

PARLIAMENTARY JOINT SELECT COMMITTEE MEETING

*Transcript of the Meeting of the
Parliamentary Joint Select Committee on
Parliamentary Governance and Reform
held in the Library, Sessions House
on Monday, 2nd December 2013
commencing at 1:30 p.m.*

PRESENT:

Mr. N.H.C. Simons, JP, MP - Chairperson

Ms. L.F. Foggo, JP, MP

Mrs. J.J. Atherden, JP, MP

Senator J.C. Baron, JP

Senator J. Jardine, JP

Senator D. Rabain, JP

Mrs. S.M.A. Wolffe - Clerk to the Committee

INVITED PRESENTERS:

Mr. James Smith

Mr. Stanley Lowe, OBE, JP

1 **MONDAY, 2ND DECEMBER 2013**

2 --- upon commencing at 1:30 p.m.

3
4 **INVITED PRESENTER: Mr. James Smith**

5
6 **THE CHAIRMAN:** I don't know if you all
7 know Mr. Smith? Mr. Smith is a former Clerk to the
8 House and very knowledgeable on Parliamentary protocol
9 and it was thought that it was essential that we invite
10 him to make a presentation on Parliamentary Governance
11 and Reform.

12 So, with that background, in essence,
13 Mr. Smith, we, as a team, have gone through the 2006
14 Benchmarks for Parliamentary Reform, as prescribed by
15 the Caribbean and Americas, the CPA.

16 **MR. SMITH:** Okay.

17 **THE CHAIRMAN:** And we found that most
18 of that report basically, succinctly summarized where
19 we wanted to go generally, in regards to Parliamentary
20 Reform. So we looked at the vision, we looked at the
21 operations, we looked at the functions of Parliament,
22 and before we finalized any document we said we wanted
23 input from the community, from people who understood
24 it, who are keen on Parliamentary Governance and
25 Reform, and because they may have something valuable

1 that we have overlooked.

2 And so, with that background, we invite
3 you to share with us your thoughts on Parliamentary
4 Reform and how you think we could go forward and be
5 more effective as an institution.

6 **MR. SMITH:** Okay. I think I will
7 cover... I did a little bit of research last night.
8 Okay?

9 **THE CHAIRMAN:** Yes.

10 **MR. SMITH:** Last minute rush. A rush
11 job. And I've put down some notes which, they might
12 not be applicable but I'll go through them. Okay?

13 **THE CHAIRMAN:** Mm-hmm.

14 **MR. SMITH:** The eligibility of
15 candidates. One thing that came up when I was Clerk to
16 the Legislature was that people who were in prison,
17 when they came out of prison they were not eligible for
18 being candidates. Is that the case? Is that the case
19 now? I don't know.

20 **THE CHAIRMAN:** I think the Rules are
21 silent on that.

22 **MR. SMITH:** Okay.

23 **THE CHAIRMAN:** It's not addressed in
24 any of the Rules.

25 **MR. SMITH:** Yeah. Okay.

1 **THE CHAIRMAN:** But we've noted your
2 concern.

3 **MR. SMITH:** Right. Transparency of
4 Parliament. Exactly what does that involve? Is that
5 sort of making all the information and discussions
6 available to the public?

7 **THE CHAIRMAN:** It involves opening it
8 up to the media, that's TV and radio.

9 **MR. SMITH:** Right. Yeah.

10 **THE CHAIRMAN:** In addition there is the
11 social network.

12 **MR. SMITH:** Yeah.

13 **THE CHAIRMAN:** And community outreach.

14 **MR. SMITH:** Okay.

15 **THE CHAIRMAN:** Going to schools, going
16 to businesses, just to, you know, tell them what we're
17 about, tell them the important separation of the
18 Executive, from the Legislature, from the Judiciary.

19 **MR. SMITH:** Right.

20 **THE CHAIRMAN:** And so we want to use
21 all media to communicate with the community. Before we
22 were, you know, kind of stoic and separate from the
23 community. Going forward we want to be an integral
24 part of the community and we want the community to
25 understand the role of Parliament and what the

1 Parliament is doing for them. Because, in essence,
2 what we want to do is improve Parliamentary service to
3 the people of this country.

4 **MR. SMITH:** Mm-hmm. Okay. When you
5 have a meeting of the House, the Hansard is done, but
6 it's done in England; right? Is that the case?

7 **THE CHAIRMAN:** Hansard's done here.

8 **MR. SMITH:** It's not done here, is it?

9 **MRS. WOLFFE:** It's done overseas in --
10 it's done overseas in North Carolina; it's between
11 North Carolina and Canada. It's a joint effort. Mm-
12 hmm.

13 **MR. SMITH:** Right. Would that be
14 possible to get someone to do it here?

15 **MRS. WOLFFE:** Well, from a cost-
16 effective point of view it's -- first of all you need
17 to train the staff.

18 **MR. SMITH:** Right.

19 **SENATOR BARON:** And you need at least
20 six or seven people, at least.

21 **MR. SMITH:** Oh, is that right?

22 **SENATOR BARON:** Yes, you do. It's a
23 huge operation, and the individual that we've done, I
24 met her at a Parliamentary Workshop, and she did up a
25 style -- it's a huge operation.

1 First of all you do a style guide, which
2 is about 90 pages, because there is certain terminology
3 you use when you use brief, quotation marks,
4 Parliamentary language, blah, blah, blah, and she's
5 very trained.

6 Now, she would be willing to come here
7 to train some people on that, but at least she will
8 need six or seven.

9 We found that it's more cost effective
10 for them to do it overseas, because she has one or two
11 people working with us but she does the bulk of the
12 work.

13 **MR. SMITH:** Mm-hmm. Okay.

14 Would the Hansard information be
15 available to the public, let's say on e-mail? Is
16 that --

17 **THE CHAIRMAN:** It is available now.

18 **SENATOR RABAIN:** It is available. It
19 is available now.

20 **MR. SMITH:** That's available. Okay.

21 **THE CHAIRMAN:** If you go to the
22 Parliamentary website, it's there.

23 **MR. SMITH:** Yeah. Okay. Right.

24 Now, how do you measure Parliamentary
25 effectiveness? How do you do that? I mean, does

1 anyone sort of make an assessment of that, or...?

2 **THE CHAIRMAN:** I would say there is no
3 official assessment as far as I'm concerned, I mean, we
4 get along, get our work done, pass the legislation,
5 and, again, you have to decide what type of assessment
6 you're looking for.

7 **MR. SMITH:** Yeah.

8 **THE CHAIRMAN:** From an administration
9 point of view, from a cost point of view, from an
10 effectiveness point of view in the community, community
11 outreach; so it ties back to your vision for
12 Parliament, your strategies to achieve that vision, and
13 once you have those strategies then you could talk
14 about official assessments.

15 **MR. SMITH:** Okay.

16 **THE CHAIRMAN:** And so at this point, we
17 are trying to put together a macro programme that will
18 define the vision and also address how we're going to
19 deliver on the vision.

20 **MR. SMITH:** Okay.

21 **THE CHAIRMAN:** And so, at this point,
22 I think the Committee has agreed that we are looking or
23 leaning towards having an overall governance committee
24 for Parliament, like a board of governors, like they
25 have in other jurisdictions, that will be responsible

1 for the macro-management from, like, a directors' level
2 of Parliament, and all the subcommittees will fall
3 under that.

4 You said something?

5 **SENATOR RABAIN:** No.

6 **THE CHAIRMAN:** Okay.

7 **MR. SMITH:** No. He was just waving.

8 **MRS. WOLFFE:** So how would you measure
9 effectiveness, in terms of either Parliamentarians or
10 effectiveness of the Parliamentary services that need
11 to be delivered? How would you measure those?

12 **MR. SMITH:** Well, would you have a
13 committee that sort of looks into that? Would that be
14 the best way of doing it? Setting up a committee to
15 assess how Parliament works and its efficiency and that
16 sort of thing?

17 **THE CHAIRMAN:** Those were one of the
18 recommendations in the Benchmarks prescribed in 2006,
19 under the operations of Parliament.

20 **MR. SMITH:** Mm-hmm.

21 **THE CHAIRMAN:** And those are the
22 recommendations that we are examining for
23 effectiveness.

24 **MR. SMITH:** Okay. Right. When you get
25 new Members in Parliament, are they sort of given any

1 information on how the system works, or do they just
2 come in and they don't know what's happening?

3 **THE CHAIRMAN:** We have an abbreviated,
4 let's say, abbreviated training programme for new
5 Parliamentarians at the beginning of each Session.

6 **MR. SMITH:** Mm-hmm.

7 **THE CHAIRMAN:** In addition there is the
8 training that's available for the CPA, where they have
9 the CPA Regionals and in the plenary each September or
10 August. But generally Mrs. Wolffe and her team has a
11 Parliamentary training session for every beginning of
12 Parliament.

13 **MR. SMITH:** Okay.

14 **THE CHAIRMAN:** And the parties also. I
15 know the OBA does it. Do you guys do it in the PLP, on
16 Parliamentary procedure?

17 **SENATOR BARON:** He's not going to say
18 no, now.

19 **THE CHAIRMAN:** I know we do, for our
20 side. No, well, we're amongst the team.

21 **SENATOR RABAIN:** Everybody does
22 Parliamentary procedure.

23 **THE CHAIRMAN:** Okay. So it's done
24 within the parties and within Parliament.

25 **MR. SMITH:** Okay. Electing chairs of

1 committees. The ideal idea is to have a combination;
2 right? So that you get the two parties joining up and
3 hopefully you get collaboration as a result of that,
4 you know, acceptance.

5 **THE CHAIRMAN:** Yes.

6 **MR. SMITH:** Okay. And do you have a --
7 I suppose you must have a method for selecting the
8 chairs of these committees as well, or, I mean, who
9 chooses it and should it --

10 **THE CHAIRMAN:** Some of the committees
11 are -- the chairman is prescribed under the Orders.

12 **MR. SMITH:** Right.

13 **THE CHAIRMAN:** Like the Public Accounts
14 Committee, that Committee, most of the time, is chaired
15 by the Shadow Minister of Finance.

16 **MR. SMITH:** Okay. Right.

17 Committee meetings, are any committee
18 meetings accessible to the public? Can they actually
19 come in and sit in, or there -- there must be some
20 exceptions.

