

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, 9th December 2013
commencing at 11:30 a.m.*

PRESENT:

Ms. L.F. Foggo, JP, MP - Acting Chairperson

Mrs. J.J. Atherden, JP, MP

Senator J. Jardine, JP

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

INVITED PRESENTERS:

Mr. Hubert Kim Eugene Swan

1 **MONDAY, 9TH DECEMBER 2013**

2 --- upon commencing at 11:30 a.m.

3
4 **INVITED PRESENTER: Mr. Hubert Kim Eugene Swan**

5
6 **THE ACTING CHAIRPERSON:** Okay. Good
7 morning, guys, and this is the Joint Select Committee
8 regarding Reform for Parliament, and today we have
9 former Member of Parliament, Mr. Kim Swan, who was also
10 the Opposition Leader for the UBP, who is giving up his
11 time to try and give some valuable input in terms of
12 what he sees as good ideas to adopt for trying to
13 establish the independence of Parliament.

14 And indeed, let me just say, first up,
15 that that's one of the main reasons why this Committee
16 has formed, because, one, if you look at other
17 jurisdictions and best practices, it is highlighted
18 that Parliament, or the Legislature, should run as an
19 independent entity.

20 Two, we're hoping, with that in mind,
21 Mr. Swan, that you can also make suggestions to some of
22 the areas within Parliament, from your experience, that
23 you think should be adjusted, that would allow us as an
24 independent body to operate smoothly and efficiently.

25 And let me just say this, that given

1 best practices, as identified in the CPA, we are also
2 tasked with trying to meet as many of those objectives
3 that are highlighted to render us on line with other
4 Parliamentary Jurisdictions, so, with that in mind --
5 and we don't want to colour or -- what you have to say,
6 we would rather hear from you directly in terms of --
7 we would rather hear from you directly in terms of what
8 you see as being valuable. We're not here to tell you
9 what to say or try and shape it, we're here to hear
10 from you directly.

11 And before we start, I'm just going to
12 ask the other Members who are present to introduce
13 themselves, and, after you give us your rendition of
14 what you think will be a good Parliamentary body, then
15 I am going to open the floor to the Members, if they
16 have any questions for you.

17 Because Ms. Atherden is female, like
18 myself, she will be the first person who is allowed to
19 pose any questions.

20 **MRS. WOLFFE:** Here she starts, here she
21 starts.

22 **MR. SWAN:** Okay.

23 **MRS. ATHERDEN:** Starting off with
24 equality right away. Or more than equality.

25 **THE ACTING CHAIRPERSON:** And then

1 Mr. Jardine will then be allowed to ask you questions.
2 We do have a quorum.

3 As I understand it, our Chair who is
4 Mr. Cole Simons, will be joining us later and I am just
5 acting in his capacity.

6 And I also want to acknowledge the
7 current Speaker of the House who is just here to listen
8 in on today's proceedings.

9 **MR. HORTON:** For a short period.

10 **THE ACTING CHAIRPERSON:** For a short
11 period of time.

12 **MR. SWAN:** Yes. Okay.

13 **THE ACTING CHAIRPERSON:** So, Mr. Swan,
14 welcome and thank you for coming to give us some
15 helpful tidbits on what you see as a good way going
16 forward for us, and I'm now opening the floor for you
17 to speak.

18 **MR. SWAN:** Thank you, Madam Chairman,
19 and to the esteemed Committee Members. It's great to
20 be here. Good morning to you, Madam Clerk, and good
21 morning to you, Madam.

22 **MRS. WOLFFE:** Good morning.

23 **MR. SWAN:** I will start off by saying I
24 am totally in agreement with the formation of this
25 Committee, because this Committee, and the fact that it

1 is open -- I'm not sure if it's open to the public in
2 this instance, but I recall changes being made to the
3 Standing Orders of the House of Assembly that did open
4 up Committees and made Committees, the feature of
5 Committees a more prevalent, and the use of Parliament;
6 I think it's a better, more effective use of
7 Parliament, and I, as one who spent nine years in the
8 Senate and five years in the House of Assembly, I am
9 very partial to the importance and significance of the
10 Senate, notwithstanding that the Senate has three
11 Members appointed by the Opposition Leader, three
12 Members -- or five Members appointed by the Premier,
13 and three Members appointed by the Governor.

14 In the Westminster System it reflects
15 the dynamic that is -- that we have to live by, and I
16 know that there may be some that say, Well, you're
17 appointed, but the life of a Premier and the life of an
18 Opposition Leader is as certain as -- or is as
19 uncertain as it can get. Your life expectancy is
20 anything from the -- from the five-year term, which is
21 as uncertain in our Constitution as well, because both
22 of those are determined by the Premier and an election
23 could be called at any day during a five-year period.

24 So, I'm very much supportive of Joint
25 Select Committees as opposed to House Select

1 Committees, because I think we can better use the
2 Independent Members, the Opposition and Government
3 Members, and the Members of the House of Assembly,
4 working together in that regard.

5 So I'll start there, because this is a
6 body that I fully support, and there are members from
7 both --

8 **THE ACTING CHAIRPERSON:** Houses.

9 **MR. SWAN:** Both Houses in our bicameral
10 system.

11 I guess if I -- I'll start in no
12 particular order, I'll start with the last office I
13 held.

14 The Opposition Leader's Office is an
15 office that I know was covered under this Benchmarks
16 and I'd just like to say that, having served in that
17 capacity for three years, as an Opposition, I can put
18 hand over heart and say that the Office, whilst the
19 structure of the Office changed in the administration
20 of it, which I support the way in which the Office of
21 the Opposition Leader receives a grant of about
22 somewhere around a hundred and something thousand
23 dollars, a huge portion of that grant goes to salaries,
24 and I did note that on Friday last that the House asked
25 some questions which revealed the great disparity

1 between the type of person that you can hire in the
2 Opposition Leader's Office, versus the type of staffing
3 for political purposes that the Premier could have at
4 his or her discretion. And I think in the Westminster
5 System you need the Opposition Leader's Office to be
6 strong and vibrant, because the persons in those
7 offices are in preparation not only to become the
8 Premier, hopefully, but also to hold the Government in
9 account, and they need at their resources the best
10 tools available.

11 And if it's deemed that it's only one
12 salaried position that's available, that one salaried
13 position should be the equivalent of the best person
14 that the Premier can have at their disposal,
15 recognizing that the Premier's Office has far more
16 to -- far more to do in running of a country, but the
17 Officer of the Opposition Leader has to be considered
18 the equivalent of a Cabinet Minister, and it shouldn't
19 be contingent upon somebody having personal wealth to
20 be able to carry out that constitutional office
21 effectively. It's an impediment and it hamstringing the
22 persons that are responsible to carry out that office.
23 So that's my number one consideration.

24 **THE ACTING CHAIRPERSON:** A point of
25 clarification, Mr. Swan.

1 **MR. SWAN:** Yes?

2 **THE ACTING CHAIRPERSON:** Are you
3 suggesting in that comment that the salary of the
4 Opposition Leader should be the equivalent --

5 **MR. SWAN:** Not Opposition Leader, I
6 said the --

7 **SENATOR JARDINE:** Support staff.

8 **MRS. WOLFFE:** The administrative staff.

9 **MR. SWAN:** The budget, the budget that
10 the Opposition Leader's Office has to operate under.
11 The Opposition Leader's Office receives a grant to
12 function --

13 **THE ACTING CHAIRPERSON:** Right.

14 **MR. SWAN:** -- as an Opposition Leader,
15 and 60 per cent of that grant goes for salaries.

16 **THE ACTING CHAIRPERSON:** Salaried.
17 Right.

18 **MR. SWAN:** But the salary, if it had
19 to -- if you were hiring -- for instance, I'll break it
20 right down for you.

21 As an Opposition Leader, you would need
22 someone, in my opinion, someone who has some legal
23 background, maybe someone who's worked in a law office,
24 or so, would be ideal, only because the type of
25 communication that you're going to do, if you're going

1 to raise the level, --

2 **THE ACTING CHAIRPERSON:** Okay.

3 **MR. SWAN:** -- you can't expect for the
4 Opposition Leader to be doing all his research,
5 communicating with persons. But it would be beneficial
6 if you could, say, get someone who was retired that
7 served for many years in a law office or whatever, and,
8 you know, and let them be compensated.

9 You could maybe even break it up into
10 two, two salaries, and have two part-time people of
11 high quality. It shouldn't be looked at as someone
12 coming to volunteer, but someone that could be in that
13 office to be of assistance, because we would have to
14 communicate.

15 If the system works well, you would
16 utilize the resources available in Canada, and in
17 Britain and the Caribbean, in particular, liaison with
18 other Clerks in and other offices of the Opposition
19 Leader, whose staff are professional people most
20 likely, in my experience; as I look at even the clerks
21 in this book, they're all lawyers.

22 So it's of benefit that we, if we want
23 to raise the standards of Parliament, that the
24 resources that a transient politician brings to a very
25 permanent office. The Office of the Opposition Leader

1 is a permanent constitutional office, so the support
2 that the Opposition Leader's Office gets should be the
3 equivalent of the type of support that would serve
4 Bermuda well. So I start there, because that's the
5 officer that I served.

6 **MRS. WOLFFE:** Can I also add, as you
7 all know -- well, some of you may not be aware, that
8 the funding comes from the Legislature Department, we
9 issue a grant. But I also note that there is even
10 disparity between the salaries of the administrative
11 assistant.

12 **MR. SWAN:** Mmm.

13 **MRS. WOLFFE:** The Administrative
14 Assistant to the Opposition Leader's Office is 36,000,
15 whereas the Administrative Assistant's salary to the
16 Premier is 77,000.

17 **MR. SWAN:** Right.

18 **THE ACTING CHAIRPERSON:** Yeah. Should
19 be on par.

20 **MRS. WOLFFE:** Well, not -- maybe close,
21 but not exactly on par, but there's a great disparity
22 between the salaries.

23 **MR. SWAN:** Right. And, well, I don't
24 want to use up all my time going through there, but I
25 understand that -- I understand that very well, because

1 to be able to do other things like, for instance, I
2 know what comes under the budget of the Opposition
3 Leader.

4 If you do a proper Throne Speech, or
5 Budget Reply, it started to -- that was a function,
6 that's a legislative function, that's a -- although
7 you're reflecting the views of a political party, it's
8 a constitutional requirement and that comes out of the
9 Opposition Leader's budget, in addition to the rents
10 and the like. So it doesn't take much to -- I
11 certainly would be derelict in my duty if I didn't
12 point that out and I'm sure anyone who's served
13 previously as an Opposition Leader would attest to
14 that, and I think that the playing field needs to be
15 levelled, no matter who serves in that particular
16 office.

17 While I'm there I also say that if a
18 Government sees the need to have its Senate Cabinet
19 Ministers be equivalent to that of their colleagues in
20 Cabinet, then why was the Opposition Leader overlooked
21 in that same -- the Office of the Opposition Leader
22 overlooked in that realm, notwithstanding, and I'm
23 looking at parity, notwithstanding some of the
24 political and economic realities that Bermuda faces,
25 but I'm just looking at the --

1 **THE ACTING CHAIRPERSON:** Parity.

