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BERMUDA HOUSE OF ASSEMBLY
OFFICIAL HANSARD REPORT**

11 March 2020

*Sitting number 42 of the 2018/2020 Session
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**Hon. Dennis P. Lister, Jr., JP, MP
Speaker**

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****11 MARCH 2020****10:03 AM***Sitting Number 42 of the 2018/2020 Session**[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]***PRAYERS***[Prayers read by Mrs. Shernette Wolffe, Clerk]***The Speaker:** Good morning, Members.*[Gavel]***CONFIRMATION OF MINUTES***[Minutes of 6 March 2020]***The Speaker:** Members, the Minutes from March 6 have been circulated.

Are there any omissions, corrections, amendments? There are none. The Minutes are confirmed as printed.

*[Minutes of 6 March 2020 confirmed]***The Speaker:** The Minutes from the 9th of March have been deferred.**MESSAGES FROM THE GOVERNOR****The Speaker:** There are none.**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGY****The Speaker:** The only announcement this morning is that we have been notified by MP Leah Scott that she will be absent today.**MESSAGES FROM THE SENATE****The Speaker:** There are none.**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE****The Speaker:** We have one this morning in the name of the Minister of Finance.
Minister.**Hon. Curtis L. Dickinson:** Good morning, Mr. Speaker.**The Speaker:** Good morning.**SUPPLEMENTARY ESTIMATE (NO. 1) 2018/19****Hon. Curtis L. Dickinson:** Mr. Speaker, pursuant to the powers conferred by section 96 of the Constitution, I have the honour to attach and submit for the consideration of the Honourable House of Assembly the Supplementary Estimate (No. 1) for 2018/19. Thank you.**The Speaker:** Thank you.**PETITIONS****The Speaker:** There are none.**STATEMENTS BY MINISTERS
AND JUNIOR MINISTERS****The Speaker:** Yes. We have two Statements this morning. The first is in the name of the Minister of Health.
Minister.**Hon. Kim N. Wilson:** Thank you, Good morning, Mr. Speaker.*[Pause]***COVID-19 PREPAREDNESS UPDATE****Hon. Kim N. Wilson:** Mr. Speaker and Honourable Members, I know everyone in Bermuda is getting into a state of [preparedness for the potential arrival of COVID-19](#) to our shores. I want to give this House and my honourable colleagues assurance that the Government is taking proactive steps to effectively respond to this global outbreak.

Some persons may be aware that the Office of the Chief Medical Officer is ordinarily a small team. However, additional staff have been seconded to the Ministry of Health from elsewhere in Government and the Bermuda Hospitals Board to provide additional manpower. Consequently, there is a growing team fully engaged in getting the country ready. For exam-

ple, I can share, Mr. Speaker, that among the steps completed by the team are as follows.

Hand sanitisers have been ordered, which will contribute to the essential hand hygiene needed to protect ourselves and prevent spread, though we all have to remember, of course, that good old-fashioned soap and water achieve the same aim, so wash your hands often and well.

To underscore the importance of handwashing, a video has been produced and disseminated regarding good hand hygiene. The Office of the Chief Medical Officer has provided guidance to various business organisations across the Island, including the Association of Bermuda International Companies (ABIC), the Association of Bermuda Insurers and Re-insurers (ABIR) and the Bermuda Chamber of Commerce, stating actions which can be taken by the business community to help respond to the emerging public health threat COVID-19.

The 911 telephone operators have also adjusted their ordinary protocols with enhanced questioning of callers in order to deal with situations involving a possible case of COVID-19 to ensure that everyone gets the right services and the right care by deploying the appropriate emergency services. At the airport, Mr. Speaker, there is a public health nurse covering every incoming flight.

Additionally, supported by their senior managers, customs officers have been questioning arriving travellers, asking the appropriate travel history and health-related questions of incoming passengers in order to identify any person needing additional public health follow-up. A poster has been sent to health care facilities to print and display on their doors, advising individuals with respiratory symptoms and/or a relevant travel history to call ahead before entering the premises, in an effort to limit any potential exposure risks to others.

Mr. Speaker, I truly have to emphasise this point: If you have fever, cough and difficulty breathing, call your health care provider promptly and share your previous travel history. It is important to remember to call first and do not just show up.

In addition, Mr. Speaker, the Government has created a poster detailing COVID-19 prevention tips. The Ministry of Health is encouraging people to print and display the poster in their workplaces, community clubs and public bulletin boards. This was issued with a previous press release, but it is on our website for persons to print and display.

Religious organisations were sent guidance to share with their congregations to assist in spreading the word about preventative measures the population can take now. Long-term care facilities have also been sent guidance and information to assist them in handling questions and prepare. And a further document has been created entitled "Guidance for hotels, guest houses, and Airbnb operators in Bermuda."

Mr. Speaker, the Government has been actively planning for cruise ship season based on the threat of COVID-19. All cruise ship lines serving Bermuda have been contacted, and they have shared their individual policies for the health screening of passengers. By liaising closely with shipping agents, Government personnel are preparing for the planned arrival of cruise ships to the Island.

Under the International Health Regulations, all ships must forward a declaration of health form to the Department of Health, which must be received at least 24 hours before the ship's arrival. The declaration will detail any instances of infectious diseases onboard and list any previous ports of call. By having this information in advance, we can make decisions based on risk assessments and in line with the International Health Regulations as to whether or not we need to intervene in any way. We also carry out full inspections of cruise ships on request in order to issue Ship Sanitation Certificates.

Mr. Speaker, I have to highlight a reminder that all arriving travellers will undergo a travel risk assessment upon entry into Bermuda and could have their health monitored and movement on Island restricted for up to 14 days. Those who have spent time in jurisdictions considered at very high risk will be given health instructions for follow-up and monitoring for 14 days. There are government officers at all ports of entry to assist with managing the situation, and port officials are in continuous communication with the Ministry of Health's Epidemiology and Surveillance Unit (ESU).

Travel advice for residents and visitors is updated daily on the Government's website. Please read the advisories before you decide to travel. We have been updating information to the public on a daily basis to try to ensure that everyone knows how to prepare and what to expect.

I want to stress, Mr. Speaker, that preparing for and managing a potential outbreak is not a one-agency undertaking. The Ministry of Health is working closely with stakeholders from different disciplines and sectors of society to plan and prepare for this global risk. The Ministry's Public Health Emergency Response Team (or PHERT) includes representatives from Customs, Immigration, Skyport and Cedar Aviation to ensure all parties are working collaboratively.

In addition, Mr. Speaker, the hospital has been under active preparations to deal with potential seriously ill and critically ill COVID-19 patients in Bermuda. BHB has escalation plans in place, which identify options for Emergency, Intensive Care Unit and Acute Care Wards to cope with an influx of patients in the event of a pandemic. Plans are in place to increase bed capacity if needed, such as postponing elective surgeries, discharging stable patients and using additional beds in other areas. There are negative-pressure rooms in Emergency and on each floor of the Acute Care Wing. Negative-pressure rooms

stop the air flowing out of patient rooms, keeping the rest of the hospital safe. The hospital also has an entire floor of 30 beds with an independent air filtration system which can potentially be used for cases should that need arise.

Mr. Speaker, I remind the public again that it will be critical for people who can be cared for at home to stay there so that hospital services can focus on those most in need. No one with COVID-19 symptoms should turn up at the hospital without calling ahead first to inform health care personnel of their symptoms and receive advice on next steps. The hospital has seniors and people with existing medical conditions who are more susceptible to infection.

Moving on, Mr. Speaker, in addition there are a number of activities underway which should be completed imminently or in the near future. And these include the following, Mr. Speaker: The Government is in the process of enabling duty relief measures for hand sanitisers, N95 masks and other personal protective equipment in the fight against influenza and COVID-19. Once implemented, the duty relief will apply to items imported. An announcement will be made once it is in place.

With respect to N95 masks, Bermuda does have a supply for the majority of health personnel, and we are in the process of ordering more. It is well known that these masks are in global short supply, but we are working to acquire masks as quickly as possible through our international partners. Nevertheless, Mr. Speaker, it should be noted that the use of face masks during outbreaks of viral illnesses such as COVID-19 has only been shown in scientific studies to be effective for protecting health care workers and to reduce the risk of sick patients spreading the disease. Based on that evidence, the World Health Organization recommends the use of face masks by

1. people who have respiratory symptoms such as coughing, sneezing or difficulty breathing;
2. people who are providing care to individuals with respiratory symptoms; and
3. health care workers, when entering a room with patients or treating an individual with respiratory symptoms.

Mr. Speaker, I have to stress that wearing a face mask alone is not guaranteed to stop infections in any of these circumstances and should be combined with other personal protective measures, such as hand hygiene and keeping your distance from people who have symptoms. In addition, a Rapid Response Team of doctors and nurses will be created in collaboration with community health care professionals to increase capacity for detection of potential cases of COVID-19.

Furthermore, additional nurses are currently undergoing training to deal with investigation and case management where there are suspect cases in the community. As I have indicated previously, Bermuda currently sends all of our tests to the Caribbean Public

Health Agency to obtain scientifically valid, true and reliable results which will protect individuals and the community. Four to five days is the standard turnaround time to get a valid result, and so far Bermuda has completed eight tests to date. The three results received were all negative, and we await the others.

Mr. Speaker, I would like to reiterate that currently there is no commercially available, scientifically valid rapid test which can provide instant results in the world. However, we are exploring additional testing options in collaboration with our local and international partners, and the Government will ensure that tests can be conducted locally at the earliest opportunity.

Finally, Mr. Speaker, we continue to work on identifying a suitable quarantine facility for the potential incidence of persons who are well enough to self-quarantine but who are not residents of Bermuda. And the COVID-19 helpline remains in development, as this is a much-needed resource for the concerned public.

Mr. Speaker, I want to remind us all that while there are many unknowns about COVID-19, experience to date indicates that about 80 per cent of people only have mild to no symptoms and will not need hospital care. Of the rest, a portion will be able to receive medical care at home, and a small percentage may need critical care services with intensive medical management. Therefore, Mr. Speaker, we do not anticipate a situation with COVID-19 that would require the large populations to be relocated.

Mr. Speaker, in the event that a case is identified locally, the Ministry of Health will inform the public immediately. We have received several media queries and seen social media posts falsely alleging the existence of local cases. This is categorically untrue, and the public should remember that such information would only come directly from the Ministry of Health. However, in the event of a local case, the way to protect ourselves and prevent community transmission will be to heed the orders from public health professionals, remain isolated as instructed and practice the simple measures extensively stressed already:

- frequent handwashing with soap and water or use of hand sanitisers;
- cough into your elbow or tissue;
- frequent disinfection of surfaces;
- avoid close contact with anyone with a cough and fever symptoms; and
- if you have fever, cough or difficulty breathing, call your health care provider. Do not just show up!