21 **THE CHAIRMAN:** The Chairman of each
22 committee can make a recommendation, and we've done it
23 in the Public Accounts Committee. So it's up to the
24 Chairman, basically, if he wants to open it up to the
25 public. And that's another issue that we're going to

1 examine from a Parliamentary transparency point of
2 view, because there's a school of thought that says all
3 committee meetings should be open, and then there are
4 others saying selective committee meetings should be
5 open, depending on the issues being discussed.

6 **MR. SMITH:** Okay. Now, is there a
7 committee that is responsible for the management of the
8 Legislature, to ensure that they abide by the rules and
9 the procedures.

10 **MRS. WOLFFE:** That's why we're asking
11 you. That's why -- because we want to know, for
12 example, the Committee, from your perspective as being
13 the former Clerk, --

14 **MR. SMITH:** Right.

15 **MRS. WOLFFE:** -- what services, what do
16 you feel is lacking here in terms of the management of
17 Parliament, because you served here as Clerk.

18 **MR. SMITH:** Yeah.

19 **MRS. WOLFFE:** But what do you feel is
20 lacking in terms of resources, whether it's fiscal
21 resources, human resources, services available to the
22 public, access to the Legislature by the public, et
23 cetera, et cetera.

24 **MR. SMITH:** Right.

25 **THE CHAIRMAN:** I think it's questions

1 that --

2 **MS. FOGGO:** All of the above.

3 **MRS. WOLFFE:** Yeah, all of those.

4 That's what -- maybe your questions are leaning towards
5 that.

6 **MR. SMITH:** Yeah.

7 **MRS. WOLFFE:** But we were just
8 wondering, from a Committee perspective, what do you
9 feel is needed here at the House of Assembly?

10 **MR. SMITH:** Well, do you have a
11 committee that looks at the management of the
12 legislature and the adherence to the rules?

13 **THE CHAIRMAN:** No, and this is -- this
14 is where we're recommending that there be a Governance
15 Committee that will basically oversee the management.

16 **MR. SMITH:** Well, I would go with that.

17 **MRS. WOLFFE:** You would? Okay. Right.

18 **MR. SMITH:** Definitely. Definitely.
19 Right. Yeah. The staff of the
20 Parliamentary Service, they have a right to join a
21 union, or an association of their choice? Is that
22 correct, or...?

23 **THE CHAIRMAN:** They have a right and I
24 think they are union members? Are they union members?

25 **MRS. WOLFFE:** Mm-hmm.

1 **THE CHAIRMAN:** They are union members.

2 **MR. SMITH:** Right. Okay.

3 Now, you have an elected House and you
4 have -- you have the party in power. How would they,
5 you now, if something happened, how would they actually
6 be gotten rid of?

7 **MS. FOGGO:** How would they what,
8 Mr. Smith? I didn't hear the last part?

9 **MR. SMITH:** Got ridden of.

10 **THE CHAIRMAN:** So you're talking about
11 the right of recall.

12 **MR. SMITH:** Recall, yeah.

13 **THE CHAIRMAN:** I think the right of
14 recall has to be embodied in the Constitution, number
15 one, and then --

16 **MR. SMITH:** That's in the Constitution.
17 Okay.

18 **THE CHAIRMAN:** And then I think the
19 parties can also have a mechanism in which they can
20 withdraw MPs that do not meet the mustard, basically.

21 **MR. SMITH:** Right. Okay.

22 **THE CHAIRMAN:** But basically you're
23 talking about the right to recall MPs, --

24 **MR. SMITH:** Yeah.

25 **THE CHAIRMAN:** -- and I think that's

1 not a Parliamentary issue, I mean the issue is a
2 Constitutional issue and a Party issue.

3 **MR. SMITH:** All right. Now, if you
4 wanted to make some changes in the Constitution, and I
5 know that has happened in the past, and I know there
6 was one meeting in London in 1966 and there were some
7 changes, right, and there was one in, I think, 1977,
8 and some suggestions were made and there were some
9 changes then.

10 Would you think that the Constitution
11 that we have now would need to be changed?

12 **THE CHAIRMAN:** Hmm.

13 **MR. SMITH:** Probably not.

14 **MS. FOGGO:** You're asking us in
15 terms -- how about, do you see -- may I, Mr. Chair?
16 I'm sorry.

17 **THE CHAIRMAN:** Yes. Go ahead.

18 **MS. FOGGO:** Yes. Sorry.

19 Do you, from where you sit, do you see a
20 need for Constitutional changes, and if so, what would
21 such changes be?

22 **MR. SMITH:** Well, I haven't -- I
23 haven't thought about that. I mean, I tried to get,
24 you know, do a little bit of research last night, --

25 **MS. FOGGO:** Right.

1 **MR. SMITH:** -- and come up with a few
2 questions.

3 **MS. FOGGO:** Because we could all have a
4 different opinion on that.

5 **MR. SMITH:** Of course. Yeah.

6 **MS. FOGGO:** Yeah.

7 **MR. SMITH:** Code of Conduct? Is there
8 a written Code of Conduct here? There is?

9 **THE CHAIRMAN:** Yes, there is.

10 **MR. SMITH:** I know when I was Clerk of
11 the Legislature, there were some instances where
12 Members of Parliament were quite nasty towards one
13 another. Now, what happens in a situation like that?

14 **THE CHAIRMAN:** Well, you have the
15 Standing Orders that prescribe the behaviour of
16 Parliamentarians, in the House.

17 **MR. SMITH:** Right. And that works? I
18 mean, do you have --

19 **MRS. WOLFFE:** There's not an official
20 Code of Conduct, per se. There is a Ministerial Code
21 of Conduct, but in terms of a code itself --

22 **THE CHAIRMAN:** There is a Code of
23 Conduct for behaviour in Parliament as well.

24 **MS. FOGGO:** Yes.

25 **MRS. WOLFFE:** For behaviour for

1 Parliament in the Standing Orders, that's prescribed in
2 the Standing Orders, but an over-all code -- there have
3 been a few motions went on the floor of the house
4 regarding the house implementing a Code of Conduct for
5 all Legislators, but in terms of having one, we have
6 not adopted a Code of Conduct.

7 **MR. SMITH:** Oh. Should you?

8 **SENATOR BARON:** Yes. Yes.

9 **MS. FOGGO:** It depends, because the
10 Standing Orders for the House of Assembly are very
11 clear on how a member conducts him or herself.

12 **MR. SMITH:** Right.

13 **MS. FOGGO:** And it's very clear in
14 terms of what the Speaker can do if you are not
15 conducting yourself in a manner that's deemed
16 appropriate -- and the Speaker has quite a bit of
17 power, including suspending a Member, ad infinitum, if
18 you will, during an entire Session, --

19 **MR. SMITH:** Yeah. Yeah.

20 **MS. FOGGO:** -- if the behaviour
21 warrants such. So you can have, you know, just for
22 choosing to ignore the Speaker, he can dismiss you for
23 that day, or dismiss you for three days.

24 **MR. SMITH:** Right.

25 **MS. FOGGO:** Or, again, for whatever

1 term it is suggested. So, even when we try to -- and I
2 can say that our current Speaker is a stickler for
3 Members conducting themselves appropriately. So the
4 moment that we begin to get out of hand, he deals with
5 it, so --

6 **MR. SMITH:** Oh, that's good.

7 **MS. FOGGO:** -- so you can't get up and
8 call people names just like that.

9 **MR. SMITH:** Yeah.

10 **SENATOR BARON:** Mr. Chair? Mr. Chair?

11 **THE CHAIRMAN:** Yes.

12 **MS. FOGGO:** And it's always fallen on
13 the speaker to do so.

14 **THE CHAIRMAN:** Okay. Go ahead.

15 **MS. FOGGO:** In the lower House.

16 **SENATOR BARON:** Thank you, Mr. Chair.
17 Mr. Smith, good afternoon. Senator
18 Baron.

19 **MR. SMITH:** Hi.

20 **SENATOR BARON:** Myself and Senator
21 Rabain are looking at, in this Committee, we are
22 charged with looking at the ethics, code of conduct
23 reform as well, so most of your questions you've had
24 this afternoon sort of circle around accountability and
25 what you're talking about now, and I think what we are

1 looking at advancing is beyond the halls of Parliament
2 and in Senate, my friend over there had said -- she's
3 quite right. But beyond that, what Code of Conduct is
4 there, will there be, that holds elected officials,
5 appointed officials accountable outside of the halls of
6 Parliament. So we're looking at building that.

7 **MR. SMITH:** Mm-hmm.

8 **SENATOR BARON:** And so a key question
9 for us is, and for our visiting presenters, where
10 there's no values currently in place, --

11 **MR. SMITH:** Mm-hmm.

12 **SENATOR BARON:** -- are the current
13 rules, regulations, values enough to -- enough to
14 serve, or are they a good starting point to built upon?
15 And so it's clearly, you know, the House Rules and the
16 Standing Orders --

17 **MS. FOGGO:** And the Constitution. It's
18 clear.

19 **SENATOR BARON:** -- and the Constitution
20 will provide us some foundation, but without -- I think
21 what we will come up with is that there is a clear need
22 to expand upon that, particularly when we're talking
23 about expanding Parliamentarians' reach, as far as
24 transparency goes, into social media, into, you know,
25 very global things right away. You can Tweet something

1 and it's out in Bangkok in two minutes.

2 So, the point is I think we're looking
3 at that and it's clear now, 2013, that we have to look
4 beyond the Rules and Regulations of inside the
5 Honourable House and Chambers and what we're doing as
6 far as building some layers of accountability for all
7 elected and appointed officials in Bermuda, beyond
8 that, in their day-to-day activities.

9 **THE CHAIRMAN:** Jeanne?

10 **MRS. ATHERDEN:** I was going to say
11 that, one thing, though, I know we were talking about
12 the powers that the Speaker had, et cetera, but I still
13 think that there is something lacking with respect to
14 the individual decorum of the Members, because we have
15 so much chatter and stuff that go on, up and down --
16 no, but it doesn't happen down in the Senate because
17 the Senate is small and the Speaker would -- the Leader
18 would know what's going on, but it's almost getting to
19 the stage right now where it's become very deliberate,
20 you know, where people are starting to chat and stuff,
21 just because then it's off-putting. And to me, if
22 we're saying that you -- people have something to say
23 and you want everybody to listen to it, then this
24 business of running to each other and really just
25 chatting, two or three people at a table, to me is not

1 just accidental now, it's become the practice --

2 **MS. FOGGO:** It's always been.