2 **MR. SWAN:** -- looking at the parity,
3 that that's the way that Parliament, that the
4 Legislature needs to look at those Offices.

5 **MRS. ATHERDEN:** Are we going to ask
6 questions at the end or as they come up now?

7 **THE ACTING CHAIRPERSON:** Yeah, yeah.

8 **MRS. ATHERDEN:** Oh, okay.

9 **THE ACTING CHAIRPERSON:** Only because I
10 wasn't clear with his comment, that's the only reason
11 why I said what I said.

12 **MRS. ATHERDEN:** All right. I'll wait
13 for it to come back. Okay.

14 **THE ACTING CHAIRPERSON:** Yes. Sorry,
15 Ms. Atherden.

16 **MR. SWAN:** Okay. I don't mind taking a
17 question in between, because I --

18 **THE ACTING CHAIRPERSON:** Okay.
19 Ms. Atherden, you have a question?

20 **MRS. ATHERDEN:** Well, I think -- I
21 understand the sentiment of saying that you want to
22 make sure that the Opposition Leader's Office is able
23 to vigorously carry out its role of, you know, being
24 the, if you will, the watchdog of Government and deal
25 with those issues.

1 I guess what I think we have to consider
2 and I'm just going to throw it out to you, is the fact
3 that obviously the Government Ministers are, by virtue
4 of their positions, are on duty 24 hours a day, seven
5 days a week, et cetera, and I know that obviously the
6 Opposition Members are also on duty, but I would feel
7 that, in terms of the relative time, that they're not
8 on quite as 24/7, seven days a week, as the Ministers
9 themselves, and that perhaps is why there's a
10 reflection of a difference in terms of salary.

11 I'm talking about not only the Cabinet
12 Meetings and their Ministry meetings and the need to go
13 out and be at all of the various functions, et cetera,
14 so I'm saying that I do think that one has to say, have
15 that, have that, if you will, good recognition of the
16 need to have the level of staff, but I think that one
17 has to take into consideration the time constraints,
18 and I guess my question to you is, would you think
19 that -- would you think that there should be some sort
20 of difference between the person that is going to be
21 the Opposition individual versus the Cabinet person?

22 **MR. SWAN:** No. Because the Opposition
23 Leader, the Opposition Leader -- now, I've been an
24 Opposition Leader of a political party, --

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

1 **MR. SWAN:** -- and I gave up my career
2 to do that. I'm just speaking personally. And I know
3 most Opposition Leaders that I've ever -- immersed
4 themselves into being an Opposition Leader. They give
5 of themselves as much as a Cabinet Minister,
6 notwithstanding -- and it's equally as tough, you're
7 herding cats sometimes, and it's a very difficult --
8 difficult and time-consuming task.

9 I'm just saying that the Opposition
10 Leader is a, in a democracy that has a billion-dollar
11 budget, is as much as responsible as any Minister
12 managing a department, notwithstanding that they have a
13 minuscule, you know, -- that in Bermuda's democracy
14 they preside over 49 per cent -- 49 per cent of the --
15 47 to 49 per cent of the electorate. And so they have
16 an awesome responsibility. And that was -- and that
17 was in the modern-day Parliament and in the Parliament
18 between '98 and '97, even though -- and notwithstanding
19 that, the Opposition Leader in this present democracy
20 has to contend with only having had 37 per cent of the
21 seats up until 2007, representing 48 and 49 and 47 per
22 cent of the vote.

23 So it's a very -- it's a very daunting
24 task. I just present the case that, during my
25 experience, it was a full-time contribution and the

1 Office of the Opposition Leader is equal in
2 responsibility and it's a different responsibility.
3 But it takes of its time, and certainly its Office is
4 of great importance.

5 **THE ACTING CHAIRPERSON:** Mr. Jardine,
6 would you like to --

7 **SENATOR JARDINE:** I'm sort of building
8 up a list of questions anticipating asking at the end.

9 **THE ACTING CHAIRPERSON:** Okay. That's
10 fine.

11 **MRS. ATHERDEN:** Okay. That's fine,
12 that's fine, that's fine.

13 **MR. SWAN:** Okay. Okay. No problem.

14 **SENATOR JARDINE:** I want to listen to
15 what you have to say first; I think that's...

16 **MR. SWAN:** Okay. Okay. All right.
17 Okay.

18 I did make a number of notes, because I
19 actually -- the motion that came before the House, I
20 actually carried this motion prior, so, if you don't
21 mind, I'll just refer to my BlackBerry.

22 I believe section 113 called for fixed-
23 term elections, that was under a different
24 Parliamentary system. Personally I support that, I
25 continue to support that, from a personal standpoint of

1 view.

2 **THE ACTING CHAIRPERSON:** Mr. Swan, can
3 I just direct your attention, in terms -- and if you're
4 talking about fixed-term elections, could you sort of
5 try and make sure that -- to point out how you think
6 that will help the Parliamentary body, in terms of
7 carrying out its duties.

8 **MR. SWAN:** Okay. No problem. Okay.

9 **THE ACTING CHAIRPERSON:** We're not here
10 so much to talk about electoral reform as much as we
11 are trying to reform Parliament itself so it can be a
12 stand-alone Parliament and get on with doing the job
13 that Parliaments are supposed to do, --

14 **MR. SWAN:** Okay. Okay.

15 **THE ACTING CHAIRPERSON:** -- effectively
16 and efficiently.

17 **MR. SWAN:** Okay. No problem.

18 I support fixed-term elections because
19 it would allow Parliament to have a time certain to
20 carry out its initiatives, the incumbent party to carry
21 out its mandate. But I also would support, if it is at
22 all practical, to have the option for an election to be
23 called at that particular time, so there remains still
24 the option, in emergency situations that would be
25 deemed, that could be done through a motion, through

1 voter-no-confidence or censure motions and the like,
2 but that requires looking at -- not just saying I'm for
3 fixed-term elections; I'm for fixed-term elections, in
4 a Westminster System that we have, but to look at how
5 that gets modernized, as well.

6 And also an independent Electoral
7 Commission. I think before the last body that I met --
8 I won't get into too much, but I'm very much supportive
9 of the independence of Parliament, the independence of
10 Parliament from Ministries and the Government.
11 Parliament should, like the Judiciary, sit separate.

12 There are examples in the five years
13 that I sat in this Chamber where those lines got a
14 little bit blurred and I think the Speaker stood up
15 against some attempts to make a press release, for
16 instance, on behalf of the House. I remember that and
17 I, you know, I said, What is going on here? The
18 Speaker, this is the Speaker's House and I support that
19 Parliament should be a separate -- should be a separate
20 entity.

21 I believe the Parliamentary Act, this
22 very ancient Act that governs not only the Parliament
23 but these grounds, these grounds, and I think certainly
24 this Committee may have within its remit the
25 opportunity to at least explore -- [phone rings] --

1 I apologize, my phone's on silent but it's still
2 ringing, but I gotta keep it on to use it as my notes.
3 Apologies.

4 But these grounds are by Parliament
5 enacted and Parliament needs, in very much the same way
6 that the Office of the Clerk in probably 2006/5
7 therefore made the Office of the -- gave the Office of
8 the Opposition Leader a little bit more autonomy,
9 having their own budget to administer, the whole
10 Parliament needs to be separate from Ministries, so
11 that a Government Minister can't unduly influence the
12 Parliament that they're serving, and the Parliament
13 that they serve is separate.

14 **THE ACTING CHAIRPERSON:** Mr. Swan, just
15 to try and get -- garner some further details, and I
16 don't mean to interrupt, however, in terms of you
17 saying, by having fixed dates and what-have-you, which
18 allows Parliament to operate more independently, can
19 you also speak to what you see as how it will allow
20 the, let's say, for instance, the Clerk, in serving
21 Members of Parliament, go about doing his or her job
22 more efficiently, because I'm trying to stray away from
23 any real talk of electoral reform, but having that talk
24 with respect to how the Office of the Legislature can
25 go about carrying out their duties to benefit

1 Parliament.

2 **MR. SWAN:** Mm-hmm. Well, section
3 one -- funny enough, section 1.7.1 of this particular
4 Standing Order speaks to the Legislature shall, you
5 know -- shall be entitled to have adequate offices and
6 I believe it gets into different infrastructural things
7 that need to be looked at, such as this very Library,
8 the importance of having this very Library. But also
9 the Office of the Clerk shouldn't be looking
10 necessarily to insular Government for its advice, it
11 should be networking with the Legislatures within the
12 CPA. There is a myriad of resources available that we
13 tap into -- I say we tap into, speaking as a former
14 Member, tapped into when we travelled, but certainly
15 there are many things that take place in other
16 jurisdictions that have a kinship with us through this
17 very body that produced this, that allows these
18 officers to work together, and so I am very supportive
19 of the fact that this office needs the resources -- I
20 think the Clerk's better versed than I to say what that
21 really is and the Speakers, past and present, that are
22 still with us, and we have one here with us today,
23 could certainly have a better handle on that.

24 One thing that I have here that I
25 certainly need to put on the table is for us to -- for

1 this body to be mindful of the need for clarity when it
2 came to no-confidence and censure motions. It's
3 covered also in here, in the Benchmarks, that need to
4 be -- and I can tell you as one who has put down a
5 motion of no-confidence, it's very ambiguous in our
6 Constitution, and it could be very clear as to the
7 difference between a censure motion on a Member and a
8 no-confidence motion on a Government. There are times
9 when a Member acts in a way that he or she should be
10 censured and there are times when a Government has
11 necessitated that it needs to be maybe taken to task,
12 and the two sometimes are connected, but in most times
13 they can be two separate issues. But I think there is
14 sufficient enough ambiguity within the Constitution
15 where sometimes the Bermuda Constitution Order where we
16 look for that type of guidance, that leads us to need
17 that to be tightened up.

18 Also under 1.7 under here, when I
19 touched on the need for having the right resources,
20 like Library. It was brought to my attention when
21 there was that press -- proper facilities for the press
22 and the Police, is something. I know as I speak to
23 this particular building here, which I made mention,
24 that is shared with the Judiciary, and, you know, and
25 the grounds, that if, in a perfect world, that weren't

1 so, as the House, during Budget periods and other
2 periods spend a lot of time, so do the people that we
3 look to support them and, you know, if a -- I know, you
4 know, Members will sometimes like to look in the paper
5 and, "Oh, man, I didn't get any -- I only got that
6 there."

7 But if those Members, if those members
8 of the press or the Police and the like, who we look to
9 support, had facilities where they could be
10 comfortable, you know, it's very taxing on them to be
11 here. They're working, yes, but they're working in an
12 environment that's -- in which this House benefits
13 from, and the like.

14 And that goes to -- and whilst I'm
15 talking about the infrastructures side, because I'm
16 reflecting on my period, and one who did utilize these
17 facilities myself. You know, the term "lobby", for
18 instance, when members of the public want to see
19 Members, there's no reason, with proper space, where
20 there is a suitable area where Members could do work
21 and research and schedule themselves, part time, be it
22 where they spend some time preparing for Parliament in
23 an environment where they could even meet their
24 constituents, the ones that worked in Hamilton, in a
25 Parliamentary setting that's conducive for both, not

1 just the House, but Members of the Legislature as well,
2 because I spent as much time here as a Senator as I did
3 in the House, and I made this Office of the Legislature
4 my place of -- notwithstanding my aspirations to be
5 here as an elected Member, but that shouldn't be the
6 aspiration of all Senators. Some Senators serve and
7 are quite happy to remain just Senators, and if you
8 look, the tenure of Senators tend to be --

9 **THE ACTING CHAIRPERSON:** Longer. Yes.