Mr. Speaker, this is a matter of utmost seriousness, and it is a time for calm, rational action. Just like we prepare when a hurricane is coming by calmly getting our homes and supplies ready, so too we should engage in calm and measured preparations for a potential COVID-19 arrival. This is not a time for panicked actions or irrational fears. The biggest thing we have to fear is fear itself. Remaining calm in our

actions and steadfast in our preparations will ensure that we can properly and successfully manage this global situation.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The second Statement this morning is in the name of the Minister of Education.

Minister.

A MATHEMATICS INTERVENTION PROGRAMME FOR PRIMARY SCHOOLS

Hon. Diallo V. S. Rabain: Thank you, Mr. Speaker.

Mr. Speaker, today I stand before you and my honourable colleagues to share some of the exciting and transformative work that is being undertaken across all of our primary schools to support and enhance the teaching and learning of [mathematics in our primary school](#) classrooms.

Mr. Speaker, let me first provide a brief, brief backdrop for my honourable colleagues, who will recall back in February 2018 when I shared the Cambridge Checkpoint and IGCSE results for the 2017/18 school year. During that press conference, I advised the public that our students were not performing at the expected standard for mathematics and this was of great concern.

Consequently, the following month in March 2018, two specialists from Cambridge International visited our public schools to conduct observations in math classrooms and to facilitate training sessions designed to improve the teaching of mathematics. I shared at that time with this Honourable House that during their visit the Cambridge representatives held focused conversations with our students, teachers, principals and technical officers. They also visited several schools and made observations while students were learning in their respective classroom environments. Using the data collected, recommendations were made to the Department of Education on where to refocus the direction of mathematics in our public schools.

Mr. Speaker, the department's technical officers used these recommendations as data for informed decision-making, in alignment with Plan 2022 Strategies 5.3.3 and 5.3.3.1, leading to the implementation of a comprehensive mathematics intervention programme for the improvement of teaching mathematics across all of our primary schools. This intervention programme includes extensive professional development training in mathematics for our teachers to enhance and build on the quality of teaching and learning in the classroom; support and assistance for school principals; and ultimately, we expect it to lead to the improvement of the Cambridge score results and other mathematics assessment results for our students.

Mr. Speaker, during the 2018/19 school year, the overseas consulting firm Primal Academic Innovations Ltd. [PAI] was introduced to the Mathematics Teacher Leader at Harrington Sound Primary School through a former PTA president of the school. Subsequently, financial support was received from the Bank of Bermuda Foundation that facilitated PAI implementing a mathematics intervention programme at Harrington Sound Primary School, which included the same essential practices highlighted in the recommendations from the Cambridge representatives. These included the following:

- focus on conceptual versus procedural understanding;
- engage students more in talking, thinking and reflecting;
- scaffold less so that students build independent skills;
- allow students more ownership for their learning;
- encourage reasoning and problem-solving;
- exercise questioning; and
- develop positive dispositions.

Mr. Speaker, the mathematics programme at the Harrington Sound Primary proved to be successful in improving the performance of their students. The school's attainment for the Cambridge Checkpoints averaged 2.7 in 2019, with all P6 students included. However, after factoring out the scores of students who required access arrangements, the attainment average increased to 3.2. The attainment was notably higher than the 1.9 in the previous year.

Mr. Speaker, the increase in student results for Harrington Sound Primary School students was also evidenced by the scores they achieved in the Education Department's common summative assessments in mathematics that students from P4 to P6 sat at the end of the 2018/19 academic school year. The math results for Harrington Sound Primary were significantly higher compared with other primary schools.

Mr. Speaker, after one academic year, the Mathematics Intervention Programme was contributing to a significant improvement in results for both Checkpoint, an international assessment, and the national math assessment.

Mr. Speaker, consequently, the Department of Education contracted PAI Ltd. to build on this success with the wider implementation of a Mathematics Intervention Programme for all [public] primary schools. The Primal Academic Innovations (PAI) Ltd is a team of school improvement professionals who have a strong track record of transforming schools which have underachievement in mathematics to becoming centres of mathematics excellence.

The PAI team has been responsible for transforming 31 primary schools in the North of England and the Midlands from achieving low standards to exceeding the national average in all cases. The majority

ty of these schools are now ranked in the top 5 per cent of schools in the UK in regards to improved quality of teaching mathematics through training, resources, support and leadership development, which will also ensure all schools are sufficiently equipped to support students to improve in mathematics.

Mr. Speaker, in January 2020 the PAI Ltd contract commenced to deliver in three phases a comprehensive Mathematics Intervention Programme for all primary schools. The phases include the following:

Phase 1, January to March 2020—training all primary school teachers on a mastery approach to teaching mathematics and align the mastery approach to learning with the Standards-Based Grading programme; develop mathematics lesson resources for every primary class; introduce principals to an observation strategy and monitoring system; and hold parent sessions with every primary school.

Phase 2, April to June 2020—further training for all teachers; the provision of lesson plans and teaching resources; direct support for teachers with feedback; the creation of assessments; and support for parents and school principals.

Phase 3, September to December 2020—create a hub of teachers who will lead and assist with math interventions at each primary school; develop capacity in the public school system to sustain intervention efforts; involve the modification of Standards-Based Grading pacing guides; and review the impact of Phases 1 and 2.

Mr. Speaker, since January 2020, the CEO of PAI Ltd., Mr. Adam Unwin-Berry, has been providing the Commissioner of Education with regular progress reports on the implementation of the Mathematics Intervention Programme. The deliverables outlined in Phase 1, which I just shared, are nearing completion. In addition, parent sessions have been held at all 18 primary schools, and webpages for each school have been established for access by principals, teachers and parents.

Mr. Speaker, I was very encouraged by the most recent progress report the Commissioner shared with me during the last week in February. The progress report was from the CEO, Mr. Unwin-Berry. And I want to quote an excerpt from his report verbatim, as it relates to the P6 Math Booster sessions which were held. And I quote, “The P6 event has been a huge success so far. I have had parents coming up to me in shops and in Hamilton over the weekend telling me how much the P6 event has boosted their child’s confidence in math.”

Mr. Speaker, P6 Booster Events are two-day sessions where a team of math education experts and P6 students across schools are brought together to work in small groups and address specific gaps in math learning. During mid-February the P6 Booster Event was held with Prospect Primary, Elliot Primary and Harrington Sound Primary Schools at the Cedar-

Bridge Academy. The focus was placed on ensuring students understood and had a good knowledge of the Cambridge test questions. The team of math experts who assisted with the P6 Booster sessions were local tutors, P6 teachers and PAI/UK experts. This combination of expertise underscored the effective and sustainable model to raise standards in math for our primary school students.

I was also privy to several photos of the P6 Booster Session shared by Mr. Unwin-Berry. What I saw stirred up a pounce of excitement within me. At one point during the sessions, the students were in groups sitting around several tables from which it was clear they were discussing and conversing. Then other photos showed them in huddle sessions spread out on the floor with flip chart paper, note pads and markers. Another set of photos showed some students at the flipchart in front of the room.

Mr. Speaker, I saw engagement, I saw interaction and I saw participation. This is the aim of Plan 2022 Priority 1, which states, “To increase academic rigour and student engagement,” and Strategy 1.1, “To deliver high quality instructional practices for students that are rigorous and foster knowledge, comprehension, critical and creative thinking, application and communication.”

Mr. Speaker, let me also share with my honourable colleagues direct quotes made to Mr. Unwin-Berry from students, teachers and parents about the P6 Booster Sessions: Teachers: “Thank you for igniting the fire in our students.” “What an amazing set-up and so valuable.” Students: “I never thought I would enjoy a whole day of math.” “I didn’t know I could do this.” “I love learning this way.” Parents: “Thank you. My child came home excited about math; I couldn’t believe it.” “My child has grown in confidence and now says she likes math!”

Mr. Speaker, this is the what we are working towards—progress and transformation. I continue to say and will repeat as we move forward on this journey: It only takes one generation to transform our public school system. And together—students, teachers, parents, principals and the community—we will all make this happen.

Mr. Speaker, it is expected the Mathematics Intervention Programme is to see our primary school teachers deliver high-quality mathematics instruction and for our schools to become international centres of excellence in the teaching of mathematics. I believe this is possible. Improving the performance of our students in mathematics is a strategy directly linked to Plan 2022 and the transformation of the public school education. I will provide my honourable colleagues with further updates as Phase 2 and Phase 3 of the Mathematics Intervention Programme are rolled out from April to June, and September to December 2020, respectively.

In closing, Mr. Speaker, I also would like to extend my heartfelt thanks to the Bank of Bermuda

Foundation for partnering with the Department of Education in funding the Mathematics Intervention Programme for Primary Schools. I also thank school principals and our teachers for their efforts and willingness to work collaboratively with PAI to improve the teaching and learning experiences for our students. This is a start to how our public school system will progress forward on the transformative journey aligned with Plan 2022—the strategic plan for our public schools and for our children.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

That brings us to a close of the Statements for this morning.

QUESTION PERIOD

The Speaker: We have two, actually more Honourable Members who have indicated that they would like to put questions to the Minister of Health in reference to her Statement.

Minister, the first Member who would like to put a question to you is the Leader of the Opposition.

Honourable Member, you have the floor.

QUESTION 1: COVID-19 PREPAREDNESS UPDATE

Hon. L. Craig Cannonier: Thank you, Mr. Speaker.

I would like to concur with the sentiments of the Health Minister that we certainly, concerning COVID-19, need not panic, but we need to lay in place plans and to inform one another on a daily basis and remind one another on a daily basis of the necessary new changes that we need to make in our lifestyles as we go forward concerning COVID-19.

The question I have is, I have asked the question before when the Honourable Member gave a Statement, about when do we start testing at the airport. Now we are hearing also that there is a nurse that is doing an assessment. I would like to know when had that started? Unfortunately, we are still hearing reports that some people are not being asked pertinent questions. So it would be good to let the public know that the risk assessments are being done and when it started.

And in addition to that, with the assessment, what is the risk assessment that they are doing at the hospital? Is it just a questionnaire? Or are we taking people's temperatures? And the reason I say that, Mr. Speaker, asking that question, just to qualify the question, is that most people do not want to travel because they are afraid of being quarantined wherever they go. And so it is [unlikely] that some people will say, *Well, I'm feeling like my temperature is up*. At a minimum, we should be taking, I believe, their temperature at the border. So that is my question.

The Speaker: Thank you.
Minister.

Hon. Kim N. Wilson: Thank you, Mr. Speaker. And I thank the Honourable Member for that question.

I am afraid I do not have the exact date. But it has been several weeks when the exact questioning [started]. And it is not testing by the customs officers. I will explain that process in a moment.