3 **THE CHAIRMAN:** Right, so that's a
4 cultural issue, but it still ties to the Standing
5 Orders. I support what Senator Baron has said. My
6 only question mark there is this Committee's mandate is
7 to deal with Parliament only.

8 **MS. FOGGO:** Right.

9 **THE CHAIRMAN:** What he is recommending,
10 and I support what he's recommending, straddles
11 Parliament and the political arena. But our mandate is
12 strictly for Parliament, for this exercise.

13 **MS. FOGGO:** I just wanted to say this,
14 Mr. Chair, --

15 **THE CHAIRMAN:** Hang on.

16 **MS. FOGGO:** Sorry.

17 **SENATOR RABAIN:** I think you meant,
18 when you say "Parliament" you're referring to the
19 Legislature.

20 **THE CHAIRMAN:** Yes.

21 **MRS. WOLFFE:** Mm-hmm.

22 **SENATOR RABAIN:** Not just Parliament.

23 **MRS. WOLFFE:** Mm-hmm.

24 **SENATOR RABAIN:** I just wanted to make
25 that clear.

1 **MS. FOGGO:** The Assembly.

2 **SENATOR RABAIN:** Yes.

3 **THE CHAIRMAN:** Yes.

4 **MS. FOGGO:** With the -- you have the
5 Constitution which makes it very clear, in terms of
6 conduct, what automatically renders a Parliamentarian,
7 an elected official and/or appointed, I would dare say,
8 void of his position or her position. It's clear in
9 the Constitution, even though it doesn't go through and
10 say a), b), c), d) and e), but if you engage in
11 anything that's considered illegal and you are caught,
12 or -- you automatically lose your seat, it's not
13 something where they have to go to recall or anything
14 like that, that's automatic, you can not be found
15 guilty of some sort of criminal offence and maintain
16 your seat. You will lose the right to hold your seat,
17 immediately, whether -- the Constitution says that.

18 You can not, for instance, hide assets,
19 so to speak, because it's clear in the Constitution and
20 the Standing Orders Bill on top of that, that, you
21 know, you have to declare your interests up front.
22 Anybody who doesn't declare their interest, really and
23 truly, it's us not enforcing certain things.

24 If a Member is found not to have
25 declared their interest, by and large they're not even

1 supposed to be allowed to stand at the polling
2 stations. If you have not declared your interest seven
3 days before an election, that renders a person null and
4 void. It's if we choose to enfor -- well, let me put
5 it this way, if anyone's ever been guilty of that, it
6 is our fault if we didn't hold them to account, because
7 it is, the Constitution is clear, in terms of what
8 renders a Member -- whether or not he loses, loses his
9 opportunity to serve, and that's whether you're an
10 appointed Member or whether you're an elected Member,
11 you know, it's clear on that, you can not serve if you
12 are in violation of that rule.

13 It doesn't spend a lot of time doing so.
14 What you see in places like Great Britain -- I did my
15 dissertation on electoral reform and so I had to spend
16 a lot of time studying members' conduct and all that
17 type of stuff, and so you do have, in much bigger
18 parliaments, where you have 500 members and stuff like
19 that, a Code of Conduct, because, as my colleague over
20 here has pointed out, what she finds, I guess, a
21 nuisance factor when you have chatter amongst Members,
22 but Mr. Simons can attest to the fact that -- so can
23 the Clerk, that it's been far worse than that. It's
24 much quieter under the new Speaker than what it used to
25 be, and -- and when you compare it to other

1 Parliaments, it doesn't --

2 **THE CHAIRMAN:** Well, he knows that,
3 because he was the Clerk for 20-some years.

4 **MS. FOGGO:** Yes. Exactly. That's
5 right. Mr. Smith knows it, too.

6 **THE CHAIRMAN:** Okay.

7 **MS. FOGGO:** It's much, much -- it's
8 much --

9 **SENATOR RABAIN:** Friendlier?

10 **MS. FOGGO:** It's much calmer.

11 **THE CHAIRMAN:** Civilized.

12 **MS. FOGGO:** Yes, it's much more
13 civilized, --

14 **SENATOR JARDINE:** Like the Senate.

15 **MS. FOGGO:** And when you look at
16 jurisdictions overseas, it's even ten-times more
17 civilized than how they operate.

18 **MRS. ATHERDEN:** But that's why we're
19 here, we've talking about, trying to come up --

20 **MS. FOGGO:** Yes, and I was saying that,
21 but --

22 **MRS. ATHERDEN:** -- with a practice
23 that's appropriate.

24 **MS. FOGGO:** And I'm saying in big
25 Parliaments you can understand why they will have a

1 detailed Code of Conduct, because you don't have the
2 communal atmosphere that we have here.

3 So, even though -- I mean I'm not
4 opposed to any sort of Code of Ethics or Conduct being
5 written up, but it would just sort of further outline
6 or highlight what's already in the Standing Orders --

7 **MRS. WOLFFE:** I know that, but you know
8 what? We're kind of -- I just want to say, Mr. Chair,
9 that --

10 **THE CHAIRMAN:** Okay. Wait a minute.
11 No, we're here to listen to him, not to
12 rehearse all of our recommendations.

13 **MS. FOGGO:** Yes.

14 **MRS. WOLFFE:** Okay. I was just, in
15 terms of a recommendation, maybe for the Chair, to have
16 a comprehensive Code of Conduct, instead of taking bits
17 and pieces from different resources, because most
18 Parliaments have a general Code of Conduct. That's all
19 I want to say.

20 **THE CHAIRMAN:** Okay.

21 **MR. SMITH:** All right. Can I?

22 **THE CHAIRMAN:** Yes, you may.

23 **MR. SMITH:** Presentations in the House.
24 I remember Julian Hall; do you remember him?

25 **THE CHAIRMAN:** Yes. Yes, of course.

1 **MR. SMITH:** At the end of -- well, it
2 wasn't quite at the end, but he talked for about three
3 hours.

4 **MS. FOGGO:** Yes.

5 **MR. SMITH:** And it prevented a number
6 of people -- he was a great talker, he had all these
7 books in front of him and was leaning on them, and he
8 just kept talking, and I thought he was fantastic.
9 But, it made it difficult for other people to talk.
10 And it was three hours. So, I mean, are there any
11 limitations on --

12 **THE CHAIRMAN:** The current Rules of the
13 House basically allows the lead speaker to speak for
14 one hour, and any subsequent speaker, on each side of
15 the House, half hour.

16 **MS. FOGGO:** Except the first
17 respondent.

18 **THE CHAIRMAN:** That's what I said.

19 **MRS. WOLFFE:** That's what he said.

20 **MR. SMITH:** Yeah. Yeah.

21 **MS. FOGGO:** You said any subsequent.

22 **MR. SMITH:** Well, that wasn't the case
23 when I was here, I'll tell you that.

24 **THE CHAIRMAN:** I don't know. Do you
25 have any limits in the Senate?

1 **SENATOR RABAIN:** Yes, we do. Yes.

2 **SENATOR JARDINE:** We do, yes.

3 **MR. SMITH:** You do.

4 **SENATOR RABAIN:** It's an hour for the
5 presenter, an hour for the first respondent.

6 **MS. FOGGO:** Right. Exactly.

7 **SENATOR RABAIN:** And 45 minutes. And
8 then once we get to five hours of debate, it shrinks to
9 30 minutes.

10 **SENATOR JARDINE:** To 30 minutes.

11 **SENATOR RABAIN:** -- 30 minutes.

12 **MR. SMITH:** That's in the Constitution,
13 though, is it, or...?

14 **SENATOR RABAIN:** No, that's the Rules.

15 **THE CHAIRMAN:** In Standing Orders.

16 **SENATOR RABAIN:** Standing Orders.

17 **SENATOR JARDINE:** Standing Orders.

18 **MR. SMITH:** Oh, in Standing Orders

19 Okay. Fine.

20 Yeah, I was helping out with SAGE
21 Commission.

22 **THE CHAIRMAN:** Yes.

23 **MR. SMITH:** But I didn't agree with
24 everything; okay? But one of the reductions, and you
25 probably know -- you're going to debate it, when was

1 it?

2 **THE CHAIRMAN:** Thirteenth.

3 **MR. SMITH:** Thirteenth.

4 **MS. FOGGO:** Of December, yeah.

5 **MR. SMITH:** Yeah. What do you think
6 about reducing the Members of Parliament?

7 **THE CHAIRMAN:** Well, that's a
8 discussion that I think the Parties have to basically
9 have, and we realise that, you know, cost efficiencies
10 are needed and it would look good for us if we led by
11 example.

12 **MR. SMITH:** Mm-hmm.

13 **THE CHAIRMAN:** But again, it's a
14 decision that has to be held with the Parties.

15 **MS. FOGGO:** And it's not within our
16 remit to change. That's a Constitutional change.

17 **MR. SMITH:** That is a Constitutional
18 thing, yeah, definitely.

19 **MS. FOGGO:** Yeah, we don't have the
20 power to do that.

21 **MR. SMITH:** You would have to do that.

22 **MS. FOGGO:** Yeah.

23 **MR. SMITH:** And you'd probably do it as
24 a result of a conference or through the Governor.

25 **THE CHAIRMAN:** Exactly.

1 **MR. SMITH:** And get his verification.

2 Yeah. Okay. What next?

3 Political parties. I got this, you
4 know, I've been looking through CPA reports, and one of
5 the things was that it's important to minimize the
6 primacy of political parties and to reduce factionalism
7 in Parliament, you know, the friction.

8 What is the situation now? Is there a
9 lot of friction in Parliament, or...

10 **MS. FOGGO:** Not really.

11 **MR. SMITH:** Do they get together and
12 collaborate?

13 **THE CHAIRMAN:** I think we collaborate.

14 **SENATOR BARON:** We're here. We're
15 here.

16 **MS. FOGGO:** Yes.

17 **MR. SMITH:** Oh, you're collaborating
18 here, but, you know, in a small group.