10 **MR. SWAN:** -- much longer and provide
11 good continuity. If you have a person that serves 12
12 years in the Senate, that sometimes transcended three
13 administrations, so that's -- I've always found that to
14 be beneficial and helpful.

15 I'm just looking here through my notes
16 that I had here on my BlackBerry, and...

17 Yeah, those are my notes that I had.

18 I'll just listen and glance at the same
19 time.

20 **THE ACTING CHAIRPERSON:** Okay. Well,
21 as promised, I said that I would allow Ms. Atherden to
22 pose any questions she may have first, and then
23 followed by Mr. Jardine, and then of course whatever
24 questions I have I will save for last.

25 Ms. Atherden?

1 **MRS. ATHERDEN:** I take all the points
2 that you have made there and I guess I'm just -- I just
3 want to flesh out just one with respect to the staff,
4 because you mentioned something to the effect of, let's
5 say the Clerk and being able to liaise with other staff
6 in Opposition Offices in other countries.

7 Do you see the central staff in the
8 Parliament having a function as well for the -- all of
9 the Members -- when I say all of the Members, obviously
10 the Government Members -- the Cabinet people already
11 have, you know, their people they reach out to, --

12 **MR. SWAN:** Right. Right.

13 **MRS. ATHERDEN:** -- but I'm just
14 thinking of the other Members, because you start off
15 right away by saying that you're more partial to Joint
16 Select Committees.

17 **MR. SWAN:** Yes.

18 **MRS. ATHERDEN:** Okay. Now, Joint
19 Select Committees means that somebody has to be
20 resources, et cetera, for those Select Committees.

21 **MR. SWAN:** Mmm.

22 **MRS. ATHERDEN:** So, would you see that
23 in order to have that that there should be some sort of
24 research, some sort of support staff that are allocated
25 to those type of committees and also to the individuals

1 that serve, so that if somebody wanted to bring up a
2 motion, that they could go off and get some
3 information, some research be done on it, and then have
4 something ready to now say, Okay, I want to put this
5 motion to the Committee -- I mean to the whole House,
6 or vice versa, once a Select Committee is formed, then
7 there would be some support to them to go out and say,
8 Okay, Committee Members, point me in the direction that
9 you want, and they can go off and get that information,
10 and then let the Committee then go back and formulate
11 what they want, rather than having to research and
12 formulate and produce, and I just wondered what your
13 opinion is on that.

14 **MR. SWAN:** Yeah. I mean, I guess the
15 difficult thing that that poses -- I agree with having
16 staff, I mean, like I said, I spent a lot of time up
17 here and I found that all Members here were very
18 helpful, and I did a lot of my own work, but if I
19 needed any direction, they were helpful, and I'm sure
20 if they had the resources to be able to sort of take on
21 board some research staff or someone like that to maybe
22 even help someone of -- skilled enough to help Members
23 with drafting motions and the like, I'm sure that that
24 would be welcome from both the Office of the Clerk and
25 I'm sure from the Members that are currently serving,

1 but I think that's a question best asked of the Clerk
2 who has a better handle on the restrictions that she
3 would have with current day budgetary --

4 **MRS. WOLFFE:** I can elaborate a little
5 bit on that. I will say that, for example, in Prince
6 Edward Island, when -- and I have to share some results
7 of a survey and questionnaire that I did send out.

8 But some Parliaments, small Parliaments,
9 what they do is that they will have -- and even larger
10 Parliaments as large as Trinidad, they will have, what
11 they have to their Committees, assigned to their
12 Committees, are research assistants, or analysts, and
13 what they do is, I know in Prince Edward Island,
14 because I know the Clerk there, what they do is that
15 these persons, they only are employed when the
16 Committees meet, for example, so they're sort of like
17 part-time contract staff, versus their full-time staff,
18 like the Clerks and Assistant Clerks and the like.

19 So they're brought in when these
20 Committees meet, they do a lot of research for the
21 Members, for the Committees, even looking at motions
22 they will look at. And, for example, if something is
23 due for the next meeting, that research assistant will
24 be assigned to that Committee to do research for those
25 Members. And that does happen.

1 And they're, in some jurisdictions,
2 they're considered like part-time staff, basically.
3 They're not full-time equivalent. I do know that
4 happens.

5 **MRS. ATHERDEN:** Okay.

6 **MR. SWAN:** Can I jump in on...? If I
7 could just piggyback on that, --

8 **THE ACTING CHAIRPERSON:** Well, you --
9 we're here to get information --

10 **MR. SWAN:** Yes, yes, yes, yes, I know.
11 But I appreciate that, because the Clerk jogged my
12 memory.

13 **THE ACTING CHAIRPERSON:** Right.

14 **MR. SWAN:** One of the things, and I
15 have to declare my interest, my daughter spent four,
16 maybe five years as a Youth Parliamentarian, she's now
17 a first-year law student, and I can tell you, some of
18 those students, coming from all the Youth Parliament,
19 and I'm a former Youth Parliamentarian from the early
20 '70s when it was first started, some of the research
21 that some of these students are doing, as Youth
22 Parliamentarians, can certainly be a shining example
23 for Members as well, and I would say that, in these
24 times of budgetary constraints, that if a budget was
25 made available that was tied in to young law students,

1 or aspire any person who, maybe even an accountant or
2 the like, who wants to give of their time during their
3 breaks, in Bermuda or externally, to do some research,
4 to make a few dollars, would be good use of time,
5 because, you know, those young students that were in
6 high school researching some of these -- I believe one
7 of the students from Youth Parliament won an award with
8 SAGE, and I've watched him grow, former Member's son,
9 from Berkeley, Ryan.

10 **MRS. WOLFFE:** Ryan, mm-hmm.

11 **THE ACTING CHAIRPERSON:** Mm-hmm.

12 **MR. SWAN:** I watched him, I watched him
13 research the Town Cut issue and present in Parliament
14 to a former Mayor, and a civil servant, the Director of
15 Transport at the time, and I sat there and I says,
16 "Boy, he's giving them some food for thought." And he
17 was a Youth Parliamentarian who hadn't even attained
18 the age of 15.

19 So if we used our resources to say,
20 Okay, we're giving away a scholarship, but we'd like to
21 give some grants to some young students. Tie them into
22 the Legislature, let them learn how to prepare.
23 They'll see their work manifesting itself in there, and
24 then they can make some money to help, you know, to
25 help their educational process in the meantime.

1 Because that's where law firms go, that's where doctors
2 offices go, they go to these young students that come
3 out, and they work 'em to death, until such time as
4 they get about 30-odd or so, and then they can start
5 recruiting and hopefully if they move up the ladder.

6 We've gotta -- I think that's what we
7 have to do, and that will be a way to tie our young
8 people into the Legislature without them being
9 partisan, because they could help the Opposition and
10 the Government, and see -- they'll have their partisan
11 alliances, so that's allegiances --

12 **THE ACTING CHAIRPERSON:** Okay. That's
13 one idea, Mr. Swan, but again, I just want to remind
14 you that we're looking in terms of what we feel will be
15 adequate resources in terms of this Parliament as an
16 independent body, so that we are never hindered from
17 carrying out our duties as we should be, and that's an
18 idea in terms of one way of doing it, but I just want
19 to remind you of that, --

20 **MR. SWAN:** Mm-hmm. Right.

21 **THE ACTING CHAIRPERSON:** -- where we
22 need you to make suggestions that, going forward, you
23 envision an independent Parliamentary body, housed with
24 the necessary resources, in order for Parliamentarians,
25 whether they're Backbenchers, Ministers, et cetera,

1 carrying out their duties.

2 **MRS. WOLFFE:** In carrying out their
3 duties. I think he's answering that.

4 **SENATOR JARDINE:** Yeah. Yeah.

5 **THE ACTING CHAIRPERSON:** Yes -- no, no,
6 I said that's one idea. But I just want to remind him,
7 just to keep him locked into that.

8 **SENATOR JARDINE:** And I think the main
9 question -- I have a number of questions, some of which
10 you've partially answered, but one in particular is,
11 who do you see managing this independent body? I mean,
12 we've talked about this independent body being the
13 Legislature; who do you think, in your opinion, would
14 be the best people to manage and to govern that
15 particular entity?

16 And, you know, I'll just throw out some
17 ideas. Would it be elected Members of Parliament
18 sitting in the House? Would it be Senators? Would it
19 be people from outside the whole sphere of the
20 Legislature? Or some combination of that? Do you have
21 any thoughts on that?

22 **MR. SWAN:** Yeah. I believe that it
23 should be the Speaker, and -- the Speaker first,
24 because the Speaker is the elected head of the
25 Legislature, notwithstanding that we call this the

1 Lower House; and the President. And I certainly feel
2 that that -- any support that is needed for the Speaker
3 or the President in their capacities, they will co-opt
4 as they see fit, but certainly utilizing the resources
5 of the Legislature of the elected and the appointed --
6 of the appointed body, I see as that mandate being
7 carried --

8 **THE ACTING CHAIRPERSON:** Should be MPs
9 and Senators, yeah.

10 **MR. SWAN:** Yeah. I would see this,
11 headed up by the Speaker and -- in much the way that we
12 have the CPA, our annual CPA meeting and the Speaker is
13 the head, but -- unless the Speaker -- the President of
14 the Senate, gave that position by virtue of an
15 election, I personally feel that the Speaker holds the
16 greater authority.

17 And whilst we're looking at the
18 independence of the House, and I know there are people
19 that look at -- that are concerned with economies of
20 scale, I was very much minded in 2009, I had a lot of
21 discussion with our good friends in the Legislature at
22 that particular time, from Jersey particularly, that
23 are Westminster systems like ours, that's the
24 unicameral system, and I'm not saying that I am, you
25 know, totally sold on the unicameral system versus the

1 bicameral system, --

2 **THE ACTING CHAIRPERSON:** Mm-hmm.

3 **MR. SWAN:** -- but there's some -- but
4 we need to be looking at -- not just saying, Okay, I
5 want to make the Legislature independent, without
6 looking at all the options available to us.

7 And one of the things that hinder our
8 Parliament is the divisions, you know, the divisions,
9 the divisions in race and political divisions that go
10 along with it, as a historical problems that we have,
11 and I'm not saying that Jersey and Guernsey don't have
12 their own sets of challenges, but I think it would be
13 worth our while to commission some research -- and I
14 keep going back to this, our Youth Parliament, if we
15 can look at how we co-opt these young people, to
16 prepare them for the future, with the resources of
17 Parliament, so if you've got a future librarian out
18 there, I know very well that they would get very good
19 guidance in how to do that. If you have a future
20 politician out there, they would get some benefit, a
21 future lawyer, they'd have some knowledge of the type
22 of legislation that governs them. They might, down the
23 road, say, Oh, I didn't realize, but I think I need to
24 jump in there to get this legislation tidied up or to
25 make it more user-friendly and the like.

