those eight components, Mr. Speaker.

The Honourable Member, Mr. Walter Roban, talked about the vending machines, Mr. Speaker.

They are closely monitored—the sugar, the sweets—closely monitored, Mr. Speaker. I have to commend Barritts (and I do not think that is the Honourable John Barritt). I have to commend Barritts who sell some of these products and Dunkley's for working hand in hand with the Healthy Schools Coordinator in making sure that this happens.

[At 5:13 pm the House adjourned until 10:00 am Friday, 3 June 2011.]

Mr. Speaker, for the third year Healthy Schools has developed monthly Wellness Wednesday calendars whereby one health habit is highlighted each Wednesday in schools. Each month schools receive e-copies and hard copies and are asked to highlight each health habit in assemblies and classrooms. PA systems may also be used to announce each health habit—and the Honourable Members opposite may be getting a little bored, but they say we are doing nothing.

Mr. Speaker, this is important stuff—it is very important. Healthy kids, healthy promotion and awareness in education in our schools for our children.

This year, Mr. Speaker, Healthy Schools developed a calendar of events for schools and disseminated it in September 2010 last year. The purpose was to allow schools to be aware of activities planned by community health partners in advance and to prevent last minute and conflicting regress of school participation in activities by health partners.

Mr. Speaker, I have another page of healthy promotion and education items, but I am going to hold it right there. Because, you know, I am going to ask the Honourable Member—oh, he is not here—Mr. Gibbons, if he would like this list. I will be happy to give it to him.

But do not come to this House . . . if you are going to come here and talk about health, and you want to give us a little spanking for not doing quite as good a job as we want, Mr. Speaker, that is fine. I can take it. But do not come here with misinformation or make accusations that things are not happening in health for our kids, Mr. Speaker, because big things are happening in health for our kids.

And they cracked a little joke about my hula hoop, Mr. Speaker. If I have to hula hoop all year long to encourage our kids to eat healthier, exercise more, to live healthier . . . and long term, Mr. Speaker, control our costs for healthcare because we do not have individuals that as they grow have obesity problems, they get into diabetics, heart problems . . . if I can do that, Mr. Speaker, I will hula hoop all year!

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister De Silva, the Honourable Member from Southampton East Central.

No further speakers.

The House stands adjourned until Friday next at 10 am—Friday next at 10 am.

[Gavel]

BERMUDA HOUSE OF ASSEMBLY (2010/11 SESSION)

OFFICIAL HANSARD REPORT

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