When travellers enter in Bermuda, their first point of contact is with Customs. The customs [officer] will go through a series of questions such as, *Where have you travelled?* Ascertain that they have travelled from an at-risk country; look at the traveller to see whether or not they appear to have any type of illnesses such as fever or so forth. There is an on-call community health worker who is also situated at the airport. If upon the observations of the customs officer, as well as the passenger has identified that they have come from one of the high-risk countries (I do not have the names in front of me, but it is all within the public purview), if the answers to those are yes, then that person goes to see the nurse.

If there are observations as I have indicated about fever and so forth, there is a special room, a quarantine room so to speak, at the airport. The nurse takes that person back there and continues another series of questions with respect to ensuring, ascertaining the risk. And there is a health questionnaire that is completed, and it speaks about where have they travelled in the last 14 days, such as the countries? They do a temperature check. They ask whether there is coughing, shortness of breath. (I am reading the questionnaire that the nurse goes through for the risk assessment.)

The Speaker: Sure.

Hon. Kim N. Wilson: They ask them insofar as, whilst they were travelling, what were they doing? In other words, have they been around other persons who had symptoms of COVID? Have they gone to places that had COVID (i.e., working within facilities such as hospital settings, et cetera, et cetera)? All that information is collected, and the nurse does a full assessment.

If, Mr. Speaker, upon the conclusion of that, and they have gathered all of that information and so forth, then the nurse's assessment is such that the person needs to receive medical treatment, then the fire service, which are the first responders, are contacted. They are called in advance to the hospital, of course, like we have said. And the person is transmitted to the hospital.

However, insofar as the questioning, Mr. Speaker, there is questioning that is done by the front-line customs officers, as I said, that speaks to where they travelled. They will make observations about the person insofar as whether they appear to have flu-like symptoms, sweating, et cetera, and then send them to

a secondary assessment, which is done by the community health nurses.

I will see if I can get that [answer]. It has been several weeks that they have been doing this particular process. The protocol is in place.

The Speaker: Supplementary?

SUPPLEMENTARY

Hon. L. Craig Cannonier: I guess more of a clarification on the question that I asked and the answer I am looking for. There were two different answers. When did we start questioning at the border? And when was the nurse put in place at the actual airport itself, that is backing up? So if I could get the answers to that. I know she does not have them right off-hand. But if we could get those answers.

Supplementary, Mr. Speaker. Considering that, as I mentioned, people are a bit leery about being quarantined as they visit the Island, I was wondering if the Honourable Member would at least entertain at least doing a temperature test on all incoming folks. Prevention is far better than having to come behind. And if we can screen as much as possible, as we look around the world, we can see that they are taking the temperatures of everyone who comes through the borders. These temperature- type guns are very simple. They do not touch you. They just scan your body temperature very quickly—two seconds and it is done.

The Speaker: Mm-hmm.

Hon. L. Craig Cannonier: If the Honourable Member would consider that as being the next phase that she would be moving into, I think that would be great.

The Speaker: Minister.

Hon. Kim N. Wilson: Yes. Thank you, and I thank the Honourable Member for that question.

Mr. Speaker, I can say that the Ministry of Health is exploring all avenues as it relates to prevention and including in that particular area and avenue, so to speak, is the investigation of the temperature systems. Whether or not it is the handheld one or one that you walk through, there has been . . . we are exploring all that. In fact, we have a meeting tomorrow with a potential vendor and have also sourced vendors who can provide that particular mechanism.

Which mechanism is utilised I cannot speak to at this point, but we are in the process currently of actively looking at a particular thermal scanner and acquiring such a scanner for our ports of entry. So that is actually an active pursuit.

The Speaker: Thank you.

Any supplementary?

Hon. L. Craig Cannonier: Second question.

The Speaker: Well, I think one of your Members wants a supplementary, right?

Hon. L. Craig Cannonier: Oh. Yes.

SUPPLEMENTARIES

Mr. Ben Smith: Yes, supplementary. Good morning, Mr. Speaker.

Just following off what the Minister's response was according to having somebody who is actually showing symptoms and going through the questionnaire and then potentially having to be taken to the hospital for further testing, what would happen if that person was showing those symptoms on the aircraft? What about the people who were sitting next to that person?

So, obviously, if that person is sneezing and coughing and it seems that a lot of the way of spreading it is going to be with droplets, so the potential of the people around that person, that is the area. So what would happen in that particular situation? Once the questionnaires happen, how are we going to deal with the people who were in close proximity to that person?

The Speaker: Minister.

Hon. Kim N. Wilson: Yes, thank you. And I thank the Honourable Member for that question.

Mr. Speaker, what happens to the passenger on the plane? Obviously, we as a jurisdiction cannot control what Delta Airlines does if a passenger is exhibiting symptoms. I do understand, though, from our conversations with the airlines that they generally will try to isolate the patient by virtue of providing them with masks so that they are isolated in that regard. They cannot take them off the plane, obviously, or isolate them on the plane. But they are providing them with a mask.

We are all aware of a recent publicised event that occurred in Bermuda recently concerning a similar episode that the Honourable Member is speaking about. And at the time the Red Cross . . . as I said, we are working with our business partners and our community partners. And the Red Cross assisted by providing a helpline for passengers to ask questions if they were concerned, probably I guess within 24 or 48 hours (I cannot remember), but shortly after that particular episode. We did then provide a public announcement to the public to indicate that this individual did not have COVID-19.

However, insofar that passengers who may be concerned when they come through to the airport, we are asking them to just, of course, express their concerns to the health officers who are there and to watch themselves. And if they notice that within the

next couple of days they are exhibiting any types of the symptoms that I have spoken about, to call ahead to the health care professional and indicate that they may have had exposure by virtue of flying on a plane where somebody was coughing and sneezing.

I do also want to remember and remind colleagues that it is flu season. So oftentimes, the persons who may be in your vicinity who are coughing and sneezing may have influenza as opposed to COVID. However, again we are inviting members of the public, if they feel that they have had an exposure such as on a plane and they notice symptoms . . . so it is not to just call and say, *I was on the plane and the person sitting next to me was sneezing*. But if you notice that you have elevated temperature or you are having any type of respiratory challenge, then we are suggesting that you call ahead to your medical facility and indicate, *I was travelling last week. I was sitting next to a passenger who was sneezing. I have some concerns because I have some symptoms*. And therefore, you will get advice from the medical personnel insofar as what steps to take next.

The Speaker: Thank you, Minister.
Supplementary?

Mr. Ben Smith: Yes, supplementary.

So the issue is that once that person has been taken to the hospital and they are going through the testing and there is a five-day period waiting for the test to come back, the other people who potentially were exposed to it have gone home and have potentially taken that to their elderly parents.

The issue really is we talk about that 80 per cent of the population who are really going to see mild symptoms. But Bermuda has an ageing population with people who do have underlying issues. So really, the real fear that I think the population is going to have is that you have taken that home to your ageing parents, and you might not know for five days that you were actually exposed. And then 14 days later you actually are one of the people who are carrying it.

So if the Minister . . . I understand that the people in that area are going to be told, as it was in that instance, maybe the following day or 48 hours later that somebody has been taken to the hospital for this. But we really will not know whether they actually have COVID-19 for another five days after they have been tested.

So the question is, How are we actually going to deal with step one to step two to step three? I understand that we have taken care of step one, the potential *if* the person is showing the symptoms. But if you were in the vicinity of that person and you are saying that it might have been the flu, you have gone home and you have not paid attention to it.

How are we dealing with the impact that we can have in a country this size, very quickly, if we are

getting this from one person coming in with COVID-19?

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

If I understand the question correctly, and I probably do not, if the persons who are on the plane—

The Speaker: If I make it through the airport, what happens?

Hon. Kim N. Wilson: I beg your pardon?

The Speaker: My interpretation is, if I make it through the airport process, what happens when I get home and I realise I have it?

Is that basically what you are asking?

Mr. Ben Smith: Yes.

The Speaker: Okay.

Hon. Kim N. Wilson: If you get home and you realise you have it, first you will not know if you have it unless you have had a test. Secondly, you will have symptoms. So if you are experiencing any type of symptoms—respiratory symptoms, elevated fever, coughing and sneezing—then you are symptomatic. When you have a symptom, then we are suggesting to persons to contact their doctors in advance and indicate to their doctors that they may have been exposed.

I have to also say, Mr. Speaker, that on the scenario of a plane like we spoke about, the other passengers who are on the plane will be contacted. It is called “contact tracing.” And they will be contacted by the Community Health Nurses to indicate, to remind them, *We want you to make sure that you check your temperature. Self-assess whether or not you have any of those types of symptoms, et cetera*. So the contact tracing will take place.

So let us say there were 60 passengers on the plane. One person was exhibiting these types of symptoms that we are all speaking about. The other 59 people will be contacted by public health nurses and will be given instructions such as, check your temperature. Watch out for signs. Watch out for symptoms, et cetera. If you have those, do not go to the doctor directly. Call ahead and say, *I may have been exposed. These are my symptoms that I have observed for the last 24 hours. I was on a plane two days ago, et cetera, et cetera*.

So those persons will be contacted by public health nurses to be provided with the information and the instructions accordingly.

The Speaker: Thank you.

Opposition Leader, did you want to go to your second question now?

[Inaudible interjection]

The Speaker: Oh, supplementary off of his question? Okay. Supplementary.

Ms. Susan E. Jackson: Good morning, Mr. Speaker.

The Speaker: Good morning.

SUPPLEMENTARY

Ms. Susan E. Jackson: Would the Honourable Member please just confirm or deny [whether] the testing that has been done on people who have exhibited severe symptoms that could potentially be COVID-19, [whether] the tests which have been provided so far actually even cover the COVID-19? Or are they simple influenza tests?

The Speaker: Minister.

Hon. Kim N. Wilson: The tests that we have been doing on the eight persons are tests for COVID-19. The test is done. The specimen is taken, and the test is currently being done by CARPHA (Caribbean Public Health Agency) in Trinidad.

The Speaker: Yes.

Hon. Kim N. Wilson: Yes. Whether or not those patients have also been tested for influenza, I believe they have. But they certainly have been tested for the COVID-18 [sic].

The Speaker: COVID-19.

Hon. Kim N. Wilson: Excuse me, Mr. Speaker. Eight persons have been tested. Three have come back negative, and we are waiting for the results of the others.

The Speaker: Okay.
Supplementary?

Hon. Patricia J. Gordon-Pamplin: I have a supplementary, yes.

The Speaker: Supplementary.

SUPPLEMENTARIES

Hon. Patricia J. Gordon-Pamplin: My first supplementary is, What is the timeline expected between sending the samples off for testing and receiving the results back? Because presumably the samples themselves have to physically be taken to Trinidad and then results will come back by email or whatever.

The Speaker: Minister.