1 But I think we need to look at the
2 systems of the Commonwealth before we go off and just
3 say, I'm going to do this, and see if there's a better
4 system that we can look at going forward.

5 **THE ACTING CHAIRPERSON:** Okay.

6 **MR. SWAN:** And like I said, Jersey --
7 and I'll throw this in, because I did some studying of
8 Jersey and Guernsey, they have tiered levels of
9 service, and one reason why I'm very supportive of the
10 Senate, and I've said, you know, I'd like for us to
11 look at having an elected Senate, but the fact is this,
12 is that you have longer tenures down there, by nature
13 of the appointments. I outlived four leaders, and I
14 know there are other persons, the late Sir John Plowman
15 served 13 years and outlived a lot of Premiers during
16 his tenure, and there are other persons that will do
17 that, so there is -- it's not just a one off, you know,
18 phenomena.

19 So we can look at the benefit of how
20 Jersey has certain Members elected to five years,
21 certain Members elected to three years, to have that
22 staggered. It might be cost-prohibitive to have these
23 different regional elections, but you might find out
24 that it's not, but you won't know until we explore what
25 our options are, particularly as recommendations are

1 coming for us to look at a smaller Parliament, in
2 virtues of membership we should look at what, if there
3 is a more effective system that goes along with that.

4 **THE ACTING CHAIRPERSON:** Okay. Thank
5 you.

6 More questions, Mr. Jardine?

7 **SENATOR JARDINE:** Yes. Another one,
8 and I think you may have touched on this. I was a
9 little confused about what exactly it was you were
10 saying, but I think -- and this is a comment we've
11 heard from the Clerk, and that is, advance notice not
12 so much of what's on the session, but a calendar for
13 the year, so -- and I know you mentioned this, I think,
14 Madam Clerk, in our last session.

15 What are your views on that? In other
16 words, if we set the sort of, the agenda, not
17 necessarily the agenda of what's going to be discussed
18 and debated, but some sort of a timetable of a calendar
19 for the year, so that people can actually plan their
20 lives around it, because I think, you know, some people
21 have been caught short by changes in dates and
22 therefore they have been unable to attend.

23 **MR. SWAN:** Yeah.

24 **SENATOR JARDINE:** I'm retired, so it's
25 a little easier for me to do that.

1 **THE ACTING CHAIRPERSON:** Right.

2 **SENATOR JARDINE:** But for people that
3 are working, it is more difficult.

4 **MR. SWAN:** Right.

5 **SENATOR JARDINE:** What's been your
6 experience and do you think that's something that would
7 work, or is that just an impossible thing to
8 accomplish?

9 **MR. SWAN:** Well, you know, ideally, I
10 know the persons that are very organized and stuff,
11 really like the benefit of having that organized
12 schedule. I know, but we're in politics, and
13 sometimes, in the world of politics, I've never been in
14 the Legislature as a Government, I've always been there
15 as an Opposition, but I was very supportive of a party
16 when it was in Government, and I know that timing is
17 everything, and it would be -- I guess it would be
18 great to say, okay, at the Throne Speech, the
19 Government presents its agenda for the day -- for the
20 year, and the timetable of every sitting and the like,
21 but in a real world politics doesn't work like that,
22 and you sort of have to be, as an Opposition, you sort
23 of have to be -- you have to be ready for anything, any
24 and everything and be able to, you know, be very
25 nimble. I think even though persons may be part-time

1 politicians, and many not retired, they still have to
2 have that full-time commitment to be able to budget the
3 time to be around. And I put the onus on the Members.
4 You know, as an Opposition Leader, it was very
5 frustrating...

6 Well, let me go back one step further.
7 As an aspiring politician, I used to make my Fridays
8 available and, more my Fridays available so I can learn
9 about politics, before I even -- so that when I went
10 out there and made comments, trying to convince people
11 to, you know, vote for me, that I would have a
12 knowledge base, and so I think it's incumbent upon the
13 Member to make themselves that available, and be
14 politically astute to know, to be able to, like a
15 fisherman, my uncle would go out and come up by the
16 golf course, and I'd say, he's not going to play golf
17 today, he's riding his bike to see what the weather's
18 look like there to see if he's going off Wreck Road or
19 going down further on Southwest Breaker. That's the
20 same way people got to -- that's the way in politics.

21 So, you know, a Premier might say, Hmm,
22 certain members want to take a holiday? Okay. I'm
23 coming with a bill today. Opposition have to be able
24 to read that and to be able to navigate its course, you
25 know, accordingly.

1 And that's how persons get the true
2 essence of what the intent of a Government is, because
3 a Government can tell you one thing and its intent be
4 totally opposite, so I think that unpredictableness
5 allows a person's hand to be -- it's like playing
6 poker, you could be able to read the face and stuff
7 like that. So, I'm not -- I don't think we can achieve
8 that cut and fast thing in the Parliamentary system,
9 because, you know, you over promise pre-election and
10 the tendency is that there is a great deal of under
11 delivery as a consequence, so --

12 **MRS. WOLFFE:** Can I ask a question?

13 **MR. SWAN:** Yes, Ma'am.

14 **MRS. WOLFFE:** So you think --

15 **THE ACTING CHAIRPERSON:** I just wanted
16 to pose something.

17 **MRS. WOLFFE:** -- that -- are we giving
18 the Legislation any justice, in terms of if you have
19 voluminous bills and legislation all to be debated all
20 in one night? Do you think you're really giving it
21 justice, and also --

22 **MR. SWAN:** No.

23 **MRS. WOLFFE:** -- the people. Okay.
24 That's my question.

25 **MR. SWAN:** Okay. All right. No, no,

1 no, --

2 **THE ACTING CHAIRPERSON:** Okay. Thank
3 you Miss --

4 **MR. SWAN:** Well, not only will I answer
5 the question, that's a different --

6 **THE ACTING CHAIRPERSON:** That's a
7 different question, yeah.

8 **MR. SWAN:** To me, that's a different
9 subject than what I was answering, because --

10 **MRS. WOLFFE:** That does reflect the
11 calendar.

12 **MR. SWAN:** Yes. And there's a -- I
13 think there is a... There is an answer to that, in
14 that when a Government stacks the deck to the end of a
15 session, which has been a parliamentary tactic right
16 along through, then the counter to that is that rules
17 that limit time is suspended.

18 Now, what am I saying? So, a
19 Government's got 10 bills down, and you've got, right
20 in between, there are like five juicy X, Y, Z bills
21 that's sandwiched up, so it's not gonna get the
22 proper -- get the proper scrutiny in the House, it
23 might capture somebody travelling.

24 If you suspend the time, a time
25 restriction gets suspended, then a Member can break a

1 Government out of that habit, like they would do in
2 other jurisdictions, and filibuster, and keep them
3 there all night still with 10 items on there. Maybe
4 rise and suspend the rules.

5 Sometimes the restriction on rules
6 prevent Governments from doing things that other
7 jurisdictions would do to be able to convey a point.

8 I don't agree with -- you know, it was
9 always frustrating when you came that last session, and
10 you're there rushing stuff through, because usually in
11 it is some very important legislation that doesn't
12 really get the public eye, or the media attention that
13 it rightly deserves.

14 So we need to look at how -- I'm just
15 throwing out, that time, I just threw out one
16 suggestion where that could be tackled, but I'm sure
17 other Members could, or other former Members who are
18 far more experienced than I, might have some ideas on
19 that.

20 **THE ACTING CHAIRPERSON:** Thank you,
21 Mr. Swan.

22 I wanted to piggyback, and I'm glad
23 Mr. Jardine asked the question that he asked, because
24 that was one of my questions, and I want to word it
25 differently from the Clerk.

1 Given that you pointed out that there
2 should be fixed time frames, would you not agree, as is
3 the case in many other Parliaments, they do have fixed
4 calendars in terms of when we're going to be in
5 session, and that doesn't speak against what you're
6 saying.

7 Would you agree, for all of us as
8 Parliamentarians, to be able to be here and serve as we
9 should be, that having a fixed calendar for when the
10 Legislation is in and out during a year, will help us
11 to -- us as Legislators, better perform our duties
12 because, even in terms of Committees, time frames can
13 be set up where this Committee is meeting for these
14 amount of weeks for the entire year, and so -- and I
15 think that that's what the Clerk was trying to get at,
16 and perhaps even Mr. Jardine.

17 **SENATOR JARDINE:** Yeah.

18 **THE ACTING CHAIRPERSON:** Having -- if
19 you have a fixed time, that's why I said, earlier on,
20 when you talked about fixed times, I wanted to steer
21 you away from electoral reform but bring you --

22 **SENATOR JARDINE:** I would just add one
23 further follow-up to that, --

24 **THE ACTING CHAIRPERSON:** Yes.

25 **SENATOR JARDINE:** -- and I agree with

1 what you're saying. I think what I'm getting at is, if
2 you know that between, let's pick a time, let's just
3 say November the 5th and December the 15th you're going
4 to be required to be in session.

5 **MR. SWAN:** Mm-hmm.

6 **SENATOR JARDINE:** You may not meet
7 every week. You're certainly not going to meet every
8 day, but there's a window of opportunity when you could
9 meet.

10 **MR. SWAN:** Mmm. Mmm.

11 **SENATOR JARDINE:** And so that you know
12 that during that period of time you've got to make
13 yourself available.

14 **MR. SWAN:** Mm-hmm.

15 **SENATOR JARDINE:** Or when we go back in
16 early February, you know, that again, you have that
17 window of time, so that you can make yourself available
18 and you know that you may be called upon to serve extra
19 time if, in fact, there is a long agenda of items which
20 needs to be done.

21 **THE ACTING CHAIRPERSON:** During those
22 weeks, exactly.

23 **MR. SWAN:** Mm-hmm.

24 **SENATOR JARDINE:** And I do think that
25 having some calendar, which gives you a realistic idea

1 of when you're going to be needed would be very
2 helpful, because it was that way in my first year in
3 the Senate, and it was -- we kind of knew, or at least
4 I was told, and the first year it did actually work
5 that way, and then the second year it began to change.

6 As I say, it's easy enough for me to
7 move around, but I know for others it's far more
8 problematic.

9 **MR. SWAN:** Mm-hmm.

10 **THE ACTING CHAIRPERSON:** Right.

11 **SENATOR JARDINE:** And I think it
12 would be helpful, recognizing that it will be an
13 opportunity --

14 **MR. SWAN:** Well, that's --

15 **THE ACTING CHAIRPERSON:** Okay. Let's
16 just -- before you actually answer, Mr. Swan,
17 Ms. Atherden has some...

18 **MRS. ATHERDEN:** I was going to say that
19 the other sort of add-on that I would pose to that, and
20 it sort of piggy-backs something you said, in the sense
21 that if you know that you're going to have a certain
22 time in there, I just wonder whether you -- what is
23 your opinion in terms of also having a certain number
24 of hours that one would sit for, and the reason I say
25 that is because you made a comment about media

1 attention, and what concerns me is the fact that
2 sometimes people are so busy wanting to get media
3 attention that we're not doing justice to the subject,
4 you know, where we're saying things which are either
5 going to be --

6 **THE ACTING CHAIRPERSON:** Buzz words.