19 **THE CHAIRMAN:** In committees. In
20 committees, and a lot of the legislation we agree upon,
21 a lot of legislation we don't agree upon.

22 **MR. SMITH:** Yeah.

23 **THE CHAIRMAN:** But I think that's part
24 of the Westminster system.

25 **MR. SMITH:** Okay. That's a good...

1 **THE CHAIRMAN:** But we do have a number
2 of committees that are cross-party committees, and the
3 fact that even when we do our CPA visits, again,
4 they're cross-party, the Government doesn't go by
5 itself, we always have Opposition going, and it's been
6 like that for years.

7 **MR. SMITH:** Yeah. Okay.

8 Another one. Referring to the, you
9 know, the necessity for cooperation, cooperation
10 between Parties, of course, but would a tripartite
11 approach to economic and social problems become
12 necessary, or does it happen now? Involving
13 Government, trade unions and the business community.
14 Is that in effect now, or is it -- was it just a dream?

15 **THE CHAIRMAN:** I think that is outside
16 of the purview of this Committee.

17 **MR. SMITH:** Mm-hmm.

18 **THE CHAIRMAN:** Politically I think it's
19 happening. It's inevitable.

20 **MR. SMITH:** Right.

21 **THE CHAIRMAN:** I mean, if you look at
22 labour relations, I mean Government is working with --
23 I mean, look at the Corporation of Hamilton, as an
24 example.

25 **MR. SMITH:** Yeah.

1 **THE CHAIRMAN:** We're working with the
2 unions, we're working with the Corporation of Hamilton,
3 and there's Government. And so I think that it
4 happens. Can it happen more? Yes, it could happen
5 more. But as far as this Committee is concerned, it
6 doesn't fall under the purview.

7 **MR. SMITH:** Okay. Is there a committee
8 dealing with educational problems in Bermuda? Is there
9 a Parliamentary Committee on that?

10 **MS. FOGGO:** We had a Joint Select
11 Committee on Education.

12 **MR. SMITH:** Right. And does it
13 collaborate with the schools and the --

14 **MS. FOGGO:** Well, that was only
15 struck -- as you well know, Mr. Smith, Joint Select
16 Committees are struck up for the purpose of dealing
17 with whatever issues we feel are important at that
18 point in time.

19 **MR. SMITH:** Right. Right.

20 **MS. FOGGO:** But I think, as
21 Parliamentarians, of course we are responsible for
22 policy, --

23 **MR. SMITH:** Right.

24 **MS. FOGGO:** -- and direction in terms
25 of which way education goes.

1 But in terms of striking up a
2 Parliamentary Committee to, I guess, hands-on deal with
3 education, I don't know if that would be considered
4 somewhat interfering, because after policy is set, the
5 Civil Service must then take on that job to do what's
6 needed to be done.

7 **THE CHAIRMAN:** I think the mandate
8 is -- the mandate is with the Government to deliver the
9 current policy of education.

10 Now, there is nothing precluding the
11 sitting MPs to ask that a Joint Select Committee be
12 appointed to look at a component of education that they
13 think needs additional attention, and that committee
14 will come up with recommendations, but the
15 recommendations would still have to go back to
16 Government.

17 **MRS. ATHERDEN:** Mr. Chairman?

18 It seems to me that this question of
19 Joint Select Committee, and maybe what MP Foggo has
20 raised perhaps brings us back around to something that
21 this Committee I think should look at, the relevancy
22 and efficiency of Joint Select Committees, because
23 there was a Joint Select Committee on Education. I
24 don't actually think that they actually submitted a
25 report, and that --

1 **MS. FOGGO:** Yes, we did.

2 **MR. RABAIN:** Yes, they did. Yes, they
3 did.

4 **MRS. ATHERDEN:** Well, I don't remember.
5 I was on it and I don't remember seeing --

6 **MS. FOGGO:** It was -- I led that debate
7 in the House. The Report was laid before the House.

8 **MRS. ATHERDEN:** Oh, well, then maybe it
9 was laid before the house but, as I say, as a Member, I
10 never saw the actual --

11 **THE CHAIRMAN:** But that's something
12 that we can review. That was something that we can
13 review --

14 **MS. FOGGO:** The Reports were done.

15 **SENATOR RABAIN:** It was about two years
16 later.

17 **MRS. ATHERDEN:** But the thing about it,
18 it was so late, et cetera, --

19 **MR. LOWE:** I'm here.

20 **MR. SMITH:** Hi, Stanley.

21 **MRS. ATHERDEN:** But I do think it's a
22 whole thing of Joint Select Committees and the basis on
23 which they are formed and the timeliness of them I
24 think is something that we can address under our
25 purview, --

1 **THE CHAIRMAN:** Yes.

2 **MRS. ATHERDEN:** -- because we're saying
3 that, hey, if it really is something that is of a
4 national import, then I think it's good to have the
5 joint people there, but I think it's also important to
6 have a timeliness, because, if not, then it just goes
7 off...

8 **THE CHAIRMAN:** I agree.

9 **MS. FOGGO:** Mr. Chairman, may I
10 piggyback on what Ms. Atherden has pointed out?

11 **THE CHAIRMAN:** Yes.

12 **MS. FOGGO:** And in terms of Committees
13 in other jurisdictions, if policy is being set what
14 normally happens is that a Committee is struck up to
15 help shape what that policy should be, it doesn't deal
16 with, okay, what's going on, let's say, at that point
17 in time in Education, it tries to set up what the
18 policy is to ensure that the framework is there, in
19 order for whatever entity it is to operate and take the
20 direction that the Government of the day wishes for it
21 to take. So it's usually something that's done in
22 committee ahead of time, and as you may know, and the
23 Clerk indeed has pointed out in other arenas, that it
24 is the work of the Committee that helps to support a
25 lot of legislation that's brought to the floor of the

1 house.

2 **MR. SMITH:** Mm-hmm. Mm-hmm.

3 **MS. FOGGO:** Right.

4 **SENATOR JARDINE:** Mr. Chairman?

5 **THE CHAIRMAN:** Yes. Sorry.

6 **SENATOR JARDINE:** I'm sorry, I'm late
7 to this meeting, or this Committee, I should say. I
8 was asked to join it just two weeks ago, so what I
9 might say may have already been covered, --

10 **THE CHAIRMAN:** No problem.

11 **SENATOR JARDINE:** -- and I guess this
12 is a question for Mr. Smith.

13 One of the things that I think is sadly
14 lacking, from what I can see in my short term in the
15 Senate, is Government's overview, and it's in your
16 notes here, of financial and budget oversight, and that
17 we seem to lurch from one year to the next without any
18 sort of review, at the Government level, and I talk
19 about the Legislature level now, in what is happening
20 with the finances on a quarterly or semi-annual basis.

21 And I guess my question for Mr. Smith,
22 in your time, was there ever a time when the finances
23 of the Government were regularly reviewed in the House,
24 or by some Committee outside of the House, such as a,
25 perhaps, an independent committee, --

1 **MR. SMITH:** No, as far as I --

2 **SENATOR JARDINE:** -- so that people
3 were looking at what was happening, actual results
4 versus the budget that was set during the year? And
5 what are your thoughts on that?

6 **MR. SMITH:** Well, as -- well, I think
7 it's necessary, but as far as I'm concerned there
8 weren't instances of this happening, you know, I think
9 the finances would go through the House and that would
10 be it, there wouldn't be any follow-up on it.

11 **THE CHAIRMAN:** I can say, I can add
12 this. From the Audit Committee perspective, there is
13 concern about the supplemental estimates that regularly
14 occur, and I know it has caught the attention of the
15 Minister of Finance as well, and, as a consequence, a
16 lot of the additional charges that are planned and re-
17 occurring have not been accepted, because they're
18 manageable.

19 Now, we don't mind doing supplemental
20 estimates for unexpected contingencies that may arise
21 that are unplanned, but if you have the Health
22 Ministry, as an example, every year you come in and say
23 I need \$10-million more, for the past 20 years, then
24 you say, Well, something's definitely wrong here.

25 And so the Audit Committee is addressing

1 that. That's the Parliamentary Audit Committee and the
2 Auditor General, and I know the Minister of Finance is
3 also on that as well, because it's totally unacceptable
4 from a control and accountability point of view.

5 **MRS. ATHERDEN:** Mr. Chairman,
6 I think --

7 **THE CHAIRMAN:** I just used that as an
8 example --

9 **MRS. ATHERDEN:** No, no, no, I'm going
10 past that, but I'm saying, in one of the other
11 Committees, or one of the other presentations, and
12 there is the suggestion that as part of this, if you
13 will, --

14 **THE CHAIRMAN:** The Finance Committee --

15 **MRS. ATHERDEN:** No. As part of this
16 Committee, which would be managing the Legislature,
17 that that Committee should, on a regular basis be
18 reviewing the performance of the Government, per se,
19 against the budget, and as a consequence of that, be
20 calling into account when they're not performing so
21 that the Audit Committee isn't just sort of at the
22 tail, end, because there was a suggestion that, and I
23 can't remember where I read it, that the finances
24 should be looked at so that it isn't just that the
25 budget comes during the year and you don't do anything

1 'til the next budget debate, but on a regular basis you
2 start to sort of have a presentation so that you don't
3 have to then rely on the Auditor's report at the end of
4 the year as your first indication that something's gone
5 wrong.

6 **THE CHAIRMAN:** Well, that would fall
7 under the purview of the Finance Committee of
8 Parliament. Because, you know, there is the Finance
9 Committee, there's the Audit Committee, there is the
10 House & Grounds Committee, there is the Governance
11 Committee, --

12 **MRS. WOLFFE:** Public Accounts.

13 **THE CHAIRMAN:** -- there's the Public
14 Accounts Committee, and so there are a number of
15 committees within Parliament that basically will
16 operate for and on behalf of the Legislature.

17 **MRS. ATHERDEN:** Right. All come under
18 that umbrella.

19 **THE CHAIRMAN:** And what you're talking
20 about would come under the Finance Committee.

21 **MRS. ATHERDEN:** Yeah.

22 **THE CHAIRMAN:** That reports up to the
23 Governance Committee for Parliament.