Hon. Kim N. Wilson: Yes. Actually, they are not taken physically to Trinidad, they are doing it all by Fed-Ex and so forth. It takes four to five days from the moment that the sample is taken to the receipt of the results—between four and five days.

The Speaker: Supplementary?

Hon. Kim N. Wilson: And can I just add?

The Speaker: Sure.

Hon. Kim N. Wilson: Again, notwithstanding that it would take between four and five days, we are currently exploring, as I indicated in the Ministerial Statement, Mr. Speaker, with our international partners as well as locally the availability to test here on Island.

However, if a person is being tested for COVID-19, because they obviously are exhibiting symptoms, the advice from the community health nurse would still be and still is to self-monitor and remain in quarantine. So if we are sending a test overseas, and it is going to take four or five days for that test result, you are still in quarantine anyway because that is the advice. And you will be monitored by the health care professionals.

Once we have the ability commercially, once commercially available tests are made available—and Bermuda is actively resourcing that as we speak—we will be able to then test here in Bermuda. However, notwithstanding that we are testing locally, that patient is still advised to remain in quarantine.

The Speaker: Thank you.
Supplementary?

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

Just referring to just slightly earlier within this section of the Minister's response in terms of thermal monitors, how far away are we from actually obtaining them? I know the Minister indicated that they were exploring it. I am just curious how far away a decision or an availability is likely to be had. Because we are now, you know, almost two months into this epidemic. And I think to be exploring seems like we are probably just—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Well, into the situation, into the situation.

The Speaker: Yes, yes. Yes.

Hon. Patricia J. Gordon-Pamplin: It would appear that we could have been a little bit more proactive as opposed to be just exploring now. I am just wonder-

ing, How far away is the receipt of the thermal monitors?

The Speaker: Thank you.
Minister.

Hon. Kim N. Wilson: Thank you. And I thank the Honourable Member for that question.

And as I have indicated previously, this is a time for us to all come together to try to address this issue. And by making false claims, particularly alleged . . . making a claim that this particular issue is an *epidemic* is part of the scaremongering that we are trying to avoid.

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

Hon. Kim N. Wilson: However, Mr. Speaker, the answer to the question—

Hon. Patricia J. Gordon-Pamplin: Point of order, Mr. Speaker.

The Speaker: We will take your point of order.

POINT OF ORDER

Hon. Patricia J. Gordon-Pamplin: Yes. I think it is important that . . . I misspoke and I *immediately* corrected the misstatement. So I think that it is important, as opposed to . . . I immediately corrected. I *immediately* corrected the misstatement.

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: I said *the situation*.

Hon. Kim N. Wilson: Mr. Speaker, with respect to the question concerning the thermal monitoring, as I have indicated, that is being explored. We have another meeting with a local provider tomorrow. The person who is addressing all of the procurement of the items that we need in Bermuda, such as the PPEs, the masks and so forth, are also in the process of procuring the thermal monitors.

I cannot speak with certainty whether or not it is going to be a handheld or one that you walk under, that you walk through. But they are looking at that as we speak. And they are procuring those. Which type it is going to be I do not know. But it will be some mechanism for monitoring the temperature of persons arriving into Bermuda at all ports.

The Speaker: Thank you.

Opposition Leader, would you like to put your second question now?

QUESTION 2: COVID-19 PREPAREDNESS UPDATE

Hon. L. Craig Cannonier: I have a bunch of questions. Second question: She mentioned the hand sanitiser shipment coming in. And I was just curious. Exactly who is that shipment for? Is it for the civil service or who is this hand sanitiser for?

Hon. Kim N. Wilson: Mr. Speaker, the hand sanitiser, as I mentioned previously, I think in one of the earlier Statements, will be distributed (a) to the public; (b) to persons like nursing homes and so forth; as well as (c) to civil servants. We are in the process of . . . it is actually en route. I believe it is going to land any day now, but it is en route. And it is going to be made available to the public.

There are other companies that we have also been in discussion with which are also going to be bringing in further supplies that are required. But these ones that we are bringing in from the government are going to be, obviously, distributed free of charge. I am not saying that this is not going to be the case with the other industry partners that are bringing in hand sanitiser. But it is just going to be distributed for whoever needs some.

The Speaker: Thank you.

Supplementary? No supplementary.

Third question? No more?

We will move on, Minister, to the next Member who wants to ask a question, the Member from constituency 22. MP Pearman, would you like to put your question?

QUESTION 1: COVID-19 PREPAREDNESS UPDATE

Mr. Scott Pearman: Thank you, Mr. Speaker. And thanks to the Honourable and Learned Minister for her very helpful Statement today.

What we understand you to say is that there are no confirmed cases in Bermuda at present. That there have been eight [persons] tested. Three tested proved negative, and five are pending. And most importantly, Minister, what I have heard you to say is not to panic, and the importance of isolation in the case of symptoms, and handwashing.

My question is back to test kits. Your indication is that at the moment the testing being carried out in Bermuda, as I have understood you, is that they are currently being sent to the Caribbean Public Health [Agency], and within four or five days people are having a response. My question concerns your Statement at page 10, where you say, "I would like to currently reiterate that currently there are no commercially available scientifically valid tests that can provide instant results in the world."

I was just looking at the CDC [Centers for Disease Control] website, which does seem to suggest that there are in fact real-time swab kits. And my understanding . . . and let me stress it is my understanding, I may have misheard, but I thought that the House was told on Friday that test kits had been ordered and would be arriving on the Island on Tuesday. Again, let me stress that is my recollection. If I am wrong about that, I will stand corrected.

But could you just clarify what test kits were being ordered if they were being ordered, and whether these test kits are different from real-time swab kits? And, Minister, the reason I am asking is that knowledge is power. And the unknown causes fear. So clarification would be most welcome on this point.

The Speaker: Minister.

Hon. Kim N. Wilson: Thank you. I thank that Honourable and Learned Member for his question.

Just two things, real quickly, Mr. Speaker. There was a question previously asked about whether COVID . . . whether the persons who have been tested . . . eight in total, like I said, have been tested. Three have come back negative. All eight were tested for both COVID-19 and influenza.

Secondly, and I do not want to make light of this. However, Mr. Speaker, when it comes to the testing, when we indicate, when they say a rapid test, I think what persons have to understand—and again, I am not trying to make light—it is not a pregnancy test. So they are not doing something, and then you wait 30 minutes, and you see if there is a blue or a pink line.

The rapid test still requires validation. So you cannot do a swab and then . . . so “rapid” is relative. What they do have, because it takes two days to analyse the results. And I am not a scientist. I am a lawyer; but I am not a scientist. But it takes two days for them to actually do the sample, run it and make sure that they have a valid result.

So the testing, I would never have represented last week Tuesday, and the Honourable Member did say he may be mistaken. If I did, that was incorrect. And maybe I . . . I would not have misspoken. Because we knew we would not have them. Because the Public Health England we have been dealing with—and are trying to still make sure that we can get a commercially available test.

However, when I say *rapid*, let us be real. It is not a pregnancy test where you are going to receive the results in 30 minutes, because it takes two days to analyse it.

Two important features that I have to emphasise. Whilst it is being analysed and whilst the test is being sent overseas currently—like I said, we will be getting it in Bermuda—you are still in quarantine. So you are in quarantine whether or not it is going to CARPHA in Trinidad to be analysed or whether we

are analysing it down the road in Bermuda, which is the intent. And again, we have been sourcing test kits that can work with the actual products that are on Island, the machines, the PCRs and the equalisers and all those things that are on Island so that we can get the test [done] here.

In the United Kingdom, it is a particular microbiology system, service. They have 60—six-zero—in all of the United Kingdom for a population of 65 million. So we are looking to get this. But I want to make sure that Honourable Members recognise that when I say *rapid*, it is not like swab-and-test. You are not like sometimes where the doctors’ offices have a test and you can look at it, and if it turns blue or green, then you can say if it is positive or negative.

Because what we do not want is to be looking at tests that are not validated, and a person has a false positive or a false negative. So we have to do this right. We recognise that people want to know. When you see what is going on, you see it . . . like for example, somebody sent me a note. I think it was in China. And they were like, *Oh, there they are testing 10,000 people a day, dah-dah-dah-dah-dah*. It takes three days to get the results. So, yes, it takes 10 minutes to do an inside swab, but they still have to wait for the test results.

So as soon as they are available, and again I would expect to be in a position in the next, certainly by this time next week at the latest, to be able to indicate to Honourable Members and the public, *This is the status*. I am expecting that imminently. I do not want to speak out of school because I am waiting for the contract. But we are on the cusp of being able to . . . we have negotiated it, and we are on the cusp of going ahead and ordering it and pushing the trigger to get the tests here.

But in the meantime, I do want to re-emphasise, so forgive me, Mr. Speaker, for sounding repetitious. If a person has the symptoms and is going to be tested, whether it is going to take five days to send it to CARPHA or two days to be tested down on Queen Street, the reality is that you are still going to be quarantined. And you are still going to be checked by a health officer.

The Speaker: Thank you.

Mr. Scott Pearman: Supplementary.

The Speaker: Supplementary.

SUPPLEMENTARY

Mr. Scott Pearman: I thank you for the Minister’s answer. And indeed my colleagues just mentioned to me that the reference to Tuesday may have, in fact, been from the Premier and not from the Minister. So anyway, I was working from memory.

I would refer the Minister to the CDC website, which does seem to suggest (and I have just read the passage; I can certainly pass it to the Minister) that there are real-time swab tests. I will leave it there. Because the important point I think is the Minister's answer. And this is my question: Did I understand the Minister to say that it is the Government's intention to try to have on Island testing? And when will that decision be taken?

The Speaker: I think she said that was.

Hon. Kim N. Wilson: Thank you, Mr. Speaker. Mr. Speaker, I thank the Honourable Member for his question.

I am supported by a very, very talented team who are committed to this particular process. This is not their first rodeo, so to speak. They were the same team, the Epidemiology and Surveillance Team were around for Ebola and SARS and a host of other transmittable diseases that have been coming through. So we are very familiar with what is out there.

I am not suggesting for a moment that the Honourable Member . . . I know the Honourable Member would have seen a rapid test. But I just need colleagues to understand when they say *rapid*, the swab takes probably two seconds to swab your nasal passage or the inside of your throat. But the results, in order to get the results . . . so it is rapid. The test is rapid; but the results are not, because they have to do the analysis. And the analysis of that two-second swab takes approximately two days.

So I just want to make sure that, because this is a very good question, because people want to know that. And they see on TV people getting swabbed, and they think that the swab is going to give them an immediate result. It will not, because the analysis itself is going to require two days. It is not a pregnancy test. It is going to take two days, Mr. Speaker, for the analysis.