7 **MRS. ATHERDEN:** -- you know, real
8 sensational, or whatever else, so -- so I'm just sort
9 of wondering, because if afterwards we start to look at
10 focussing on what are our opinions, what are our
11 thoughts, and really deal with that as opposed to
12 saying, Well, I've got to get my little headline, I've
13 got to have a whatever else.

14 What is your opinion on whether that
15 would mean that one would have the session so that when
16 you're there you really debate it, you have some good
17 discussions, you reach some conclusions, as opposed to
18 saying, Well, I've got to make sure that it happens.
19 Because, going forward, this gets back to this whole
20 thing about what is Parliament supposed to be doing as
21 it relates to the people's business as opposed to
22 trying to get your media attention.

23 **MR. SWAN:** Yeah.

24 **THE ACTING CHAIRPERSON:** Thank you,
25 Ms. Atherden.

1 So, if you can remember all of that,
2 yes.

3 **MR. SWAN:** I take that point. You
4 know, politicians, elected Members, you know, they
5 certainly -- we look to get some exposure because we
6 have to go to those same folks who are going to say,
7 What have you done for me lately?

8 The media's job, I have to say this,
9 that over the last six years or so there have been
10 strides made to modernize the Legislature, so I have to
11 go on record and recognize that. There is a Hansard.
12 One of my long-term beefs from my first Parliamentary
13 Conference in 1999 was that we needed a Hansard. We
14 have a Hansard today. That can be enhanced to make the
15 job of the media a little bit easier. Maybe we tie
16 into that.

17 But to piggyback on -- I think it's a
18 good point that you make as far as a calendar year.

19 We've always operated on a sort of like
20 a trimester calendar year, you know, the Throne Speech
21 to -- just before Christmas, which means that the
22 Senate can sit the week of Christmas? Right? Yeah.

23 **THE ACTING CHAIRPERSON:** Yes.

24 **MR. SWAN:** I've sat December 22nd and
25 23rd, with my family somewhere else. That's, you know,

1 that's very difficult, but I always made sure that I
2 was here, you know, for that.

3 So, you know, you could be looking at
4 late October, early -- mid-December as the first, as a
5 first quarter, Throne Speech Quarter Legislative
6 timetable.

7 You could go February to March 31st, a
8 period of time that allows you to go in the House and
9 deal with the budget. That could be very easily
10 considered the budget to reach the March 31st deadline
11 to have the budget passed there.

12 And then you could have two mini
13 sessions, as opposed to one long session, that maybe
14 comes back between mid-April and early-May to June, and
15 then have two mini sessions which overlap maybe after
16 Cup Match until September. And so then you have a sort
17 of six-week break to -- in what used to be called the
18 "silly season" between getting out just before Cup
19 Match and not coming back until the Throne Speech.

20 And that's a good question, because it
21 leads me to a point that I need to make.

22 There were pockets of periods between
23 2003 and 2007 where the Country was run by -- where the
24 Country was run by the Cabinet for seven months without
25 the House sitting.

1 This Committee can look. When the --

2 **THE ACTING CHAIRPERSON:** I don't

3 remember that.

4 **MR. SWAN:** Well, in 2003 --

5 **THE ACTING CHAIRPERSON:** I said I don't

6 remember. I didn't say it didn't happen.

7 **MR. SWAN:** When the House went down --

8 when the House -- because I was in the Senate.

9 When the House went down in July of
10 2003, it came back for a day, an election was called.
11 The Cabinet ran the Country until the election was --
12 was in December.

13 **THE ACTING CHAIRPERSON:** Right.

14 **MR. SWAN:** Or was that July?

15 Anyway, the Country was run, in that
16 period, and in the period of 2007, for a long period.
17 I remember clearly because I wrote something about it
18 on a couple -- said this is ludicrous, there is no --
19 the Cabinet didn't have any oversight for a long period
20 of time. So if you're -- if the House looked at to --
21 said, Okay, you're going to have four quarters instead
22 of three trimesters, right, so that then, if an
23 election was called in July, your Throne Speech could
24 be when you came back for your pre, usually, Throne
25 Speech period, could be in September or October, and

1 then you went down and came back up again, right, so
2 that you wouldn't have that long, that long period of
3 time.

4 Because, politics being what it is, if a
5 person was governing and wanted to say, Okay, I want to
6 run the Country and I don't want to deal with this
7 House, I don't want to get these Members up here
8 talking with -- saying whatever they want, and I drop a
9 writ -- I go down for summer recess with intent of
10 calling an election, that can be -- July, August,
11 September, October, November, December -- and I don't
12 come back -- and I don't open back up until the Budget
13 comes in, January, it's seven months. A lot of
14 decisions are made without Parliamentary oversight.
15 That happened. That happened in 2007. Seven months
16 without the House sitting. That would get solved
17 having a quarterly system rather than a trimester
18 system.

19 So my immediate answer to not having a
20 timetable or -- was against not having -- I don't want
21 to tell a Government you have to tell me exactly when
22 you're going put it down, living that, but I need you
23 to be able to have to come to the people in this House
24 four times a year with good recesses in be -- with good
25 periods of recess in between, so with gaps of four to

1 five weeks, four, five weeks in between those four
2 quarters allow persons then to schedule.

3 So a Member says, Oh, I have a board
4 meeting that I have to go to in such-and-such a place.
5 I know I'm not going to be in between July -- so they
6 can schedule their lives accordingly.

7 The Senate knows, Okay, I can be out by
8 December 20th, or December 15th, or whatever, it can
9 schedule.

10 And then the House can also use the
11 opportunity to have -- the House can meet any day it
12 wants, it can meet on a Wednesday and a Friday, if it
13 so desires. It's not limited to Friday next. It could
14 say, We adjourn until Monday to deal with just regular
15 business, the way other Houses operate.

16 **THE ACTING CHAIRPERSON:** So you do see
17 the benefit --

18 **MR. SWAN:** I see the benefit, --

19 **THE ACTING CHAIRPERSON:** Thank you.

20 **MR. SWAN:** -- but I see the benefit
21 more in having, you know, having those four --

22 **THE ACTING CHAIRPERSON:** Yeah, you're
23 just saying how it can -- how it can work.

24 **MR. SWAN:** -- those quarters, as
25 opposed to those trimesters, because those trimesters

1 can work in the benefit of avoiding Parliamentary
2 scrutiny. And my whole thing is about, you know, you
3 have to protect the field, you have to protect the
4 people, and having a Government have to come to the
5 House forces them to answer questions that they may not
6 want to answer, and so --

7 **THE ACTING CHAIRPERSON:** Thank you,
8 Mr. Swan.

9 **MR. SWAN:** Yeah. Anyway,...

10 **THE ACTING CHAIRPERSON:** Okay. I have
11 a question.

12 You did mention that you felt that the
13 Opposition's Office was not adequately funded. So I
14 have a specific question. In terms of budget, what do
15 you see, perhaps, having served in that capacity, as an
16 adequate budget to operate the Opposition's Office, so
17 that it is staffed with an appropriate person, and you
18 are, as the Opposition Leader, able to carry out your
19 duties on behalf of the people of Bermuda, also
20 recognizing that the fact that the Opposition Leader
21 quite often is required to attend the same functions as
22 the Premier of the Country.

23 So what do you see as an adequate budget
24 that the Clerk would assure is put in place so that
25 that Office can do the job it's supposed to do?

1 **MR. SWAN:** Okay. I would say that the
2 Opposition Leaders, without talking about dollars and
3 cents, because that's all relative to the time period,
4 to the budget year that you're referring to, --

5 **THE ACTING CHAIRPERSON:** In general.

6 **MR. SWAN:** -- but I would say having at
7 least -- at least a salaried person at PS30 to 32 and
8 which would allow them to hire a professional person
9 that, there, and maybe a person at PS 19/21, would
10 allow them to get... And if you had two full-time --
11 if you had two full -- if they had two full-time posts
12 budgeted at that, they could even then be able to
13 decide to half that into two part-time people, and
14 overlap it or the like.

15 And then from there you just -- from
16 there it's just a matter of determining someone looking
17 at, in more detail. So the budget would be one part --
18 one part salary, because the salary of the Opposition
19 Leader's Office doesn't come out of this budget, it
20 comes out of the budget for Members and Ministers, out
21 of that vote. So then it would just be a matter of
22 someone looking at more detail and providing -- maybe
23 get a collection of Opposition Leaders to say, Listen,
24 what do you think the Office needed? Because, I mean,
25 I remember some of my colleagues who were in that

1 Office didn't go down there as much as I may have, you
2 know, may have done, but they may have had offices that
3 had far more greater resources that allowed them to do
4 things personally.

5 **MRS. WOLFFE:** Outside of there, mmm.

6 **MR. SWAN:** Through there.

7 **MRS. WOLFFE:** They were.

8 **MR. SWAN:** And my take is that the
9 Office, the Constitutional Office of a country
10 shouldn't be contingent upon the resources of an
11 individual.

12 **THE ACTING CHAIRPERSON:** Right.

13 **MR. SWAN:** An individual always -- an
14 individual with good intentions will always give more
15 of themselves than what is required, in accordance to
16 where their station is in life. But the Constitutional
17 Office should be just that, so that the -- so that the
18 person that is doing that can be of the... So you have
19 a position where one position is more administrative
20 and then one position is a little bit more more senior,
21 to be able to provide some -- to provide some input and
22 connectivity, commensurate with the -- you know,
23 because we're talking about a country, and we're
24 talking about a country that when I first came into the
25 Legislature, and all Members here would know, had an

1 annual budget of less than 500,000, and today is well
2 over a billion dollars, of expenditures. So the
3 growth, the growth of the responsibility speaks to the
4 enormity of the growth of Government. And it's far
5 more complex. So you do need that type of assistance.

6 And remember this, is that those Offices
7 are tied -- that Office, like the Premier's Office, is
8 tied to the post, so when the Opposition Leaders
9 change, that person -- and that's why I always thought
10 it beneficial that you had the flexibility to have
11 equivalent posts and utilize maybe part-time -- good
12 part-time persons, so maybe I get a -- maybe I get a
13 retired lawyer that says: Hey, I'll come down the
14 office, I'm sympathetic to what you're trying to do,
15 and you have them for half time, and then you get
16 someone else.

17 But when you're no longer the Opposition
18 Leader, the new Opposition Leader comes in and has
19 the -- and can replace -- that person's post ends at
20 that particular time.

21 **THE ACTING CHAIRPERSON:** Okay. Thank
22 you.

23 **MR. SWAN:** Okay.

24 **THE ACTING CHAIRPERSON:** My final
25 question, Mr. Swan, is this: It's with respect to

1 actual MPs.

2 What is your position in terms of the
3 Legislature ensuring that Members of Parliament are
4 there servicing their constituencies and constituents:
5 what is your position in terms of having, I guess, even
6 if those satellite offices exist within a body of the
7 Legislature here itself, or are regional, what is your
8 position -- as you well know, other countries, most
9 other countries, MPs are given a small budget to work
10 with to carry out constituency issues, so that a
11 Minister is not -- does not have to give its attention
12 to those minor issues that exist within constituencies,
13 but deal with things far more on a national level.

14 What is your view in terms of, as an
15 independent body, us progressing towards that end?

16 **MR. SWAN:** Yeah,...