24 **MRS. ATHERDEN:** Yes. Right. Yeah.
25 But back to what Jamie was saying, so that would come

1 under this type of umbrella that we're talking about.

2 **THE CHAIRMAN:** Yes.

3 **SENATOR JARDINE:** Because I think
4 the -- if I can, Mr. Chairman, if I could just, for one
5 more second, and again, if this is a repeat of what
6 you've already discussed --

7 **THE CHAIRMAN:** No, that's fine.

8 **SENATOR JARDINE:** -- in previous
9 meetings, I apologize.

10 **THE CHAIRMAN:** It just cements it.

11 **SENATOR JARDINE:** I was just asked to
12 serve two weeks ago, so, --

13 **THE CHAIRMAN:** That's fine. That's
14 fine.

15 **SENATOR JARDINE:** I think one of the
16 big concerns I have is, is, yes, tracking budget to
17 actual, but also, shall I say, more transparency as to
18 what's happening, because certainly, in my brief two
19 years in the Senate, we've never seen any financial
20 information presented to us, except at budget time.
21 So, as appointed or indeed elected Members of
22 Government, there is never any information that's
23 shared with us as to how things are going.

24 And more importantly, as I understand
25 it, if a budget is set in a particular department or

1 area of a department, and then they suddenly decide,
2 well, we don't really need it over here but let's spend
3 it over there, then there is an automatic with the
4 permission of the Minister of Finance to reallocate
5 that budget somewhere else.

6 Again, I don't know if there's any
7 oversight of that. It just seems to me that there
8 needs to be far greater control over expenditures and
9 more transparency as far as the elected and appointed
10 members of a Government are concerned, because we have
11 no idea what's going on. And we read in the paper, as
12 we did a couple of weeks ago, what the half-year
13 results are, but then we have to sort of pick through
14 that to figure out, Well, how does that compare to the
15 actual budget for the year?

16 **THE CHAIRMAN:** Mm-hmm.

17 **SENATOR JARDINE:** So, I just think
18 that's something -- again, I don't know what happens in
19 the UK with respect to that and I defer to those who
20 are more expert, but it seems to be something that's
21 sadly lacking here, and I would hope in terms of, as
22 you got under functions of the Legislature, the
23 Oversight function is perhaps more rigorous and more
24 transparent so that Members of Parliament and the
25 Public at large know what's going on.

1 **THE CHAIRMAN:** Okay. Thank you.

2 Sir?

3 **MR. SMITH:** Okay. Can I get back to
4 education?

5 **THE CHAIRMAN:** Yes, you may.

6 **MR. SMITH:** All right. Well, I was --
7 I was writing a report for the -- I'm trying to
8 remember now, the Committee on Gun Violence and Crime,
9 and they focussed a lot on education and the system in
10 the schools, and there were a lot of kids who were
11 not -- they were coming out of school and they didn't
12 have anything that they could go into, they had no
13 jobs, they're sitting on walls, and a lot of them
14 resorted to drugs and violence, you know, and they join
15 gangs, et cetera.

16 That is really an overwhelming problem,
17 you know, particularly at the lower level, and there
18 were so many problem areas, you know, for instance,
19 there were instances of wives, who had to bring up
20 their children on their own because the husband would
21 bugger off -- excuse -- I shouldn't have said that,
22 should I -- but they would slip and just leave the
23 responsibility in the hands of the wives, and that
24 happened fairly often, but that caused a major problem
25 because you had the woman who was trying to, you know,

1 survive, you know, paying rent and that sort of thing
2 and trying to hold on to a job and looking after her
3 kids, that was a -- that was a major problem, and has
4 the Parliament ever sort of considered looking at that?
5 Because I did the report, and I think Margaret was of
6 great assistance, and I think -- I don't know what's
7 happened to it. Was it put on the shelf or what? I'm
8 not sure.

9 **MS. FOGGO:** Well, I do think,
10 Mr. Smith, some of the direction that has taken place
11 in education has, in terms of ensuring that there is a
12 unit that can deal with problem kids, given what was
13 shared in that report and given what goes on on a daily
14 basis, in Bermuda, in the Educational system, you do
15 have areas in education that give strict attention to
16 problem kids, and there has been a further marrying of
17 services to ensure that at-risk students, for whatever
18 reasons, whether they be the parents, and if you sit on
19 other Committees, Government Committees, you will, I
20 guess, you get a better understand of the fact that
21 there has been a lot of marrying of some of those
22 services to highlight those at-risk kids much earlier
23 on and even in early education much has been done in
24 terms of at-risk kids who are in at-risk households, so
25 to speak, to chart those kids to try and ensure that

1 proper interventions are put in place to hopefully keep
2 them on the so-called straight and narrow.

3 **MR. SMITH:** All right.

4 **THE CHAIRMAN:** I think part of our
5 mandate is to provide, through the assistance of
6 Government and Opposition, legislation that will
7 support education in these families, because our
8 primary focus in the House is to craft and approve
9 legislation.

10 **SENATOR BARON:** Mr. Chair?

11 **THE CHAIRMAN:** Yes.

12 **SENATOR BARON:** Just briefly, regarding
13 the education. The outcomes of the Joint Parliamentary
14 Select Committee on Crime resulted in a numerous amount
15 of initiatives, which I'll talk about.

16 Another report we can't forget is the
17 Mincy Report, which was fantastic, and I think one of
18 the most widely and deep reports ever done, both
19 qualitative and quantitative data on young Black males.
20 A fantastic report. And that would -- I think that
21 really also informed the results of the Joint
22 Parliamentary Select Committee, and you may, Ms. Foggo,
23 correct me, --

24 **MS. FOGGO:** Served on it.

25 **SENATOR BARON:** -- but I believe it was

1 actually presented or discussed in the Parliamentary
2 Select Committee on Crime.

3 **MS. FOGGO:** Yes.

4 **SENATOR BARON:** What we're seeing now
5 is that we have the Inter-Agency Gang Task Force, which
6 I chair, and our tier, which we're presenting on
7 Wednesday, is a direct initiative from all of these
8 things, and it is the Inter-Agency Gang Community
9 Response.

10 So we've recognized that this problem,
11 it's education, it's public safety, it is a whole-
12 Government approach, so we've involved not just the
13 Minister of Public Safety and the cops any more,
14 because everyone said this is not -- it's not a Police
15 problem, it's a --

16 **THE CHAIRMAN:** Community.

17 **SENATOR BARON:** It's a community
18 problem. So we've looked at how we're actually
19 reaching, engaging and empowering marginal communities
20 who have been mostly impacted by this, who have felt
21 left out, and particularly with at-risk kids, not only
22 in education, but those who go through the criminal
23 justice system. So what opportunities do they have
24 coming out of the criminal justice system, coming out
25 of education, like you said, if there is no avenues,

1 and we're looking at how we're engaging them and, you
2 know, the work by Kim Jackson and Martha Dismont on
3 this Inter-Agency Gang Community Response Committee is
4 phenomenal, and they will, again, when they kick off
5 things on Wednesday evening, I think there'll be a more
6 clear picture of the direction we need to go into, but
7 also how the public will be engaged in that specific
8 item. So that's sort of my cheap pitch to everyone to
9 come out on Wednesday night --

10 **THE CHAIRMAN:** Thank you. Remind me,
11 send me an e-mail.

12 Okay. Anything else, Mr. Smith?

13 **MR. SMITH:** Well, I was talking about,
14 you know, the future of kids in school. Do we have
15 many -- I'm not talking about the, you know, the
16 procedures of Parliament, because I've been away from
17 it for a long time.

18 **THE CHAIRMAN:** Mm-hmm.

19 **MR. SMITH:** But kids in school, are
20 they trained for practical work, you know, as opposed
21 to, let's say, office work or, I mean, to become
22 carpenters and that sort of thing? Is there much
23 training for that? Because, you know, if I try to get
24 a carpenter around my house, I have trouble, you know.

25 **MS. FOGGO:** They are enrolled in

1 programmes in high school --

2 **MR. SMITH:** Oh, the are.

3 **MS. FOGGO:** Yes, where they can get, I
4 guess you could call it pre-certification, or in some
5 instances, depending on how advanced the kid is, fully
6 certified in a particular --

7 **THE CHAIRMAN:** Craft.

8 **MS. FOGGO:** Yeah. Get the
9 documentation that they need to get so that if they
10 come out they can go and serve as an apprentice or
11 what-have-you, but they will have passed whatever
12 certification exams they need to pass, which has both a
13 practical component as well as a theory component.

14 **THE CHAIRMAN:** So that's -- so they
15 work with the National Training Board on the standards
16 for things like auto-mechanics, plumbers, carpenters,
17 et cetera, masons.

18 **MR. SMITH:** Is it working well? I
19 mean, are you getting a lot of kids going through that?

20 **MS. FOGGO:** Yeah. Well, it depends,
21 because depending on what careers they're interested
22 in, the guidance department will give them a career
23 path to follow, and so they will take relevant courses
24 that will put them in good stead, whether they choose
25 to, when they finish high school, go straight into the

1 work force or move on to a tertiary level institution.

2 **MR. SMITH:** Right.

3 **THE CHAIRMAN:** Okay. Is there anything
4 else on the Parliamentary side, because we have --

5 **MRS. WOLFFE:** We have another
6 submission.

7 **THE CHAIRMAN:** -- submission outside
8 waiting after you.

9 **MR. SMITH:** Oh, that's fine. I'm sorry
10 I didn't talk too much about --

11 **THE CHAIRMAN:** Oh, no problem.

12 **MR. SMITH:** -- the rules and
13 regulations. Because I've been out of it for about 17
14 years, a hell of a long time anyway. But I did some
15 reading. One thing that came up was Churchill's
16 conviction was that the first concern of an MP must be
17 for his country; is that correct?

18 **MS. FOGGO:** Yeah, for benefit of
19 country and people.

20 **MR. SMITH:** And the second concern, for
21 his constituency.

22 **MS. FOGGO:** Mm-hmm.

23 **MR. SMITH:** And the third concern would
24 be his party. Do you think that's --

25 **MS. FOGGO:** The correct order? Yes.

1 **MR. SMITH:** That's the correct order?

2 **MS. FOGGO:** Yes, because you serve at
3 the will of --

4 **MRS. WOLFFE:** The people.

5 **MS. FOGGO:** -- the people.