And insofar as the Government has committed to getting the test mechanisms, as well as the actual test on Island so that we can test locally as opposed to sending them to CARPHA, I may be in a position by the end of the day to be able to update Members, because literally as soon as we are done here I am going back to the Ministry to find out the status. But we have already secured a facility that has a commercially available test. It is called *rapid*, my honourable and learned friend. But rapid means two days. And we will be having it in Bermuda, and we are sourcing it, as well as the equipment which is needed. Because I want colleagues to also understand there is equipment needed to do the testing and to do the analysis and to do the extractions. So it is a process. So you have the test kit. And then you have the equipment that supports it. So it is a process.

We have been exploring that for 10 days now. We have secured a particular . . . we are in the pro-

cess of finalising that. But I just need everyone to know that the science has to also catch up. Because what we do not want is to get a test kit that has not been validated, that has not been approved by the FDA or the PAHO [Pan American Health Organization] or the World Health Organization, because that would be a disaster.

If we get a test that is not validated and it says the person has COVID-19 and they stay at home for two weeks and they did not have it, we can appreciate the potential economic downfall. Likewise, if we get a test that has not been validated and it says negative and they are positive, it goes back to the Honourable Member from constituency . . . 31.

The Speaker: Constituency 31.

Hon. Kim N. Wilson: His concern with respect to the spread. So we have to make sure that what we get is FDA approved, World Health Organization approved, approved by PAHO, internationally accepted that will be able to have a valid result.

The Speaker: Thank you.
Supplementary?

Hon. Jeanne J. Atherden: Yes, Mr. Speaker.

The Speaker: Yes.

SUPPLEMENTARY

Hon. Jeanne J. Atherden: The Minister mentioned about the fact that we have people who have been involved in this, and this is not their first rodeo. And then that just reminded me that in the past, especially with SARS, one of the things that we were able to do, which the Minister in Barbados said that reminded me, that we have a system which allows us to know where people have been so that if people have been in areas where perhaps we have some concern, the Government can go and see where they have been. And then not just rely on them to say, *Well, I haven't been in any area that is suspect*. But the Government could actually see that through the airline system whether they have been. So have we done anything to put that into place? Because I know that it was something that Bermuda had when we were dealing with SARS.

The Speaker: Yes. Minister.

Hon. Kim N. Wilson: I cannot answer that, Mr. Speaker. I will have to confirm with the team, because I do not know that there is any type of system. When the ships come in we have the certificate from the Port of Health that will indicate where their passengers have come in before they arrive to Bermuda. I also know that the United States also provides us information for passengers who are travelling through the

United States as to where that person came from. But insofar as from other jurisdictions, I would have to get that information and revert to the Honourable Member.

The Speaker: Thank you.
Your third question?

Mr. Scott Pearman: Second question. The other one was a supplementary.

The Speaker: Okay.

Mr. Scott Pearman: And I am only entitled to two, I believe.

The Speaker: Go ahead.

Mr. Scott Pearman: And this is my final question.

The Speaker: All right.

QUESTION 2: COVID-19 PREPAREDNESS UPDATE

Mr. Scott Pearman: Again I thank the Honourable and Learned Health Minister. I think it really is useful to hear from you and for this to be shared with Parliament, because it is our opportunity to share this further with the public. And the more the public knows, the less there is a risk of unnecessary fear.

You very helpfully identified steps being put in place by the Government to streamline the arrival of hand sanitisers and masks, and you identified duty relief. Presumably that duty relief Bill will be brought to Parliament and supported by both parties as soon as possible. Do you have a time frame on that?

The Speaker: Minister.

Mr. Scott Pearman: Probably an Order is all that is necessary for duty relief.

Hon. Kim N. Wilson: Mr. Speaker, I do not have a time frame. We are actually . . .

[Inaudible interjection]

Hon. Kim N. Wilson: Today?

Look at that! The Minister of Finance has just indicated that the Order is coming today. So, thank you.

Mr. Scott Pearman: Thank you, Mr. Speaker. Grateful.

The Speaker: No further questions from the Member from constituency 22.

The next Member who has indicated that they have questions is the Member from constituency 31.
Would you like to still put your question?

Mr. Ben Smith: Yes. Thank you, Mr. Speaker.

The Speaker: Go right ahead.

QUESTION 1: COVID-19 PREPAREDNESS UPDATE

Mr. Ben Smith: Once again, we obviously are not trying to get fear with this. We are just trying to get information because the population is feeling anxious mainly because the international news is showing quite a different outlook than where we are presently in Bermuda.

So my question is around . . . we have seen some major changes in how people are dealing with large gatherings, in particular sporting events. In some jurisdictions, you are seeing where there are not going to be fans in the stands. There are some changes in how people are dealing with locker rooms. My question is, when we are dealing with major events coming to Bermuda shortly—CARIFTA Games and the Triathlon—we also have teams that will be leaving Bermuda and going to other jurisdictions. There are a couple of teams recently that have decided not to come to Bermuda because of issues with COVID-19 from where they are coming from.

Can the Minister give any information on how the Health Department, along with Youth and Sport, is dealing with the potential of changes to sporting events locally and teams traveling overseas?

The Speaker: Thank you.
Minister.

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

Mr. Speaker, again as it relates to the information that we have within the Ministry, which is coming from the World Health Organization, Pan American Health Agency, as well as CDC—so those are our international bodies. And what we are doing is monitoring the information that they are providing to us. And as it relates to certain jurisdictions, we have issued travel advisories to persons not to go to those particular jurisdictions, whether or not it is for a sporting event or visiting, et cetera, et cetera.

The PHERT [Public Health Emergency Response Team] in Bermuda also is working hand-in-hand with the EMO. And there is the Disaster Risk Reduction Mitigation Team. And I cannot call the gentleman's name right now who is actually in charge of an aspect of that team, a sub-group—

[Inaudible interjection]

Hon. Kim N. Wilson: —that are tasked with working with organisations such as sporting clubs and so forth to make sure that they have the correct and accurate information about the position that Bermuda is in—which, again, is ranked low, rated low—as to whether or not they wish to continue with respect to the sporting groups. So that particular group has been tasked with liaising with sporting groups and organisations as to whether or not they wish to continue.

I could not stand here and correctly say that it is business as usual, because we recognise that we are in a very challenging time right now. The Government is committed to doing what we can to address this issue. However, we do recognise that there will be economic impact. And there will likely be events that are going to be cancelled and persons will choose for a number of reasons not to participate in that particular event. However, at this point the Government has not made any decisions as to whether or not they plan on imposing travel restrictions coming into Bermuda from various passages or, alternatively, whether or not we wish to cancel any type of public gatherings, sporting events and so forth.

Those are discussions that we are having on-going. The PHERT meets very regularly. In fact, part of the team, the medical part, medical group met this morning. I was briefed. And those are discussions that we will be taking to Cabinet next week as to whether or not we wish to go ahead and start considering cancelling certain types of public events.

The Speaker: Thank you, Minister.

Do you have any further questions?

No further questions.

The Opposition Whip is the last Member who indicated that she would like to put some questions to you, Minister.

Madam Whip.

QUESTION 1: COVID-19 PREPAREDNESS UPDATE

Ms. Susan E. Jackson: Thank you, Mr. Speaker. Thank you.

My question is around unexpected diversions to the Island. So if an airplane is diverted to Bermuda because someone may have had some symptoms before the flight and then got on the flight and the fever came back and was escalating, what is the procedure for an unexpected flight that could divert to Bermuda with someone who has symptoms that could be reflective of the COVID-19? And . . . yes, I will just ask that.

The Speaker: Minister.

Hon. Kim N. Wilson: Thank you. And I thank the Honourable Member for that question.

That is a scenario which has been discussed heavily in the PHERT team. And what is expected and anticipated is that . . . well, first let me back up. Because our airline partners, obviously we cannot control what they do on the outside in other jurisdictions. But our airline partners are actually starting to question individuals before they get on the plane. The same questions that Customs is asking upon arrival in Bermuda, they are also asking passengers as they get ready to book the plane, making observations about illnesses and so forth. Because they certainly do not want the passenger, obviously, traveling as well.

However, in the circumstances like the Honourable Member just mentioned, what would happen is that the first responders would attend at the runway. That passenger would be removed from the plane, treated and/or taken to the hospital, depending on their circumstances. And then the plane would continue on. The rest of the patients [*sic*] would likely be—they continue on to their next stop.

[Inaudible interjection]

Hon. Kim N. Wilson: Beg your pardon?

An Hon. Member: You said patients.

[Inaudible interjections]

Hon. Kim N. Wilson: Patients. Sorry, the patients. The rest of the patients . . . *passengers*. The other *passengers* would continue on.

It is similar to when they have a divergence now when there is a person who has a heart condition. They stop. Medical responders are there. They take them off the plane to address whatever. And then the plane continues on.

The Speaker: Thank you.

Supplementary? Supplementary, yes.

SUPPLEMENTARY

Ms. Susan E. Jackson: Yes, thank you.

So my supplementary question would be, Do we have the equipment for the professionals, the first responders, that would provide the protective gear needed should they have to face an unexpected emergency such as this?

Hon. Kim N. Wilson: Thank you, Mr. Speaker.

It is called PPE. It is personal protective equipment. And we do have quite a supply on Island. Admittedly, though, Mr. Speaker, the N95 mask has to be fitted. They have to test with them. And the size medium is almost like a size seven shoe. It is quite popular worldwide (size seven for women.) It is popular worldwide. So we are trying to secure those.

The first responders have PPEs. The nursing staff, community health, have PPEs. But we are ordering more in order to ensure that we have a full supply. This has already been sourced from a supplier here. He has already procured it. We are looking for a location so that all of the PPEs and all of the things that we need—hand sanitisers and the like—are at one location so that people can go and access it accordingly. However, as I said, the size N95 medium is in short supply. But we are doing our best to source it from other jurisdictions.

Just as an aside, the company that makes them is called 3M. It is a US company. Well, I do not know if they make them in the United States, but it is a US company. And in order to export them out, they have to have permission. So they are kind of holding on to their things, too. So it is a worldwide phenomenon. One of the companies that we are looking at is in the Far East.

But the procurement . . . I have somebody, the Ministry of Health has somebody who is dealing with all of the procurement of those particular items. But certainly our first responders and our health personnel have those PPE sets.

The Speaker: Thank you, Minister.
No further questions?
Oh, yes.

QUESTION 2: COVID-19 PREPAREDNESS UPDATE

Ms. Susan E. Jackson: I would like to ask the Minister if the Lamb Foggo Clinic has ever been considered as a site in the event that we need to quarantine [some patients] or for acute cases? I would not know necessarily what the source of the use would be, but whether that has been considered as an offsite location?

The Speaker: Minister.

Hon. Kim N. Wilson: Yes. I thank the Honourable Member for that question, Mr. Speaker.