17 **MRS. WOLFFE:** She's talking about CDS,
18 Constituency Development Funds.

19 **THE ACTING CHAIRPERSON:** Yes. Right.

20 **MR. SWAN:** Yes.

21 **THE ACTING CHAIRPERSON:** In terms of so
22 that you're able to, you know,...

23 **MR. SWAN:** I'm sure, as a former MP, a
24 Constituency Development Fund sounds very,...

25 **THE ACTING CHAIRPERSON:** It's not

1 something that goes in your pocket, --

2 **MR. SWAN:** No, no, no, no, I know.

3 **THE ACTING CHAIRPERSON:** -- it's
4 something that goes in her office.

5 **MR. SWAN:** I know. I wouldn't want it
6 to do anything but benefit the constituency.

7 **THE ACTING CHAIRPERSON:** Right. Yeah.

8 **MR. SWAN:** And when we travel and go to
9 other jurisdictions, that is part and parcel of what
10 some jurisdictions have, but in -- if I speak to what
11 is realistic in this modern day and age, I would think
12 that if the -- if Bermuda wanted to achieve that type
13 of connectivity through Parliamentarians, if we can
14 find a way to tie the Parliamentarian or the community
15 to the Parish Council.

16 **THE ACTING CHAIRPERSON:** Okay.

17 **MR. SWAN:** That I think, because I
18 remember when I tabled this bill, if it was one -- you
19 know, it's funny, I was just doing some research. You
20 miss, sometimes, comments that come in the media, and
21 the media is very important as well, because, you know,
22 sometimes you hear things that other people are
23 thinking about what you're advancing, because, you
24 know, it may make sense in one jurisdiction they have
25 it, and then when you float it in your jurisdiction,

1 it's not as well received. But I didn't come across
2 these comments until I said, I gotta go through this,
3 let me look back to see what I've been, you know,
4 saying.

5 **THE ACTING CHAIRPERSON:** Mm-hmm.

6 **MR. SWAN:** And I saw some comments
7 that, out of all the comments in that motion that I did
8 on this, that one raised a red flag like there, I was
9 called more this and that. I said, Okay. I said, All
10 right, I see people... And it made me think. I said,
11 Well, how do you achieve that?

12 And I think there was a lot of sympathy
13 towards having Parish Councils connect more with the
14 communities, in a non-partisan fashion. It doesn't
15 always happen that way. Human nature means that, you
16 know, you get appointments and it gravitates that way.

17 But, you could very easily have Parish
18 Councils which have some overlap of political tenures,
19 and the Parliamentarian plugs into that. I think,
20 initially, in Bermuda, if we made a step towards that,
21 we could get the office in a position where, when the
22 Members comes or prepares for Parliament, there's a
23 common -- there's some common areas where Members can
24 meet constituents and do some -- and do some work, and
25 look down the road to be able to provide members with

1 those types of -- those types of stipends.

2 But it is -- I will say this, that it is
3 very costly, I mean, Members of Parliament, and
4 Senators, are called upon from every tag day, every
5 event that happens in the community, you know, you're
6 called upon, more so than when you're a private -- they
7 don't come looking for me at the golf course as much as
8 they came looking for me down in the constituency.

9 **THE ACTING CHAIRPERSON:** Yes.

10 **MR. SWAN:** But I do have some sympathy
11 for the fact that, you know, Members -- it can be
12 burdensome, and that other jurisdictions do have that,
13 in Britain and Canada --

14 **THE ACTING CHAIRPERSON:** Caribbean,
15 yeah, it's Caribbean --

16 **MR. SWAN:** And in the Caribbean. But
17 I'm talking about from a realistic point of view and
18 looking at what's do-able, I would say that is
19 something that I would put more on my bucket wish list
20 than I -- I would see strengthening the resources so
21 that Members can be far more prepared and finding ways
22 of having a common -- of using economy of scales to
23 bring together the common resources in a community. So
24 not having just, say, okay, this Member of Parliament
25 has this office because of, but this community has this

1 particular resource which houses community, maybe
2 community education over here, maybe the Parish Council
3 and the Parish MP can come and have access to there as
4 well. We have to look at ways -- I think, just
5 personally, --

6 **THE ACTING CHAIRPERSON:** Right.

7 **MR. SWAN:** -- that we have to look at
8 ways to get those objectives without just saying, I
9 want to do that because Canada does it, or St. Kitts
10 does it, or the like.

11 **THE ACTING CHAIRPERSON:** I don't think
12 that that, that, just so that you know, that wasn't the
13 comment.

14 **MR. SWAN:** Right.

15 **THE ACTING CHAIRPERSON:** I looked at it
16 as more in terms of you, as an elected Member of
17 Parliament, let's say Ms. Atherden, as an elected
18 Member of Parliament, in tune with her constituency,
19 let's say for something as simple as a little fence,
20 that may cost \$3,000 to repair, where the Minister of
21 Public Works can not get to it through that bureaucracy
22 in a timely manner, but she knows that by having it put
23 in place, the danger that is removed, because it is
24 life-threatening, and it only -- and the budget is
25 controlled through the Legislature where she puts

1 that -- a business plan together, that would even allow
2 a constituent to do the work for that allocated, where,
3 when the Clerk, who has oversight, sees it, puts the
4 money forward, once the person is identified, to get
5 the work done, because it's important that the work be
6 done.

7 And whereas you can also, in my opinion,
8 get caught up in the bureaucracy of a Parish Council,
9 and to have complete independence where -- you can't
10 say this is needed, she needs to know, and can see and
11 ascertain herself that such funding... So you're not
12 given the money, but the funding is put in place, for
13 you, as a representative, where there is a need to have
14 something done that has been identified, that falls
15 very low on the, I guess, scale, for the Minister in
16 terms of getting things done through that avenue, it
17 still can be done, through the public funding, where,
18 you know, you're, let's say, allocated \$20,000 a year
19 to get those tiny constituency things done, which are
20 very important. That's just one aspect of it.

21 I'm just mentioning that in that way.

22 **MR. SWAN:** I can, well, I mean, Madam
23 Chair --

24 **THE ACTING CHAIRPERSON:** And other
25 jurisdictions do function that way, where they don't

1 have the money, you know. You have some Members of
2 Parliament that are given a stipend of £25,000, like in
3 Great Britain. I'm not proposing that at all. I am
4 proposing the money so that we can be efficient in
5 doing our duties as Parliamentarians for our
6 constituencies. That's just -- that's just a sidebar.
7 Sorry.

8 **MRS. WOLFFE:** I just want to say that,
9 you mentioned the word --

10 **MRS. ATHERDEN:** I'm not going to go
11 there. That could be a whole 'nother discussion.

12 **MRS. WOLFFE:** Yes, it is a discussion.

13 **THE ACTING CHAIRPERSON:** Yes, yeah,
14 it's for discussion. Yes.

15 **MRS. WOLFFE:** You mentioned the word
16 "connectivity", --

17 **THE ACTING CHAIRPERSON:** Yes.

18 **MRS. WOLFFE:** -- and I will say in
19 terms of, yes, that would be another whole discussion.

20 **THE ACTING CHAIRPERSON:** Yes.

21 **MRS. WOLFFE:** Because I do recall that
22 in a former budget I put in, I think \$30,000 for
23 Members if they needed some work, assistance with their
24 constituents.

25 **THE ACTING CHAIRPERSON:** Right.

1 **MRS. WOLFFE:** I was told I better take
2 that out because there would be a huge outcry because
3 the public do not want to perceive that you're getting
4 more that you're getting.

5 **THE ACTING CHAIRPERSON:** Yeah.

6 **MRS. WOLFFE:** Which leads to my next
7 question regarding connectivity. You mentioned the
8 word "connectivity". Do you think we, as a Parliament,
9 do enough, in terms of educating the public in terms of
10 our role, here at Parliament, also the role of MPs?
11 Because in my personal opinion I think there is still a
12 huge disconnect between Parliament, meaning the Senate,
13 or there's a disconnect between the Legislature and the
14 public.

15 **THE ACTING CHAIRPERSON:** Yeah.

16 **MRS. WOLFFE:** I think in order for
17 Members to get this, the public has to understand
18 basically what you all do. And I think that there is a
19 disconnect.

20 Do you think that the disconnect exists,
21 you know, and in terms of also we need to look at the
22 improving, my opinion again, improving the public
23 perception of Parliament? Do you think there needs to
24 be some education in those areas?

25 **MR. SWAN:** Okay. Let me just deal with

1 one thing.

2 Madam Chairman, I can't agree with you
3 on -- I don't agree with you on the stipend bit.

4 **THE ACTING CHAIRPERSON:** No, --

5 **MR. SWAN:** Well, let me just finish.

6 **THE ACTING CHAIRPERSON:** Oh, no. I was
7 saying, that's as a sidebar. You don't have to turn
8 your attention to that. Yeah. Yeah.

9 **MR. SWAN:** No, no. Okay. Yeah. Well,
10 I wouldn't want -- I've spent more of my life trying to
11 get elected than being elected, and I've spent most of
12 my time in the Legislature as a Senator.

13 **THE ACTING CHAIRPERSON:** Yes.

14 **MR. SWAN:** I wouldn't want the MP that
15 I -- in the area, to be able to have a budget to be
16 able to say, Okay, I'm gonna -- I want that vote there.

17 **THE ACTING CHAIRPERSON:** Okay.

18 **MR. SWAN:** I think there is, as, for
19 instance, when I was an Opposition Member, I had the
20 Minister, who was more partial to the candidate in that
21 area to make sure over there, but that's okay.

22 **THE ACTING CHAIRPERSON:** See, and
23 that's why you want to get rid of that.

24 **MR. SWAN:** But it was up to me to be
25 able to advance those issues so that it got to the top

1 of the totem pole and we got a lot of things done.

2 That's the to and fro-ing of the Westminster system.

3 **THE ACTING CHAIRPERSON:** And I can say
4 I did the same, but you understand you want to take out
5 that aspect of it.

6 **MRS. ATHERDEN:** I'm just laughing.
7 More roads got done in certain parishes in certain
8 times --

9 **THE ACTING CHAIRPERSON:** Yes. And
10 that's why you want to avoid that.

11 **MRS. WOLFFE:** So that's -- we don't
12 want to go down there.

13 **THE ACTING CHAIRPERSON:** Exactly.

14 **MRS. ATHERDEN:** We don't want to go
15 down those paths.

16 **THE ACTING CHAIRPERSON:** I certainly
17 want to avoid that, too.

18 **MR. SWAN:** But, Madam, the role of the
19 MPs and the disconnect, Madam Clerk, I'd say that when,
20 in the early -- in the late 90s, early 2000s we had a
21 number, because of the change of Government for the
22 first time in Bermuda, we had a number of Parliamentary
23 seminars in Bermuda. We had one which dealt with the
24 role of the Legislature for a lot of the knew MPs and
25 Senator's that came on.

1 I think Bermuda would be well served
2 having more seminars where we utilize some of the
3 Former Members.

4 There's a resource out -- because what I
5 found is this, is that a Former Member becomes less
6 partisan the longer they're a former -- the longer
7 they're a Former Member, and they really want to make a
8 contribution.