6 **MR. SMITH:** Yeah.

7 **MS. FOGGO:** And you do things for
8 benefit of country, and people, and --

9 **MR. SMITH:** Right.

10 **MS. FOGGO:** -- you know, there are
11 party issues that come up, but when the party becomes
12 the Government, so then you're taking care of your, I
13 suppose you could say your party issues as well, while
14 you're taking care of the people -- the country and the
15 people.

16 **THE CHAIRMAN:** Okay. Well, thank you
17 very much, Mr. Smith. Thank you for your time.

18 **MR. SMITH:** I'm sorry I didn't take
19 about the regulations.

20 **THE CHAIRMAN:** No problem. If you have
21 any afterthoughts, --

22 **MRS. WOLFFE:** Then you should send me
23 an e-mail.

24 **THE CHAIRMAN:** -- or issues that jog
25 your memory, you could send an e-mail to Ms. Wolffe, or

1 give her a call, --

2 **MR. SMITH:** Okay.

3 **THE CHAIRMAN:** -- and we'll be happy to
4 entertain them or include them in our report.

5 **MR. SMITH:** Right. I've got to go back
6 home and do some work again.

7 **SENATOR BARON:** Thank you, Mr. Smith.

8 **MS. FOGGO:** Bye, Mr. Smith.

9 **MR. SMITH:** All right. You take care.

10 **THE CHAIRMAN:** Thank you, sir.

11 --- at 2:16 p.m.

12
13 **INVITED PRESENTER: Mr. Stanley Lowe, OBE, JP**

14
15 **THE CHAIRMAN:** Okay. Mr. Speaker,
16 thank you for taking time out of your schedule to come
17 and join us and make a presentation to the Joint Select
18 Committee on Parliamentary Governance and Reform.

19 I want to commend you, on behalf of the
20 Committee, for the work that you had done to start this
21 process, and I'm talking specifically about updating
22 the Standing Orders, the Standing Orders that were
23 approved under you in 2010, with Dame Jennifer Smith
24 and John Barritt, a lot was done to get this process
25 started. So I want to, for the record, to acknowledge

1 your contribution in this endeavour.

2 As you know, during your time they had
3 the 2006 CPA Parliamentary Governance Review, with the
4 Americas and the Caribbean, and they set the benchmarks
5 for CPAs or legislatures in the region.

6 We, as a Committee, have reviewed that
7 document and, in essence, felt that that is a starting
8 point for us to move forward.

9 We've all read various areas, summarized
10 our thoughts, and we said before we finalize anything,
11 we would invite people who have been involved or has a
12 keen interest in parliamentary administration,
13 parliamentary services to come forward and give their
14 recommendations, and hence we thought you would be
15 ideal in regards to coming forward and sharing with us
16 your ideas on how best we should move forward in
17 parliamentary reform and to improve parliamentary
18 service for this country.

19 With that as an introduction, I'll leave
20 it up to you.

21 **MR. LOWE:** So you'd like for me to make
22 some comments.

23 **MRS. WOLFFE:** To give some input, mm-
24 hmm.

25 **THE CHAIRMAN:** Yes, please.

1 **MR. LOWE:** Thank you, Mr. Chairman.

2 I am indeed glad to be here. I guess
3 this is the first time I've been up here and having to
4 sit on this side of the table, so to speak. But
5 anyhow, I'm glad to be here.

6 As you're aware, yeah, it did -- we were
7 in one of the initial meetings of the Benchmark --

8 **THE CHAIRMAN:** Two-thousand-six, mm-
9 hmm.

10 **MR. LOWE:** I think it was...

11 **MRS. WOLFFE:** Two-thousand-and-six.

12 **MR. LOWE:** Dame Jennifer, I think, John
13 Barritt and --

14 **MRS. WOLFFE:** Louise Jackson.

15 **MR. LOWE:** -- Louise Jackson. We were
16 there to assist the Committee in formulating --

17 **THE CHAIRMAN:** Benchmarks.

18 **MR. LOWE:** -- benchmarks. I don't know
19 how well we did, but this has been an on-going thing
20 for a few years.

21 And then again in Cayman, I think it was
22 the -- a meeting of the presiding officers and clerks.
23 We had another prolonged session of dealing with the
24 benchmarks, and subsequently, I believe, it went to the
25 Regionals. I don't remember.

1 I remember when we -- I went to a
2 meeting in Cayman, I think it was another Presiding
3 Officer's Meeting, and that was one of the topics on
4 the agenda for debate. So we had a debate on that, and
5 I think it was Mrs. Todd, she did a paper on the
6 administration and the role of Parliament and, of
7 course, as you know, that -- the way we -- our
8 Parliament is what you call civil service kind of
9 based, where the Clerk answers to the Head of the Civil
10 Service.

11 **THE CHAIRMAN:** Mm-hmm.

12 **MR. LOWE:** As opposed to some of the
13 more enlightened and developed countries who have --
14 they administer the Parliament under an Act of
15 Parliament. Parliament is, you know, they -- it's
16 enshrined in the law as to how Parliament should
17 operate, whereas they had no people outside who can
18 come and tell the Clerk to the Parliament how
19 Parliament should be run.

20 **THE CHAIRMAN:** So that they're more
21 independent.

22 **MR. LOWE:** Yeah, it's kind of
23 independent, because, as you've set out in your brief,
24 they called it a corporate body.

25 Now, I had a copy of the -- I don't know

1 what I've done with it, but I had a copy of the Act
2 that was passed in Barbados.

3 **MRS. WOLFFE:** I have it.

4 **MR. LOWE:** I was just going to say you
5 shouldn't have a problem getting it because Keisha
6 [phon.] Eastmond, who is the Civil -- I presume -- the
7 Civil Clerk, --

8 **THE CHAIRMAN:** The Civil Clerk. He is.

9 **MR. LOWE:** You could get it and... But
10 I know I had one. Don't ask me where it is. I don't
11 know where it is.

12 **THE CHAIRMAN:** No, we all have a copy
13 of it.

14 **MRS. WOLFFE:** I have one. Mm-hmm.

15 **MR. LOWE:** That might be a good
16 starting point. At least get it, look at it and see
17 what is set out in that Act. And I think it's -- I
18 think the time has come that we should consider going
19 that route, notwithstanding -- notwithstanding some of
20 the things that I have read recently about how
21 Parliament should be run. But we still have to forge
22 ahead and -- and put the running of Parliament on
23 really, really a good footing.

24 You will understand that recent -- when
25 I was here, I don't know how they got it -- Parliament

1 was always answerable to, like, the Head of the Civil
2 Service.

3 Then we have a new administration that
4 came in, not once, I think it happened a couple of
5 times, where they took Parliament out of the Civil
6 Service and lumped it under a Minister. This, of
7 course, should never, never, never have happened. But
8 it did happen. And so the Clerk has to -- she's taking
9 orders from the -- from a Minister. Now, no way is
10 that supposed to happen.

11 So this may be a good time to start, so
12 that we don't --

13 **MS. FOGGO:** Progress.

14 **MR. LOWE:** -- have that kind of problem
15 again. But I think the Clerk got that sorted out and
16 she's now back squarely under the Head of the Civil
17 Service. Or I shouldn't say the Civil Service, but the
18 Head, whoever -- the Cabinet Secretary, who speaks, for
19 the most part, for the Civil Service. That was -- that
20 was just one thing.

21 And then again, and sometimes it's a
22 little untenable for the Clerk, when she has to take
23 instructions from people who don't know the first thing
24 about the administration of Parliament.

25 I was the recipient of, at least on two

1 occasions, e-mails about the Clerk and how she's
2 running the administration. So that should never be.
3 But it happened. I can remember at least two
4 occasions. But she endured it, she suffered and she --
5 well, she's still here, so she must be doing a
6 reasonably good job.

7 We are definitely one of the, as you
8 know, we're one of the oldest Parliaments around,
9 outside of Westminster, so there's no harm in forging
10 ahead and at least exploring the possibilities of
11 setting up a corporate body for the running of
12 Parliament. I guess -- I guess some of them will call
13 that a QUANGO, but I don't -- but anyhow, it certainly
14 would be wise to at least give that some thought.

15 Another thing that I was thinking about
16 is the remuneration for the presiding officer of the
17 Parliament, the Speaker. That really should be looked
18 at. I'm not -- it would be of no benefit to me, --

19 **MS. FOGGO:** Right.

20 **MR. LOWE:** -- but it should be looked
21 at. We are one of the few Parliaments where the
22 presiding officer is remunerated far less than a
23 Cabinet Minister.

24 **MS. FOGGO:** That's right.

25 **MR. LOWE:** Anywhere else that you

1 go, the presiding officer is remunerated on the same
2 level -- and I know of one instant, the presiding
3 officer was remunerated even a little better than a
4 Minister, one case I know of. But that's something
5 that we should look at.

6 If you take the Book of Precedent, the
7 precedents list, the speaker is at least -- I think
8 he's on the first page.

9 **MS. FOGGO:** Yes. Definitely.

10 **MR. LOWE:** Even before, before a
11 Minister.

12 **MS. FOGGO:** That's right.

13 **MR. LOWE:** But the role of the Speaker
14 is being undervalued.

15 But, well, this came about because what
16 happened, when the Parliament set up the Salary Review
17 Board, they had certain instructions, and they -- and
18 when they, that Review Board came back, they'd made
19 recommendations for the Ministers, and that's it. It
20 was nobody else -- everybody else got shut out on that
21 occasion.

22 And a subsequent report that was done,
23 which never got debated, was to bring the presiding
24 officer up a little bit, so that it didn't look so bad.

25 But this is something that this

1 Committee should look at and make recommendation.

2 **THE CHAIRMAN:** Okay.

3 **MR. LOWE:** And don't wait until the
4 Speaker's gone.

5 **MS. FOGGO:** Yeah.

6 **MR. LOWE:** I know that, given the state
7 of the economy, you may not even want to make that
8 recommendation, but you should, really. Because you
9 shouldn't have the Speaker of the Parliament being
10 undervalued.

11 **THE CHAIRMAN:** Right.

12 **MS. FOGGO:** Exactly.

13 **MR. LOWE:** Because the Speaker of the
14 Parliament gets invited to every social thing like a
15 Minister, and most times he probably gets -- he
16 probably gets invited to more things than even, even a
17 Minister.