Certainly, the Lamb Foggo site is a medical facility, so we would not consider that to be an appropriate site for the quarantine. However, in circumstances if we obviously require more medical attention for local residents, then that would obviously be a facility that would be continually used for that purpose, but certainly not for a quarantine.

The Speaker: Thank you.
No further questions?
That brings us to a close of the question-and-answer period. And we can move on.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: Would any Member like to add condolences or a congratulatory remark?
There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

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

The Speaker: There are none.

INTRODUCTION OF BILLS

GOVERNMENT BILLS

The Speaker: There is one Bill this morning in the name of the Minister of Finance.
Minister.

FIRST READING

CUSTOMS TARIFF AMENDMENT ACT 2020

Hon. Curtis L. Dickinson: Mr. Speaker, I am introducing the following Bill, which according to section 36(3) of the Bermuda Constitution requires the Governor's recommendation, so that it may be placed on the Order Paper for the next day of meeting: Customs Tariff Amendment Act 2020.

The Speaker: Thank you, Minister.

ORDERS OF THE DAY

The Speaker: We are now on the Orders of the Day.

And, Members, as you know, we are here to resume in the Committee of Supply for the further consideration of the Estimates of Revenue and Expenditure for the year 2020/21. And this morning, I believe it is Labour, Community Affairs that are first up. And they have four hours for that debate. And then we will have the second, which will be Legal Affairs, and they will have four hours for that debate later in the day.

The Chair this morning will be handled by MP Tyrrell.

MP Tyrrell, after the Minister of Finance moves us into Committee you can come and assume the Chair.

Minister, would you like to move us to Committee?

Hon. Curtis L. Dickinson: Mr. Speaker, I move that the House do now resume in Committee of Supply to consider the Estimates of Revenue and Expenditure for 2020/21.

The Speaker: Are there any objections to that?

No objection.

So moved.

Thank you, Minister of Finance.

MP Tyrrell, would you like to come forward and take the Chair.

House in Committee at 11:16 am

[Mr. Neville S. Tyrrell, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2020/21

[Continuation thereof]

The Chairman: Good morning, Honourable Members. We are resuming now in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2020/21. Heads 20, 60, 52 and 71 are now to be debated.

I call on the Minister in charge to proceed.

Minister, you have the floor.

Hon. Lovitta F. Foggo: Thank you, Mr. Chairman

And I move that the following Heads: 20, Youth Sporting Recreation; 61, Workforce Development; 52, Community and Cultural Affairs; and 71, Ministry of Labour, Community Affairs and Sports Headquarters be now taken under consideration.

The Chairman: Proceed.

MINISTRY OF LABOUR, COMMUNITY AFFAIRS AND SPORTS

Hon. Lovitta F. Foggo: Thank you.

Mr. Chairman, indeed I am pleased to present the financial year 2020/21 Estimates of Revenue and Expenditure for the Ministry of Labour, Community Affairs and Sports. Mr. Chairman, I will briefly discuss the Ministry as a whole, followed by information for Head 71, the Ministry Headquarters, and then in detail the three departments that fall under the Ministry, namely, Head 20, the Department of Youth, Sport and Recreation; Head 52, the Department of Community and Cultural Affairs; and Head 60, the Department of Workforce Development.

Mr. Chairman, four hours have been allocated for these heads, and I intend to speak for approximately two of those hours in order to give sufficient time for the Opposition to ask questions or seek clarification on the 2020/21 Estimates of Revenue and Expenditure.

Mr. Chairman, when I last presented the budget for this Ministry, I was new to the Ministry and the budget and programmes had been defined by the former Minister. The Ministry portfolio has also been changed with the removal of the Departments of Financial Assistance, National Drug Control, and Child and Family Services, and the addition of the Department of Workforce Development.

Mr. Chairman, I have now had the benefit of just over a year [working] in the restructured Ministry and had an opportunity to review the programmes and budget and to realign them with our mission—a new mission. This involved not only a review of the Ministry Headquarters, but the individual departments and their programmes. Mr. Chairman, our mission for the restructured Ministry of Labour, Community Affairs and Sports is, *To develop and celebrate our people*. Mr. Chairman, the mission statements, programmes and budgets for the departments within the Ministry are aligned with this overriding mission, and their mission statements reflect this mantra. You will note throughout my presentation today our mandate for the development and the support of our athletes, creatives and workforce, and how the importance of this plays in our community.

Mr. Chairman, before I get into the details of the budget, I want to share with this Honourable House some of the priorities of the Ministry for the next financial year. There are a number of policy initiatives that I will be delivering, including a minimum and living wage for Bermuda. The legislation is in place, and the Wage Commission is in effect and have begun their work. I look forward to receiving the commission's report and recommendations for a minimum and living wage so that we can move forward with the implementation.

Pay equity. In addition to the living wage, pay equity for Bermudians and salaries which reflect their investment in education and training will be another policy initiative to be delivered in the next financial year.

Labour law codification and modernisation. I will shortly be bringing legislation forward for this purpose. In essence, the project will deliver two Bills, [first] the Labour Law Trade Union and Labour Relations Consolidation Act 2020, which codifies and modernises the Labour Disputes Act 1992, the Labour Relations Act 1975 and the Trade Union Act 1965; and second, the Employment Amendment Act 2020. This will modernise the Act and align it with the labour law amendments.

Grants and contributions make up 28 per cent of the Ministry budget and will be allocated to where

there is a real financial need in programmes that align with the Ministry and department's missions. We will ensure value for money from our partners in these programmes. Increased training and apprenticeship opportunities align with the Workforce Development plan. The budget for this is being increased by \$25,000, from \$395,000 to \$420,000. Increased overseas scholarships targeted those with real financial need and from traditionally economically disadvantaged segments of our community. The goal is to ensure social mobility to disadvantaged families with scholarships or courses aligned with the needs of industry so that graduates have better prospects for employment and a career following graduation. The budget for this is being increased by \$100,000, from \$350,000 to \$450,000.

Improved race relations. The Ministry is also working with stakeholders and the community to highlight the legacy of race relations in Bermuda and define how we can move forward together as a community to improve race relations and assist those who have traditionally and economically been disadvantaged. Mr. Chairman, again our mission is to develop and celebrate our people.

Mr. Chairman, I would now like to draw your attention to page B-250 of the Estimates book, where you will note that the Ministry of Labour, Community Affairs and Sports budget for the financial year 2020/21 is \$18,678,000, a reduction of \$187,000, or 1 per cent, from the 2019/20 original budget. This reduction in budget reflects the moving of the Permanent Secretary post to Cabinet Office, where the post is now budgeted. This move is not just for this Ministry. All permanent secretary posts are now attached to Cabinet Office for administrative purposes.

Mr. Chairman, page B-250 shows a revenue estimate for the Ministry of \$701,000, an increase of \$72,000 over financial year 2019/20. The increase primarily relates to Youth and Sports, Head 20, which will be discussed in detail under that Head.

Mr. Chairman, page B-250 also details the current account expenditure of departments that make up the overall budget for the Ministry by Head, as follows:

- Head 71—Ministry Headquarters for 2019/20 fiscal year, financial year, \$2,218,000. The next fiscal year, 2020/21, \$2,191,000;
- Head 20—Youth and Sport Recreation for 2019/20, \$10,109,000. For year 2020/21, \$10,109,000;
- Head 52—Community and Cultural Affairs for this current fiscal year, the budget was \$2,242,000. In 2020/21 it will be \$2,083,000;
- Head 60—Workforce Development, was \$4,296,000 in 2019/20, and in 2020/21 it is \$4,295,000; and
- The Ministry total, as stated before, [for fiscal year 2020/21] is \$18,678,000, a decrease from \$18,865,000 from the current fiscal year.

Mr. Chairman, the summary shows that 2020/21 estimates for Head 20 have not changed. Heads 71, 52 and 60 have seen some reductions. I will discuss each change as I speak about each Head.

Mr. Chairman, it is worth noting at this point, as can be seen on page C-20, that the budget for the Ministry includes some \$5,286,000 in grants and contributions. This was a decrease of \$266,000, or 5 per cent, when compared to the original estimate of 2019/20. It should be noted that this follows a 10 per cent increase in grants and contributions the previous year and is almost 28 per cent of the Ministry budget. This reduction in grants is a net change primarily owing to the budget for the summer students in Workforce Development summer employment for college and university students being moved from grants and contributions to wages.

The grants and contributions include \$1,505,000 for scholarships, apprenticeships and workforce training; \$3,235,000 for sports development, national sporting bodies and youth organisations; and \$470,000 for community and cultural activities. Mr. Chairman, this aligns with our focus on developing and celebrating our people in the 2020/21 financial year.

Mr. Chairman, pages C-23 and C-24 highlight the 2018/19 budget year actual allocations made to sports development and voluntary youth organisations and total \$1,914,000.

HEAD 71—MINISTRY HEADQUARTERS

Hon. Lovitta F. Foggo: I now turn to the current account expenditure for the Ministry. Mr. Chairman, the objectives of the department are as follows:

- the development and implementation of policies that enhance the lives of the people of Bermuda;
- the fair treatment of employees and employers; and
- to ensure that the departments within the Ministry deliver on their objectives and comply with the relevant legislation, policies and procedures.

Mr. Chairman, the financial year 2020/21 estimates of expenditure and revenue for Head 71, the Ministry Headquarters, is found on pages B-251 and B-252 of the Estimates book. Ministry Headquarters is responsible for the budget of two business units, the first being 81000, Administration, which consists of mainly salaries, administration and grant expenditure; and the second being 81040, the Labour Relations Section.

Mr. Chairman, the Ministry Headquarters' mission is, *To develop policy and provide guidance for the Ministry while promoting stability within the labour force.* This includes providing policy direction to ensure good fiscal control and service delivery across all departments within the Ministry. Mr. Chairman, page

B-251 shows that the total budget estimate for the Ministry Headquarters for year 2020/21 is \$2,191,000, split between business units 81000, Administration, \$1,444,000; and 81040, the Labour Relations Section, \$747,000. There is an overall reduction of \$27,000 in this budget, or 1 per cent. Whilst there has been a reduction in the Administration business unit, 81000, of \$86,000, or 6 per cent, there has been an increase in the Labour Relations business unit, 81040, budget of \$59,000, or 9 per cent, to more accurately reflect the cost of this work, including increasing legal costs.

Subjective Analysis

Hon. Lovitta F. Foggo: Mr. Chairman, I will now address the combined subjective analysis of current account estimates for business units 81000 and 81040, the Ministry Headquarters, as found on page B-252. Mr. Chairman, at business unit 81000, there is a reduction in employee numbers with the full-time equivalents reducing by two, from 12 to 10, to reflect the move of the Permanent Secretary post I spoke of earlier and not funding an accounts officer post. This was in part owing to the restructuring of this Ministry and the moving of departments to other Ministries. In addition, there are two staff on long-term secondments to support the transition until Management Services have completed their review of the Ministry. There is a corresponding reduction in salaries, wages and other personnel costs of \$199,000, or 11 per cent.