9 So we could, during the course of twice
10 a year, have those Former Members, and others, and
11 maybe even having someone come in from overseas, or the
12 like, --

13 **THE ACTING CHAIRPERSON:** You're saying
14 her Office? You're saying her Office should do that?

15 **MR. SWAN:** Well, it could be something
16 that's organized through Parliament, where we help to
17 raise the awareness of what the role is, because a lot
18 of folks don't appreciate how important, for instance,
19 I pick on being in opposition because I spent the last
20 14 years as an Opposition, how important the role of an
21 Opposition is, or how important the role of a
22 Backbencher. I mean, Dr. Terceira just wrote a book,
23 and I heard him on television talking about how
24 effective he was when he was, not so much in Cabinet,
25 how effective he was when he partners with his

1 Backbench, which I'm very -- where I did my political
2 pupillage under, if I might say that, you know. And
3 the public needs to know that those persons are there
4 to serve them, no matter what title they have behind
5 their name.

6 And so I think what we can do is, find
7 ways -- we have an annual CPA meeting, find ways we
8 could maybe -- that comes with a budget, maybe we can
9 find ways through that body to use even our Annual
10 General Meeting as a promotional tool, and -- because
11 we've got some -- I mean, you know, you have former
12 Finance Ministers in there, you have former Premiers,
13 former all types of persons with different levels of
14 connectivity, who would, you know, that people honestly
15 forget about, who are very knowledgeable and who have
16 been through some of the very same things that a lot of
17 the younger persons, or even the present-day MPs are
18 experiencing, so maybe we can utilize that resource --

19 **MRS. WOLFFE:** So what would you suggest
20 I put on the CPA Agenda? As a topic.

21 **MR. SWAN:** I would suggest -- I
22 remember Mr. -- I remember, when I was a Senator,
23 supporting this. Mr. Ottiwell Simmons was saying, you
24 know, find a way to use some of the former --

25 **THE ACTING CHAIRPERSON:** And are you

1 saying on a volunteer basis, or should she have a
2 budget set up for doing that?

3 **MR. SWAN:** Well, obviously, if you're
4 going to have a couple of seminars where you invite a
5 Member to do a presentation on a subject that you might
6 think they might be an expert in, right, or have some
7 knowledge to share, you would need, to start off with,
8 the resources to be able to have PA systems and the
9 like, you just don't snap your finger and it happens,
10 so, there, but I'm not saying that you need to, you
11 know, be able to say, and, Oh, I need to be able to,
12 you know, hire this person to, you know, to do that.

13 **MRS. WOLFFE:** So what would be the
14 topic, as an agenda item? What would be an agenda
15 item?

16 **MR. SWAN:** I would say -- I would start
17 off with -- I would -- the first one I would start off
18 with is The Role of the Legislature, and the sub-
19 headings would be The Role of the Cabinet, The Role of
20 the Opposition and The Role of the Backbench, The Role
21 of the Senators, you know, and under that you would get
22 The Importance of an Independent Senator, What does an
23 Opposition...? You know.

24 **THE ACTING CHAIRPERSON:** Okay.

25 **MR. SWAN:** And if you look at the --

1 and take people through the periods of time.

2 When the PLP was in Opposition, for
3 instance, right, they had now Dame Jennifer, they had
4 the late David Allen and they had Mr. Alex Scott there,
5 I mean, you know, the Government was looking over its
6 shoulder because those three --

7 **THE ACTING CHAIRPERSON:** Senators.

8 **MR. SWAN:** -- Senators were able to,
9 when the House was -- when the Opposition were down to
10 seven Members, they did their politics through that
11 body, that's why I, you know, have great empathy for
12 that body.

13 So we need to demonstrate to the public
14 the significance of these different tiers of
15 Government, and those could be seminars that could
16 be -- you could break them down into --

17 **MRS. WOLFFE:** But who would they
18 present the seminars to? The current Members already
19 are aware.

20 **THE ACTING CHAIRPERSON:** To current
21 Members and to the public; that's what you're saying?

22 **MR. SWAN:** No, to the --

23 **MRS. WOLFFE:** To the public, you're
24 saying?

25 **MR. SWAN:** To the public.

1 **THE ACTING CHAIRPERSON:** Yes.

2 **MRS. WOLFFE:** Okay.

3 **MR. SWAN:** You have -- there's CITV. I
4 look at it from time to time and see a lot of good
5 stuff on there.

6 **MRS. WOLFFE:** Okay.

7 **THE ACTING CHAIRPERSON:** Okay. Thank
8 you, Mr. Swan.

9 Mr. Jardine has a final question, and
10 then Ms. Atherden.

11 **SENATOR JARDINE:** Just one sort of
12 quick question, yeah.

13 Turning to finances, which is dear to my
14 heart.

15 **MRS. WOLFFE:** I was waiting for that.

16 **SENATOR JARDINE:** And certainly it was
17 listed in this information that we were given and I
18 assume you were given the same piece.

19 **THE ACTING CHAIRPERSON:** Yes.

20 **SENATOR JARDINE:** Do you feel that the
21 Legislature has sufficient information to be able to
22 understand what is going on with Government finances on
23 a regular basis? Do you feel -- I understand there's a
24 Finance Committee of Parliament; is that operating
25 effectively, in your opinion, and do you think maybe

1 the new sort of Legislature and the composition of it,
2 as an independent entity, should take a more active
3 role in, shall we say, providing financial data, at
4 least on a quarterly basis, for the elected Members to
5 see what's happening? Is that something that you --

6 **MR. SWAN:** I think that would be
7 helpful. I know, I mean, I was very, very embroiled in
8 the -- get very involved in the budget. I enjoy doing
9 budget process, and but there are only a few Members
10 that participate in budget. Usually the financial, you
11 know, the financial gurus who are in the House, and
12 those persons who came out of the Senate who had to do
13 everything, you have to be available to speak on
14 everything, so I really enjoyed that.

15 I think there would be some benefit to
16 finding ways to build upon what is the Public Accounts
17 Committee, for instance, and, you know, I haven't
18 worked out the nuts and bolts of it, but I could see
19 benefits of it. I could see benefits in the budget
20 book, doing what I used to do for many times, you would
21 know, I'd have my budget books down there, and I'd go
22 back as far as '98, '99, dah, dah, dah, dah, and do the
23 trends, because if you -- if you were trend oriented,
24 you could see that, boy, you know, the growth has been
25 here in such and such an area, it's going -- you know,

1 the salaries -- the bodies have gone down but the
2 salaries have gone up, and you can see all those
3 trends, so -- and you could better utilize those
4 particular persons whose mind-set is purely -- and it's
5 very necessary, because then when you have -- when you
6 have certain legislation that deals -- you have the
7 lawyers that are there, particularly in the House, in
8 the Senate everybody stays around in the table, but,
9 you know, Members would know that there are certain
10 pieces of Legislation and you'll look, you'll see five
11 people in the House and you'd see no one there unless
12 there's a vote called and the Whip's rounded them up.
13 So I think it would be well served if we used -- I
14 believe House Rules may already -- House Standing
15 Orders may already have the mechanisms for certain
16 Committees, like this one, to be able to examine even
17 finance. I stand corrected but --

18 **THE ACTING CHAIRPERSON:** Yes, the
19 Speaker can --

20 **MR. SWAN:** -- I don't think we've
21 really examined. When I start looking at, like, the
22 Parliamentary Act that goes back a long -- there are a
23 lot of things that are covered that we might even have
24 Legislation in that's already in some of those old
25 Acts.

1 So I could see the benefit -- I could
2 see the benefit of that, so that the onus is just not
3 put on the period from, say, like February 25th until
4 March 31st, that during this period -- because all of
5 us who worked in Government knows that the period of
6 presenting the budget is taking place right now, you
7 know, so, if there was a Committee that looked at
8 on-go -- because the Public Accounts Committee looks
9 retro -- you know, looks in the rear-view mirror and
10 looks back at what was done.

11 **THE ACTING CHAIRPERSON:** Doesn't have
12 to, though.

13 **MR. SWAN:** And if you -- and if you
14 sort of mandated to look current and forward, you can
15 be accomplishing two things with the current House, and
16 it would have some benefit to keep the Opposition on
17 the current, and the Government.

18 **SENATOR JARDINE:** Right.

19 **MR. SWAN:** And the Backbench of the
20 Government more in tune to what's happening, cause
21 better questions to be asked, and the whole -- I think
22 the tide will rise very well with that.

23 **MRS. WOLFFE:** I think a Finance
24 Committee would be beneficial. I think so, too.

25 **THE ACTING CHAIRPERSON:** Just for --

1 right -- just for record keeping, when you said Finance
2 Committee, did you mean the Public Accounts Committee?
3 Because we don't have a Finance Committee.

4 **SENATOR JARDINE:** No. The Public
5 Accounts Committee, as I understand it.

6 **THE ACTING CHAIRPERSON:** Okay. Okay.

7 **SENATOR JARDINE:** Yes.

8 **MR. SWAN:** Okay.

9 **THE ACTING CHAIRPERSON:** Thanks. I
10 just wanted to get that straight for you.

11 **SENATOR JARDINE:** I guess what I was
12 trying to elicit from you is maybe a response that
13 there needs to be more oversight, let's put it that
14 way, --

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

16 **MR. SWAN:** Mmm.

17 **SENATOR JARDINE:** -- and maybe the
18 Public Accounts Committee is the right or the wrong
19 place, I'm not sure, --

20 **THE ACTING CHAIRPERSON:** Yeah, they
21 conduct oversight.

22 **SENATOR JARDINE:** -- but if we are
23 looking at changing the structure and the governance of
24 the Legislature as a whole, do you feel now that there
25 is sufficient oversight, or not, and if not, what sort

1 of improvements do you think could be made with a new
2 structure?

3 **MR. SWAN:** Current oversight -- on-
4 going oversight as opposed to looking back. That's
5 where I would go.

6 **SENATOR JARDINE:** I think on-going
7 oversight, what I'm talking about the present day and
8 the future, as opposed to history.

9 **MR. SWAN:** Mmm. Yeah. I agree that
10 the oversight needs to be on-going and as you go
11 forward.

12 **SENATOR JARDINE:** Yeah.

13 **MRS. ATHERDEN:** But in some respects
14 that is how the Public Accounts Committee is trying to
15 move forward.

16 **THE ACTING CHAIRPERSON:** That's right.

17 **MRS. ATHERDEN:** And definitely, in
18 terms of the recommended benchmarks, this is something
19 which, once you started to say that the Parliament --
20 that we're going to sort of have this Parliamentary
21 body that's going to have the oversight, then the
22 Finance Committee or the Public Accounts Committee and
23 the Auditor General, all of those Committees then
24 become more Committees that look at how the money's
25 being spent, how it's being budgeted, and not just once

1 a year and sort of say, Oh, you do it and then you come
2 back to us. So that is definitely --

3 **SENATOR JARDINE:** Yeah. Because we get
4 nothing, from one year to the next.

5 **MRS. ATHERDEN:** No, but --

6 **SENATOR JARDINE:** The budget goes down
7 in March, it's then produced and issued, and there's
8 zip for the rest of the year.

9 **MRS. ATHERDEN:** Yes.

10 **SENATOR JARDINE:** Now, we've started
11 getting quarterly bits of information in the press.
12 Nothing formally delivered to the Senate and the House.