18 **MS. FOGGO:** Yes. But the Speaker
19 would.

20 **MR. LOWE:** But he's undervalued, and
21 that's something -- and of course they gave it to all
22 of -- the people that headed up that Salaries Review
23 Board of course were not -- they had -- they, of
24 course, didn't have any idea how these things work,
25 and perhaps what should have happened, we should have

1 had a -- a Member of Parliament, or somebody, to sit
2 there and to prompt them. These were all business
3 people.

4 **THE CHAIRMAN:** Didn't they have Maxwell
5 on there? Wasn't --

6 **MR. LOWE:** Not then.

7 **MS. FOGGO:** No.

8 **MR. LOWE:** Not then. Not initially.

9 **MRS. WOLFFE:** Maxwell was on the second
10 one.

11 **MR. LOWE:** He got on, yeah, yeah.
12 So that's one thing you probably should
13 take a look at.

14 **THE CHAIRMAN:** Okay.

15 **MR. LOWE:** Another area that you
16 probably could take a look at is -- it is similar to
17 the Salaries Review Board's work, which it could be
18 that -- it could be something that they could do, that
19 we ought to have some kind of severance thing for
20 Members who serve and then they get -- and they lose
21 their seat. I know that there's a severance kind of
22 package put in place for Ministers. I'm aware of that.

23 **MS. FOGGO:** Right.

24 **MR. LOWE:** I didn't see the Cabinet
25 Paper but I know there is something. And if you're

1 going to do that for Ministers, then we should have
2 something that applies to --

3 **MS. FOGGO:** All Members. That's right.

4 **MR. LOWE:** -- all Members of
5 Parliament.

6 **THE CHAIRMAN:** I didn't know --

7 **SENATOR RABAIN:** Severance pay for
8 Ministers?

9 **MRS. WOLFFE:** No, it's not really.
10 It's not -- how can I describe it?

11 **MR. LOWE:** I didn't mean to --

12 **SENATOR RABAIN:** Okay.

13 **MS. FOGGO:** It's been practised.

14 **MRS. WOLFFE:** It was something that was
15 agreed. It's not --

16 **THE CHAIRMAN:** But that's not
17 Parliamentary --

18 **MRS. WOLFFE:** No, it's not
19 Parliamentary.

20 **MR. LOWE:** No, no, no, no.

21 **MRS. WOLFFE:** It was not Parliamentary,
22 yes. Okay.

23 **THE CHAIRMAN:** So it has nothing to do
24 with Parliament, it has to do --

25 **MRS. WOLFFE:** With Ministers.

1 **THE CHAIRMAN:** -- with the Executive.

2 **MRS. WOLFFE:** Yes.

3 **MR. LOWE:** Yes. Yeah.

4 **THE CHAIRMAN:** And the Cabinet Officer.

5 **MR. LOWE:** But actually, in fact, this
6 is something that --

7 **THE CHAIRMAN:** That you're recommending
8 for the Speaker.

9 **MR. LOWE:** This is --

10 **MS. FOGGO:** No, for Members.

11 **MR. LOWE:** For Members generally. Say
12 you've got somebody who's served in the Parliament for
13 10 or 12 years and they get booted out of their
14 constituency, this -- particularly if that person is --
15 this is the only job they perform, I'm sure they're --
16 I don't know how -- I don't know how it applies now,
17 but I know we had several Members, that's the only job
18 they had, and --

19 **MS. FOGGO:** If they're been in
20 Government forever, then that would be the only job
21 they --

22 **MR. LOWE:** So when they lose their
23 seat, they do need a -- they do need a bit of time to
24 relocate and to re-organize their affairs and...

25 **THE CHAIRMAN:** Okay, well, we take that

1 point.

2 **MR. LOWE:** Well, that's something
3 that -- that is something that a Salaries Review Board
4 would do.

5 **MS. FOGGO:** Yeah. We're talking
6 reform, so...

7 **MR. LOWE:** Of course and you would have
8 to report it to Parliament, --

9 **THE CHAIRMAN:** Yes.

10 **MRS. WOLFFE:** Of course.

11 **MR. LOWE:** And Parliament could approve
12 it or they could disapprove it, or whatever. But
13 that's one of the things that --

14 **MS. FOGGO:** Still comes under reforms.

15 **THE CHAIRMAN:** Yeah.

16 **MR. LOWE:** -- perhaps we could look at.

17 **THE CHAIRMAN:** Okay. Is there anything
18 else, sir?

19 **MRS. WOLFFE:** Services? Resources?

20 **MR. LOWE:** Well, I didn't want to try
21 to go point by point, because --

22 **THE CHAIRMAN:** No, what's important.

23 **MRS. WOLFFE:** What you think is
24 important?

25 **THE CHAIRMAN:** What do you think is

1 important?

2 **MR. LOWE:** I do think that -- I do
3 think that, for the most part, we -- I don't know what
4 percentage we comply. I think we, for the most part,
5 we comply a lot with the -- with the benchmarks that
6 are set out.

7 **THE CHAIRMAN:** Yes.

8 **MR. LOWE:** Our Standing Orders covers a
9 great deal of that, of some of the things that are
10 being set out in the benchmarks.

11 I think -- I don't know what
12 percentage -- what percentage, Madam, --

13 **THE CHAIRMAN:** I think the main issue
14 that we, as a Committee, have basically agreed to
15 examine is the governance, in that we believe that
16 there should be, as you said, either a corporate --

17 **MR. LOWE:** Well, I don't need to say
18 anything else --

19 **THE CHAIRMAN:** Corporate govern --

20 **MR. LOWE:** Get the Act.

21 **MRS. WOLFFE:** Yes.

22 **THE CHAIRMAN:** We have it. And so we
23 would have a Governance Committee.

24 **MRS. WOLFFE:** We don't meet a lot of
25 the benchmarks.

1 **MR. LOWE:** Huh?

2 **MRS. WOLFFE:** We don't meet a lot of
3 the benchmarks.

4 **MR. LOWE:** No.

5 **MRS. WOLFFE:** We meet very minimal.

6 **MS. FOGGO:** In terms of resources
7 especially.

8 **MRS. WOLFFE:** Well, in terms of a lot,
9 the whole benchmarks, any areas. That's why we're
10 looking at it.

11 **THE CHAIRMAN:** So we're here to
12 address...

13 Is there anything else, sir?

14 **MR. LOWE:** I think that's about it.

15 **MRS. WOLFFE:** That's it?

16 **THE CHAIRMAN:** Okay. What we plan to
17 do, as you know, we're going to compile a report with
18 input from you and a few other contributors, and once
19 the Report is compiled we're going to send it back to
20 the House, and I think to the Senate for debate.

21 **MRS. WOLFFE:** Mm-hmm.

22 **THE CHAIRMAN:** And for refinement,
23 obviously, because people may have values they want to
24 add from the floor of the House, and that can be
25 basically a policy document.

1 And then once that is approved, we
2 prepare the appropriate legislation to structure
3 Parliament based on what's approved in Parliament.

4 And then, once the Legislation is in
5 place, we'll just drill down from the top and the top
6 priority will be having that Governance Committee that
7 will oversee Parliament and make it more independent,
8 so that there will be no Government interference.

9 As you know, Government has the
10 Judiciary, they have the Executive, and they also have
11 the Legislature, and they're all supposedly
12 independent.

13 The Speaker would say the Legislature
14 provides controls for the Executive, and so the only
15 way they can do that is to basically be more
16 independent.

17 **MR. LOWE:** Mm-hmm.

18 **THE CHAIRMAN:** That's why we think that
19 a governing body would be crucial, in that regards.

20 I spoke to Dame Jennifer about the
21 composition of the governing body, and I just threw
22 out, should there be a blend of MPs, Senators, retired
23 MPs, retired Senators, and business people.

24 **MR. LOWE:** I sure there was no lack of
25 advice there.

1 **MS. FOGGO:** No, well, she made it very
2 clear, it should be elected Members of Parliament.

3 **THE CHAIRMAN:** No, she said Members of
4 Parliament, Member of the CPA.

5 **MS. FOGGO:** She told me elected Members
6 of Parliament.

7 **THE CHAIRMAN:** Well, okay, well we can
8 decide, but she was clear that she didn't want any
9 business people in there.

10 **MS. FOGGO:** Yeah, because they don't
11 appreciate Parliament.

12 **MR. LOWE:** Business people, you know, I
13 love business people, but they don't understand this.

14 **THE CHAIRMAN:** Well, let's talk about
15 that. Let's talk about that. I'm got -- let's talk
16 about that, let's talk about that.

17 **MR. LOWE:** Senator, I --

18 **SENATOR JARDINE:** Everybody's entitled
19 to a view, right?

20 **THE CHAIRMAN:** Yes. Let's talk about
21 that, Mr. Speaker.

22 If you have a Board of Directors or an
23 Executive Board for Parliament, and it comprised of --
24 I'll just pull a number. Six MPs, Senators, Former
25 MPs, Former Senators, and two astute business people

1 from the community, what would be wrong with that in
2 your eyes?

3 **MR. LOWE:** But I couldn't see former
4 people being on there.

5 **THE CHAIRMAN:** I'm saying MPs,
6 Senators, irrespective --

7 **SENATOR RABAIN:** No, I was thinking,
8 why not grab from the independents from the Senate, --

9 **THE CHAIRMAN:** No, but I include them
10 anyway.

11 **SENATOR JARDINE:** As senators.

12 **THE CHAIRMAN:** As Senators and MPs.

13 **MS. FOGGO:** Can I just say something,
14 Mr. Chair? One of the comments that --

15 **THE CHAIRMAN:** No, but I'm asking for
16 his comment, not yours.

17 **MS. FOGGO:** No, I wasn't trying to
18 answer your question, in terms of what he may think.

19 **THE CHAIRMAN:** Okay.

20 **MS. FOGGO:** I was just saying, one of
21 the reasons why Dame had said what she had said is
22 because of the fact that -- because we don't have
23 elected Senators, that's why she said what she said.
24 Just letting you know that, because a Senator can be
25 changed at the will of any premier, they don't sit for

1 a certain amount of years, or anything like that. They
2 can be changed tomorrow, and because they're an
3 appointed person and not an elected person, you know,
4 they serve at the pleasure of Leaders of Parties.
5 That's what they serve at.