Mr. Chairman, Training and Travel have been reduced by \$20,000 and \$11,000, respectively. This will not reduce opportunities for staff training, but provide for a more focused training programme tied in with staff-forward job plans. The priority is to ensure that staff maintain professional designations through continuing professional development and to provide opportunities for staff to get further training and qualifications to develop them for promotion through the public service.

Mr. Chairman, there has been no change in the communications estimate, which remains at \$24,000. And the advertising and promotion budget has been reduced to zero dollars, as there are no funds needed at Headquarters for this purpose. Mr. Chairman, there has been an increase in the Professional Services budget, from \$149,000 to \$369,000, an increase of \$220,000, or 148 per cent. This increase is to properly reflect the costs of the Labour and Employment Tribunal and legal fees required for external legal representation for the tribunals on appeals. In addition, funds have been budgeted for consultants as required for both the minimum living wage and pay equity projects.

Mr. Chairman, there have been minor changes of \$1,000 respectively in the repairs and maintenance, and energy budgets, and a \$7,000 reduction in the materials and supplies estimate. These changes are a result of more detailed and accurate estimates

being established under the zero-based budgeting process.

Mr. Chairman, the last two object codes in the subjective analysis are Other Expenses and Grants and Contributions. Other expenses relate to bank charges and cable services. There has been an increase of \$4,000 to reflect the proper budgeting of the cable to this account. The grants and contributions have been reduced by \$2,000, or 3 per cent. These are discretionary grants that the Minister may award for one-time events which are not captured by departments' grants within the Ministry, provided that the event is one that is aligned with the mission of the Ministry.

Labour Relations Section

Hon. Lovitta F. Foggo: Mr. Chairman, whilst I have already highlighted the priorities for the Ministry in order to provide some context for budgetary figures shown in the subjective analysis of current account estimates, I will at this time describe the activities of the Labour Relations Section.

Mr. Chairman, the Labour Relations Section of the Ministry is responsible for the investigation and mediation of labour disputes in both unionised and non-unionised environments. The section provides an impartial and free service to employees and employers and their respective representatives, and to the general public, in the form of consultations, and refers unresolved labour employment-related disputes to the necessary tribunal or arbitration panels for adjudication. The section is also tasked with oversight of certification and decertification of unions in the workplace.

The section's aim is to promote dispute resolution and prevention, and to encourage and facilitate management/employee engagement in line with best labour practices. The manpower estimates for the Labour Relations Section, as outlined on page B-252, are six full-time posts, which remain unchanged from 2019/20. Mr. Chairman, during the 2019/20 budget year to date, there were approximately 686 labour dispute inquiries lodged in the Labour Relations Section, of which 614 were consultations and 72 were complaints. There were 50 complaints filed pursuant to the Employment Act 2000, and 22 were grievances reported pursuant to the Labour Relations Act 1975, Trade Union Act 1965 and/or the Labour Disputes Act 1992.

Mr. Chairman, the majority of complaints filed and investigated by the Labour Relations officers related to terminations and outstanding wages, at 30 and 24 complaints, respectively. The remaining 18 complaints consisted of complaints regarding constructive dismissal, vacation pay, reduced work week, overtime redundancy, collective bargaining agreement procedures and certifications.

Mr. Chairman, a total of 58 complaints have been resolved during the 2019/20 budget year, up to

January 31, 2020; also 25 relating to complaints filed during the budget year up to 31 January 2020; and 33 carrying over from previous years. There currently remain 51 active cases within the Labour Relations Section. Of these, six are cases over 12 months old as at January 2020. Nine are cases between six and 12 months old, and 36 are cases less than six months old.

Mr. Chairman, during the 2019/20 budget year, 19 complaints were referred to the Employment Tribunal, with 10 matters completed and awarded decisions. Of these, three were settled in favour of the employee, five in favour of the employer and two were settled between the parties without the need for an Employment Tribunal hearing.

Major Achievements

Hon. Lovitta F. Foggo: Under Major Achievements, Mr. Chairman, the Labour Relations Section has seen an increase in the number of disputes resolved through conciliation and mediation, a reduction in the number of outstanding disputes and a reduction in the number of complaints filed due to the section's efforts to educate the labour force, including employers and employer groups on their rights and obligations under the legislation.

Mr. Chairman, the Labour Relations Section worked closely with the Attorney General's Chambers to effect amendments to the Employment Act 2000 with regards to vacation leave, and maternity and paternity leave. For the first time, legislation has afforded fathers the right to paternity leave of five days unpaid if they have worked for less than a year, and five paid days if they have worked longer than a year. Paid maternity leave has been increased to 13 paid weeks for those employees who have worked for one continuous year, and 13 unpaid weeks for employees who have worked for less than one year.

Mr. Chairman, the Labour Relations Section continues its collaboration with the Department of Communications to provide the public with pertinent information regarding the legislation that it administers via print and [other] media outlets. As a result of this continued initiative, the general public, employers and employees alike are more aware of their rights and obligations under the relevant legislation and know where they can go to get assistance and advice.

Plans for the Upcoming Year

Hon. Lovitta F. Foggo: As part of the legislative platform for this Government, and as a key resource for servicing and educating the Bermuda workforce, employers and employer groups, unions and private sector representatives, the Labour Relations Section under the direction of the Minister responsible for Labour has been working closely with the Attorney General's Chambers to ensure that the reform of the labour leg-

islation and amendments to employment legislation are fully implemented and adhered to by Bermuda's labour market. The section continues to offer seminars, workshops and presentations to employer groups, worker groups and individuals in an effort to broaden the understanding of good employment practices.

Additionally, with the passing of the reformed labour legislation, the Labour Relations Section will expand its campaign to educate the public on any new and revised legislation with the specific aim of reducing labour-related complaints and showing that parties feel supported on matters of importance and handling of all matters expeditiously.

The Labour Relations Section will continue to foster a close relationship with government departments, stakeholders and employer groups to ensure continued cooperation and consultation for the enhancement of sounder industrial relations among employees, employers and the unions.

Mr. Chairman, I would like to recognise the Labour Relations Manager, Ms. Gabrielle Cann, and her team for their impartial work over the year in their mediation of labour disputes and promotion of the fair treatment of both employers and employees.

Mr. Chairman, I would like to take this opportunity to thank all of the dedicated staff of the Ministry Headquarters for the work they do in ensuring that the Ministry meets its mandate.

Mr. Chairman, this concludes my presentation on financial year 2020/21 budgetary allocation for Head 71, the Ministry Headquarters.

And I will now move to Head 20, the Department of—

The Chairman: Minister, may I just interrupt you for one minute, please?

Hon. Lovitta F. Foggo: Yes, you may.

ANNOUNCEMENT BY THE CHAIRMAN

HOUSE VISITORS

The Chairman: I would like to recognise the presence of the students from Dellwood with their teachers, as well. Thank you all for coming.

[Committee of Supply, Ministry of Labour, Community Affairs and Sports, debate, continuing]

The Chairman: Minister, please proceed.

Hon. Lovitta F. Foggo: Sure. I will just reread that last sentence.

Mr. Chairman, this does conclude my presentation on financial year 2020/21 budgetary allocation for Head 71, the Ministry Headquarters.

HEAD 20—DEPARTMENT OF YOUTH, SPORT AND RECREATION

Hon. Lovitta F. Foggo: Head 20, Department of Youth, Sport and Recreation (for those who are reading through the budget brief). Mr. Chairman, I will now present the financial year 2020/21 estimates of expenditure and revenue for Head 20, the Department of Youth, Sport and Recreation, which can be found on pages B-254 to B-260 of the Estimates book.

The mission statement—Mr. Chairman, in preparation of their estimates of revenue and expenditure, the Department of Youth, Sport and Recreation also conducted a review of its programmes and its mission statement, with the resulting revised mission statement, as highlighted on page B-254, as *To develop youth, sport and recreation through our services and to celebrate the accomplishments of our people.*

Department Objectives

Hon. Lovitta F. Foggo: The department's objectives, Mr. Chairman, for 2020/21 are as follows:

- to modernise policies and procedures enforcing industry standards;
- to provide guidance to ensure that all national sports governing bodies develop sustainable long-term athlete development strategic plans;
- to develop and implement curriculum guidelines to ensure accreditation standards are maintained.

Mr. Chairman, the Department of Youth, Sport and Recreation administers nine programmes and 21 business units for which a general summary is contained on pages B-255 and B-256 of the Estimates of Expenditure and Revenue for financial year 2020/21. The budget allocation for the Department of Youth, Sport and Recreation in financial year 2020/21 is \$10,109,000, as shown on page B-256. This is the same as the original budget estimate of \$10,109,000 for this current financial year 2019/20.

Mr. Chairman, I will now discuss the individual programmes under Head 20. Programme 2002, Administration and Sports, found on page B-255, shows that the budget allocation for business unit 30045, General Administration, for 2020/21 is \$1,616,000. This represents an increase of \$10,000 over the original budget of \$1,606,000 in 2019/20, a 1 per cent increase. Mr. Chairman, the allocated funds provide for administration and operations of the Department of Youth, Sport and Recreation Headquarters, which is located in Craig Appin House, situated at 8 Wesley Street, Hamilton. In addition, the Administration Section provides administrative support for the eight programmes within the department and is responsible for monitoring departmental spending to ensure that policies and procedures are adhered to in achieving efficiency and effectiveness.

Programme 2002, Sport Development, provides for business unit 30055, Sports Programme. The [budget allocation for] financial year 2020/21 is \$1,781,000, a decrease of \$20,000, or 1 per cent, compared to the original budget of \$1,801,000 in 2019/20. This allocation includes grant funding for the national sports governing bodies and operational costs involved with facilitating major events during the fiscal year, such as annual sports awards and national junior athlete sponsorship programmes.

Mr. Chairman, included in business unit 30055 is a grant of \$650,000 to Bermuda Sport Anti-Doping Authority, known as BSADA. Funding for this agency, which takes its legislative mandate from the Anti-Doping in Sport Act 2011 and operates under the global framework of the World Anti-Doping Agency, WADA, is one of the most important financial items within the Sports Development Section. The Bermuda Sport Anti-Doping Authority is the national anti-doping organisation, NADO, for Bermuda. Without the functional presence of this organisation in Bermuda, it would simply mean that Bermuda would not be able to participate in any international sporting events abroad or host any international sporting events locally.

Mr. Chairman, under the strict control of the Sports Development Section, the department continues to ensure that funds used by the national sports governing bodies are for the development of sport in Bermuda for our senior and junior athletes. Business unit 30055 also provides for a grant to the Bermuda Football Association for \$300,000 and \$25,000 for the department's sports initiatives programme. An additional \$156,000 in operating costs is covered under this business unit.