13 **MRS. ATHERDEN:** Right.

14 **SENATOR JARDINE:** And if you're lucky
15 enough to spot it in the newspaper, you can then figure
16 out what the results are, but there's no proper
17 comparison of actual to budget, there's no forward
18 forecasting for the rest of the year, there's no
19 forward planning for a five-year period, and so
20 therefore, as Legislators we're left in the dark as to
21 how the Government is performing, you know, Are we over
22 budget, are we under budget? What are the plans going
23 forward? What is your vision for the five years in
24 terms of a strategic plan? And I think --

25 **THE ACTING CHAIRPERSON:** I think in --

1 on behalf of the Auditor General, she has said that it
2 would be good, in her capacity, to have a five-year
3 plan, or what-have-you, so that she can make, in her
4 assessments, some of the same comments that you've
5 made, look at things more comparatively. But we do
6 have old budget books, et cetera, et cetera.

7 **SENATOR JARDINE:** I know.

8 **MRS. ATHERDEN:** But Jamie, also, you've
9 come on the Committee and you're part of the Committee
10 that I have, and we have that under it, so I'll show
11 you afterwards the recommendation that we're making.

12 **MR. SWAN:** Are you on Public Accounts?

13 **THE ACTING CHAIRPERSON:** Yes.

14 **MRS. ATHERDEN:** Pardon?

15 **SENATOR JARDINE:** It's just I, you
16 know, it's something I ask --

17 **MRS. ATHERDEN:** No, no, not only for
18 Public Accounts, but from the point of view of the
19 Parliamentary Reform, so the section that we deal with
20 is talking about --

21 **MRS. WOLFFE:** [Indiscernible].

22 **THE ACTING CHAIRPERSON:** Yes. Exactly.

23 **MRS. ATHERDEN:** But --

24 **SENATOR JARDINE:** Fine. I just feel
25 that the Legislature doesn't have that information.

1 **THE ACTING CHAIRPERSON:** Yeah, we're
2 dealing with it.

3 **MRS. ATHERDEN:** No, no, no. And I'll
4 send something out to you, because you can then now tie
5 into what we've drafted.

6 **THE ACTING CHAIRPERSON:** Thanks,
7 Jeanne. Go ahead.

8 **MRS. ATHERDEN:** But I just want to go
9 back to something that you were talking about earlier.

10 **THE ACTING CHAIRPERSON:** And we are
11 going to wrap up shortly after.

12 **MRS. ATHERDEN:** Yeah, we'll definitely
13 wrap up. And this, it just seemed to me that when we
14 were talking about having funds and constituency --
15 what was the word you used?

16 **MRS. WOLFFE:** Development Funds. CDFs,
17 they call it.

18 **MRS. ATHERDEN:** No, no, not CDF. We
19 were talking about connect, the connection with our
20 constituency.

21 **THE ACTING CHAIRPERSON:** Okay.

22 **MRS. ATHERDEN:** It just seemed to me
23 that all of what we were just talking about earlier was
24 making people understand the process and was not going
25 to deal with the connect, and I just want to throw out

1 to you, wouldn't it be better for us to do something
2 that lets the constituents know, on a regular basis,
3 what has been done during the process, what has been
4 happening, what their MPs have been doing, so that the
5 MPs don't have to turn around and try and grandstand
6 during the night to say, Will I get a headline?

7 You know, you need something --
8 either -- if you turned around and sort of said, like I
9 know they have in other places, okay, during this
10 session these were the bills that went down and this is
11 what happened and this is what we did, --

12 **SENATOR JARDINE:** Let me tell you what
13 some --

14 **MRS. ATHERDEN:** -- all I'm just saying
15 that, you know, --

16 **MRS. WOLFFE:** I'll bring it the next
17 meeting.

18 **THE ACTING CHAIRPERSON:** Yes.

19 **MRS. WOLFFE:** Every year there is a --
20 or every six months, most Parliaments, they do up like
21 a report, --

22 **MRS. ATHERDEN:** Yeah.

23 **THE ACTING CHAIRPERSON:** Mm-hmm.

24 **MRS. WOLFFE:** -- an annual report of a
25 semi-annual report to say, this is the amount of bills

1 that were passed, this is what the debates, these are
2 the areas of concern; all of that is done in most
3 Parliaments, but of course they have a PR Department
4 that does all of that. You know, they do that, and, I
5 mean, I have one -- two of them, and I said, Gee, I
6 would like for us to do this, because that is also a
7 role and a part in educating the public, and I'll bring
8 those at the next meeting. I think I have two reports
9 inside. It would be useful.

10 **MRS. ATHERDEN:** Yeah. Yeah. No, no,
11 and I'm saying that, you know, that -- because then it
12 lets your Members know what you're doing.

13 **MRS. WOLFFE:** Just like Government does
14 reports, we should be doing reports.

15 **THE ACTING CHAIRPERSON:** That's right.

16 **MRS. WOLFFE:** We should be.

17 **THE ACTING CHAIRPERSON:** That's right.

18 **MRS. WOLFFE:** Yeah, we should be doing
19 that. I agree with you, Ms. Atherden.

20 **THE ACTING CHAIRPERSON:** And even if
21 the Clerk spoke to the Constituency Development Fund,
22 that still would fall under her remit, that so that she
23 speaks, and that takes the politics out of it. She
24 speaks to: So much development took place in
25 Constituency 1, --

1 **MRS. WOLFFE:** We need to do more of
2 that.

3 **THE ACTING CHAIRPERSON:** --
4 Constituency 3, --

5 **MRS. ATHERDEN:** That one I think -- I'd
6 have to stay away from that. We have to stay away from
7 that.

8 **THE ACTING CHAIRPERSON:** No, because
9 that's how you make it non-partisan, it has no --
10 there's nothing partisan about that.

11 **MRS. ATHERDEN:** No.

12 **MR. SWAN:** If I could just --

13 **THE ACTING CHAIRPERSON:** 'Cause it's
14 controlled by her, not by us.

15 **MRS. ATHERDEN:** But there's too many
16 issues.

17 **MR. SWAN:** If I could just --

18 **THE ACTING CHAIRPERSON:** No, I'm not
19 saying that we should go that way.

20 **MRS. ATHERDEN:** Finance.

21 **THE ACTING CHAIRPERSON:** Right.

22 **MR. SWAN:** There was a point that was
23 just made by the Senator with regards to hearing things
24 in the media, and there was always a -- in my -- a
25 convention, probably not a Standing Order, but I think

1 it is -- and I'd like this, you know, certainly saying
2 this for the record, that it is disrespectful to
3 Parliament for Government Departments to be sharing
4 information with the -- particularly finance --

5 **THE ACTING CHAIRPERSON:** Press.

6 **MR. SWAN:** -- with the press before
7 it's tabled in Parliament first.

8 **THE ACTING CHAIRPERSON:** Not accepted
9 practice.

10 **MR. SWAN:** And I think -- I've seen it,
11 and I'm not laying the fault at any particular
12 administration, but it sort of circumvents the role of
13 Parliament for, particularly with things, you mentioned
14 finance and stuff, because those matters, you know,
15 statistics and the like, should go, you know, should go
16 to Parliament, and, you know, just as easy as you could
17 have a press conference to share it, you could share it
18 with the Speaker, disseminate it to the Parliamentary
19 Members, all Parliamentary Members, so that they can do
20 their due-diligence and what they're in the Legislature
21 for, and I think that is something that I certainly
22 would like for the Speaker to be aware of, that that is
23 not right, and it speaks to -- there is certain
24 information that all Parliamentarians, Members of the
25 Legislature should have to be able to do their job.

1 **THE ACTING CHAIRPERSON:** First. Yes.

2 **MRS. ATHERDEN:** I agree with you. I've
3 made that note. I do apologize, I have another meeting
4 going on.

5 **THE ACTING CHAIRPERSON:** Yes. Right.
6 I concur.

7 **SENATOR JARDINE:** I've spoken about it
8 several times in the Senate.

9 **MR. SWAN:** Yeah? Okay.

10 **SENATOR JARDINE:** There's no --

11 **THE ACTING CHAIRPERSON:** Even finding
12 out when debates are, you shouldn't be finding that out
13 in the newspaper when Members have not been informed
14 that a debate will be taking place at such-and-such a
15 date.

16 **SENATOR JARDINE:** Well, we're
17 responsible for a budget of a billions dollars.

18 **THE ACTING CHAIRPERSON:** Exactly.
19 That's right.

20 **SENATOR JARDINE:** We know nothing from
21 one day to the next until a year passes, what's
22 happened.

23 **MR. SWAN:** Yeah. Right.

24 **SENATOR JARDINE:** And there could be
25 supplementaries coming through.

1 We have no idea of how those
2 supplementaries relate to revenue and expenses, and so
3 at the end of the year, everybody gets upset when they
4 see all the over-expenditures, and they see revenues
5 have fallen short, and everybody starts pointing
6 fingers.

7 **THE ACTING CHAIRPERSON:** Right.

8 **SENATOR JARDINE:** And it would have
9 been far better off to have a quarterly report, which
10 they can now produce, and instead of putting it in the
11 newspaper, let the Parliamentarians and the Senators
12 have a look at it before it gets in the paper, so that
13 there's an opportunity to say, Gee, that looks good, or
14 What's happening over here, before it then becomes
15 general knowledge.

16 **MRS. WOLFFE:** It's a disrespect to the
17 Legislators.

18 **THE ACTING CHAIRPERSON:** Yes, it is.
19 Yes.

20 **MRS. WOLFFE:** It is a disrespect. It
21 is.

22 **SENATOR JARDINE:** As it is, you have to
23 hunt and peck through the press to figure out what the
24 numbers are.

25 **MRS. WOLFFE:** That's something --

1 that's definitely got to be put in the report.

2 **MR. SWAN:** Madam Chair?

3 **MRS. WOLFFE:** That is definitely a
4 disrespect to the Legislators.

5 **THE ACTING CHAIRPERSON:** Yes. Yes.

6 **MRS. WOLFFE:** For that. I think so.
7 Mm-hmm. Mm, it is.

8 **THE ACTING CHAIRPERSON:** Thank you,
9 Madam Clerk.

10 Well, I'd like to thank Mr. Swan for,
11 you know, he came and gave us a detailed account of
12 ideas that he think would serve an independent
13 Parliamentary body well.

14 I'd like to also thank Mr. Jardine and
15 Ms. Atherden for making themselves available so that he
16 could indeed present his ideas.

17 And hopefully, as we continue to do our
18 work, you'll be able to, if needed to, come again, and
19 share with us some of the points that you may have in
20 terms of us being able to set up a proper Parliamentary
21 body for oversight for the Legislature.

22 **MR. SWAN:** Okay. Thank you, Madam
23 Chair. Thank you, Members.

24 **SENATOR JARDINE:** Thank you.

25 **THE ACTING CHAIRPERSON:** So, thank you.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

And this meeting is now adjourned.

--- at 1:20 p.m.

- - - - -

Certified correct to the best of my skill and ability:

Margaret I. Gazzard, CSR
Chartered Shorthand Reporter
MG Court Reporting & Transcription Services
(441) 232-6508 transcript@northrock.bm