6 **THE CHAIRMAN:** Okay. Let's put it this
7 way. Jamie, Senator Jardine.

8 **MS. FOGGO:** Right.

9 **THE CHAIRMAN:** Former lawyer,
10 former Senator, may retire from the Senate. In my
11 estimation -- or Jeff, I'm just saying --

12 **MS. FOGGO:** I'm not even speaking
13 personally, --

14 **THE CHAIRMAN:** I know, but I'm saying,
15 when they retire, even though they've been appointed,
16 they have the experience that we need to get what's
17 best for Parliament. And so we can't exclude them
18 automatically. I would say we open it up to former --
19 to CPA Members, CPA meaning Bermuda branch CPA Members,
20 and --

21 **MS. FOGGO:** Okay. I'm only telling you
22 what she said.

23 **THE CHAIRMAN:** I know.

24 **MS. FOGGO:** Okay. Okay. Fine.
25 Because, if you're trying to convince me, I was just

1 giving you her argument.

2 **MR. LOWE:** Well, I don't know whether I
3 would go down that path.

4 **MS. FOGGO:** Yeah. Yeah.

5 **MR. LOWE:** With former people.

6 **THE CHAIRMAN:** A blend. A blend. At
7 the end of the day --

8 **MR. LOWE:** I don't even know what the
9 Act -- I don't even know what the --

10 **MRS. WOLFFE:** Well, we have to look at
11 them.

12 **THE CHAIRMAN:** But we could craft our
13 own Act.

14 **MR. LOWE:** I don't even know what the
15 Act says, but I would certainly want to -- I had a copy
16 of it. I would certainly want to read it and see how
17 they set it out.

18 **THE CHAIRMAN:** I know, but we have the
19 opportunity to set out what we think is best for
20 Bermuda, and I can say unequivocally, --

21 **MS. FOGGO:** She was against "former",
22 too, she was against "former".

23 **MR. LOWE:** That you would like...

24 **THE CHAIRMAN:** I think that we -- that
25 board should be filled with competent people and not

1 just politicos.

2 **SENATOR BARON:** And I think we have to
3 be careful about being so prescriptive, because I think
4 if I reflect back to my friend who presented before the
5 Honourable Speaker, I think a lot of times what we're
6 dealing with now, contemporary politics, there was more
7 questions I heard from Mr. Smith than solutions, and so
8 having -- and I don't mean --

9 **MS. FOGGO:** I don't think Mr. Smith
10 understood why he was really here, that's why.

11 **THE CHAIRMAN:** Anyway, go ahead. Go
12 ahead. Continue. I have to leave shortly, I have a
13 meeting.

14 **SENATOR BARON:** I just think -- I think
15 we --

16 **MRS. WOLFFE:** I would just say this, --

17 **MR. LOWE:** Mr. Chairman, I'm beginning
18 to enjoy this and you're talking about you're gotta
19 leave.

20 **THE CHAIRMAN:** I have to work for a
21 living. I have a three o'clock meeting.

22 **MRS. WOLFFE:** We have to probably
23 examine this subject a little bit more.

24 **THE CHAIRMAN:** Well, it can be --

25 **MRS. WOLFFE:** One of the things we can

1 probably do, there is tons of legislation that talks
2 about management boards and bodies and you can find out
3 which kind, what kinds of persons are employed on those
4 boards. For the most part, from what I've seen, it's
5 most of them are Parliamentarians and maybe former
6 Parliamentarians.

7 **MR. LOWE:** Active.

8 **MS. FOGGO:** Yes.

9 **MRS. WOLFFE:** And I will just say,
10 then, again, the subject comes about, if this Joint
11 Select Committee has the political will and the vision,
12 but also to say that a lot of corporations, who manages
13 those corporations, particularly like the banks?
14 They're mostly business people.

15 And sometimes we have to look at
16 education. It's a whole lot I can go on. There needs
17 to be some type of education awareness, because a lot
18 of people, let's face it, are very ignorant when it
19 comes to the management and running of Parliament.

20 Now, how do we get that message out
21 there? How would we -- it's a lot of areas we could
22 talk about. I think we'll have to leave this
23 discussion for another time. It's so much to think
24 about, we have to go away and then think about some
25 things and do some more research and some reading.

1 **THE CHAIRMAN:** Well, while the Speaker
2 was here I just wanted to invite his input on that
3 topic.

4 **MRS. WOLFFE:** Mm-hmm. Yeah. Okay.

5 **MR. LOWE:** Well, off the top of my
6 head, I don't -- I -- off the top of my head, I don't
7 think it would be such a great idea to have former
8 people on that board.

9 **THE CHAIRMAN:** Okay.

10 **MR. LOWE:** I really -- I really don't.
11 Because, like -- like a former Premier who used to
12 say -- Sir Edward Richards, "Who knows it better than
13 us."

14 Whenever we were debating -- whenever we
15 debated remuneration for Members of Parliament, he used
16 to say, who better to do it than us? And that's the
17 way he believed.

18 **THE CHAIRMAN:** Okay.

19 **MR. LOWE:** And I support -- basically I
20 support that view.

21 **THE CHAIRMAN:** Okay. Fine. And that's
22 why I asked you, just to see what were your thoughts.

23 **MR. LOWE:** He said that -- he said that
24 many years ago.

25 **THE CHAIRMAN:** Okay. Is there anything

1 else you'd like to contribute, while you're here?

2 **MR. LOWE:** What about your
3 Parliamentary calendar? Has any --

4 **MRS. WOLFFE:** Oh, all of that. No.

5 **MR. LOWE:** Has any input been given...

6 **MRS. WOLFFE:** Do you want to give some
7 input? You can do that. You're welcome to do that.

8 **MR. LOWE:** No, we should be able to do
9 it, because it's -- it should be fairly simple, but
10 it's something that the Government really has to be
11 tasked with doing, not -- not the clerks --

12 **MRS. WOLFFE:** Are you speaking to the
13 legislative process at hand?

14 **THE CHAIRMAN:** But that should be --
15 that should form an integral part of the operations.

16 **MRS. WOLFFE:** I think so, too.

17 **MR. LOWE:** Cause we know what we're
18 doing. We know what -- we know what Parliament is
19 doing every year. And of course sometimes something
20 else may come up, out of the, you know, out of the
21 blue, well, you can always make provisions for that.
22 But putting a Parliamentary Calendar together,
23 shouldn't be -- shouldn't be a difficult job.

24 **MRS. WOLFFE:** I agree. But you are
25 aware of the process, doesn't work as effectively as it

1 should.

2 **MR. LOWE:** Yes, yes, yes. And
3 that's --

4 **MRS. WOLFFE:** It doesn't.

5 **MR. LOWE:** We should be able to do it.

6 **MRS. WOLFFE:** Well, it doesn't work.

7 **MR. LOWE:** The Chairman can push it.

8 **THE CHAIRMAN:** Yes.

9 **MRS. WOLFFE:** I think the Chairman is
10 aware of it. He's already aware of it, he knows it.

11 **MR. LOWE:** Because we should know, you
12 know, when Parliament's meeting and...

13 **MRS. WOLFFE:** How about for Members,
14 individual Members? What do you feel that they need,
15 in the House? Members. Aside from the pay. Aside
16 from the pay.

17 **MR. LOWE:** I very deliberately left
18 that alone, because I...

19 **MRS. WOLFFE:** What do you think they
20 need?

21 **MR. LOWE:** I felt that Dame Jennifer
22 would do more justice to that than me.

23 **MRS. WOLFFE:** Well, what do you feel
24 they need, Members?

25 **MR. LOWE:** You mean to assist them?

1 **MS. FOGGO:** To up -- yeah. Yeah.

2 **MRS. WOLFFE:** To improve the overall
3 Parliamentary service.

4 **MS. FOGGO:** To do a good job, as a
5 Parliamentarian.

6 **MRS. WOLFFE:** To do a good job. What
7 do you think Members need, besides pay?

8 **MR. LOWE:** Well, there are other tools,
9 such as making certain that they get -- they get
10 assistance with, with bills and all that come up. You
11 can provide, provide some kind of assistance. We've
12 never -- we've never done anything for the Opposition,
13 say if the Opposition come, he wants to get a bill
14 drafted up, poor guy, he's got to go to his --

15 **MS. FOGGO:** He doesn't have the civil
16 service at his finger --

17 **MR. LOWE:** Yeah. We should -- there
18 should be some kind of service, resource in place where
19 you could assist a Member.

20 Say a Member wants to do a private bill,
21 should be something in place where he can go and say,
22 Look, this is -- I've got these ideas, and I'd like to
23 draft up a Private Members Bill, and we should be able
24 to find somewhere --

25 **THE CHAIRMAN:** Provide the resource.

1 **MR. LOWE:** -- where you can give that
2 Member some assistance.

3 **MS. FOGGO:** Yeah. Okay.

4 **MR. LOWE:** Because a lot of Members, if
5 they have a private bill, they've got to go out --

6 **THE CHAIRMAN:** And find a lawyer.

7 **MR. LOWE:** Find a lawyer. If it's not
8 a friend, then they got to dig deep.

9 **THE CHAIRMAN:** That's right.

10 Okay, well, thank you very much.

11 Mr. Speaker, thank you.

12 If you have any afterthoughts or
13 additional comments, feel free to drop us an e-mail or
14 call the Clerk and she will record them and add them to
15 the report.

16 **MR. LOWE:** Okay. Thank you, sir.

17 **THE CHAIRMAN:** Again, thank you for
18 your contribution.

19 **MR. LOWE:** Thank you.

20 **THE CHAIRMAN:** And thank you for
21 getting the process started.

22 **MR. LOWE:** I was just -- thank you.
23 I'm glad we're in here. I'm glad we're in here.

24 **MS. FOGGO:** Making progress,
25 Mr. Speaker?

1 **MR. LOWE:** I'm glad we're in this
2 Committee Room. Looks good.

3 **THE CHAIRMAN:** Thank you.

4 **--- interview ended at 2:50 p.m.**

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8 **Certified correct to the best of my skill and ability:**

9
10 _____
11 **Margaret I. Gazzard**
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