Mr. Chairman, during the financial year 2020/21, the Department of Youth, Sport and Recreation intends to continue focusing on all aspects of sporting development. This is the development of athletes at senior and junior levels and the provision of education to local coaches and administrators through partnerships with overseas agencies such as Positive Coaching Alliance and Sports for Life, because they are key aspects in the development and they are key in the business unit 30055.

An increase of \$58,000 in grant funding is provided to the national sports governing bodies. This is vital for the continued development of sports Island-wide, as without this support many athletes and sporting programmes would suffer. The department will also continue to work with various government agencies to maintain sporting and recreational facilities which fall under the department's remit. Mr. Chairman, Government has re-established a sports recognition policy that requires all current national sports governing bodies to be recertified. This will ensure that all national sports governing bodies are in compliance with the department's requirements and meet minimum standards for sporting organisations.

In September 2019, the department held a conference to offer personal development to coaches and administrators alike. Through a partnership with Sport for Life, NSGBs (or national sports governing bodies) were introduced to the details of long-term athlete development (LTAD). The underlying aim of the LTAD framework is to match the coaching and development of children to their physical and psychological growth, while optimising both their enjoyment and training. Matching training to development should allow every individual to reach their optimum potential and enjoy sports participation. In partnership with the Bermuda Olympic Association, it is intended that all NSGBs develop LTAD plans for their respective sports.

Programme 2003, Sports Incentives and Awards. Mr. Chairman, there is no change to the estimate for business unit 30030, Athletic Awards, which remains at \$200,000 in support of the Elite Athletes Assistance Fund and the National Junior Sponsorship fund. The National Junior Athletes Sponsorship Fund remains at \$100,000. This will assist two young athletes, a male and a female from each national sports governing body, who will benefit from the programme. The plan is to further assist with the development of all in sport, irrespective of gender. These funds will continue to support, encourage and provide incentives to our junior athletes to strive for excellence in their sporting development.

Mr. Chairman, the Elite Athletes Assistance Fund of \$100,000, as shown on page C-20, is managed by the Bermuda Olympic Association, which prescribes the requirements for athletes to receive funding, having met a local A, B or C standard in their development.

Programme 2004, Sports Facilities Management. Mr. Chairman, this department carries out sports facilities management across five business units, the allocations for 2020/21 totalling \$1,897,000, as shown on page B-255. This represents a decrease of \$23,000, or 1 per cent, from the original estimate of \$1,920,000 for financial year 2019/20. Mr. Chairman, the budget estimate for business unit 30060, Sports Facilities Administration, of \$1,285,000 for year 2020/21 is an increase of \$1,000 over the original budget estimates for 2019/20. This increase in funds is for the signage for fields under the department's remit.

Mr. Chairman, 30060 business unit funding also provides for the maintenance of parks under the department's remit, namely, WMC Preece softball diamond in Bernard Park, 30075; WER Joell Tennis Stadium, 30080; Motorsports Park, 30090; and Sports Community Fields, 30390. The WMC Preece softball stadium business unit provides for two full-time employees to maintain the grounds and includes funding for materials, supplies and electricity. The WER Joell Tennis Stadium includes estimates for four full-time and two part-time employees, together with opera-

tional expenditure. The Motorsports Park, cost centre 30090, shows a decrease of \$29,000. The reduction is due to the fact that the Motorsports Park was transferred from Skyport to the Ministry of Public Works and rent is no longer due.

Programme 2005, Youth Development. Mr. Chairman, the allocated budget for 2020/21 of \$492,000 is for two of the business units under the Youth Development Programme. Youth Development Administration, 30210, has a budget allocation of \$292,000 for 2020/21, a decrease of \$1,000 from 2019/20. Mr. Chairman, the facilitation of platforms for youth to have input in their development is key in engaging Bermuda's youth. With assistance from the Department of Statistics, the department will review data gathered over the financial year of 2019/20 to ensure that the youth engagement participation policy is sound. The department's mantra, *Developing youth through sport and recreation*, will continue through the maintenance of its community partnerships.

The Department of Youth, Sport and Recreation will consult with youth organisations and affiliate organisations during the year 2020/21 to finalise the youth engagement and participation policy during 2020/21.

Mr. Chairman, business unit 3050, Youth Grants, the budget estimate of \$200,000 for financial year 2020/21, is the same as 2019/20. The Youth Grant funding will be allocated to assist youth organisations and support youth programming whose focus is on developing youth to promote good citizenship of Bermuda's youth.

Mr. Chairman, page C-24 details the expenditure of financial year 2018/19 for Youth Grants, totalling \$1,914,000. These include Bermuda Alumni Chapter, \$15,000; Bermuda Badminton Association, \$7,000; Bermuda National Gallery, \$5,000; Bermuda Overseas Missions, \$10,000; Bermuda Riding for the Disabled/WindReach, \$10,000; Bermuda Sea Cadets, \$20,000; Bermuda Sloop Foundation Youth Sailing, \$10,000; Bermuda Volleyball Association, \$8,000; Big Brothers and Big Sisters Association, \$10,000; Epsilon Theta Lambda and Alpha Phi Alpha, \$10,000; Gina Productions, \$21,000; Grotto Bay Tennis Club, \$8,000; Raleigh International, \$20,000; TROIKA, \$3,000; YouthNet, \$7,000; and Youth Vision Promotions, \$3,000.

Programme 2006, Community Centres. Mr. Chairman, the budget allocation for the three community centres under the department's remit, which are the Sammy Wilson Central Zone Community Centre, business unit 30120; the Eastern Zone Community Centre, business unit 30130; and the Western Zone Community Centre, business unit 30146, is \$1,484,000, which is an increase of \$55,000, or 4 per cent, over the original estimate of financial year 2019/20. The uplift is required to cover the wages for vacation and camps. The community centres' full-time equivalent count is 19 for financial year 2019/20. The

staff facilitate a wide range of programming for seniors, adults and children, providing engagement and participation opportunities for families whilst promoting the philosophy of the department's mission.

Mr. Chairman, the three community centres provide a safe, structured programme with trained staff and an opportunity to build positive and long-lasting relationships. The community centres provide opportunities for residents of all ages to experience positive recreational activities. The community centres have recently come more in line with the after-school programmes to provide the same calibre of service to communities at both ends of the Island.

Mr. Chairman, programme 2007, Camping. The Youth, Sport and Recreation Department's budget allocation of \$961,000 for financial year 2020/21, a decrease of \$175,000, or 15 per cent, from the previous year. The decrease reflects the closure of Messina House camping facility and the subsequent cost savings.

Mr. Chairman, the Messina House camping facility is owned by West End Development Corporation (WEDCO) and was rented to the Minister of Public Works, who in turn rented it to the Department of Youth, Sport and Recreation. The department then rented the facility to individuals and groups for recreational and camping purposes. The facility is in poor condition, and it costs some \$260,000 per annum to rent and operate while being used for on average only 100 days out of each year, generating on average \$6,000 per year in camping fees. As there are four other government-owned camping facilities available, and with the lack of use, we could no longer justify the cost of retaining this facility. Some of the savings from the closure of Messina House have been transferred to the Summer Day Camp Programme to allow for expansion.

Mr. Chairman, the allocated budget for the camping programme provides for the staffing, operation and administration of four camping facilities in financial year 2020/21. The camping programme includes a total of nine full-time employees, who maintain the facilities and the marine vessels.

Mr. Chairman, the camping facilities under the remit of the Department of Youth, Sport and Recreation are Darrell's Island, which is the largest facility, with 14 rustic campsites accommodating 30 campers at each site. There is also an additional building that can accommodate an additional 30 campers. Paget Island is located in St. George's Harbour and has the largest building and single campsite, accommodating a maximum of 95 campers. Ports Island is the oldest camping facility, which houses a building that accommodates a maximum of 45 campers. White's Island is used sporadically for overnight tent camping. It is primarily used for basic swimming instruction by the Bermuda Amateur Swimming Association, and rowing instruction by the Bermuda Rowing Association.

Programme 2008, School-Aged Activities. Mr. Chairman, the estimate is being increased from \$583,000 in the original budget of 2019/20 to \$733,000 in 2020/21. This represents an increase of \$150,000, or 26 per cent. The increase reflects the redistribution of funds to this cost centre from savings made from the closure of Messina House. This enables funds to be placed in the Summer Day Camp Programme to ensure that more children are able to participate in a safe and creative environment.

Mr. Chairman, this programme supports approximately 1,500 school-aged children and is provided at various schools and community centres throughout the Island. [There are] approximately 130 part-time employees, which consists of 80 per cent university, college and high school students who conduct this programme and are supervised by qualified teachers. There is also a special-needs programme that provides one-on-one care for children who have various needs. For the purposes of inclusion of all students, the special need camp is incorporated in the school-aged camps. Mr. Chairman, also included in Programme 2008 are three pre-school-age camps which were created specifically for the transition of children from pre-school into primary school.

Programme 2009, the After-School Programmes. Mr. Chairman, this After-School Programme operated by the Department of Youth, Sport and Recreation provides for staffing, communications, materials and supplies for 14 programmes at government primary schools. The schools that host these programmes include Francis Patton, Harrington South, Elliot, Prospect, West Pembroke, Paget Primary, Purvis, Heron Bay, Port Royal, Dalton E. Tucker, [as well as] the Eastern Zone Community Centre 1 (which is the middle, for middle schools), the Eastern Zone Community Centre 2 (primary schools), Sammy Wilson Centre Zone Community Centre and the Western Zone Community Centre.

The budget allocation for business unit 30125, After-School Programme for financial year 2020/21 is \$945,000, which is an increase of \$4,000 from the original budget estimate of \$940,000 in 2019/20. This increase in funding is required to replace sports and recreation equipment. The programme supports a maximum of 450 primary and middle school-aged children across 40 facilities and employs approximately 26 full-time employees, which equates to 61 per cent seasonal staff in financial year 2020/21. The department is committed to providing quality after-school programmes for primary and middle school-aged children, ensuring a safe and structured recreational programme.

Grants and Contributions. Mr. Chairman, the budget estimate for grants and contributions, as shown on page C-20 for financial year 2019/20, is \$3,235,000, which is an increase of \$10,000 in the sports grant allocation, in comparison with the original budget of \$3,225,000 for the financial year 2018/19

This allocation will be dispersed as follows: Grants to External Bodies, \$10,000; Sports Development, \$6,886; Department of Youth, Sport and Recreation Swimming Programme, \$25,000; Programme 6878, contribution to Sports Development, to be allocated among 34 national sports governing bodies—which includes \$650,000 for the Bermuda Sport Anti-Doping Authority (BSADA)—is \$1.7 million; Sports Incentives and Awards Programme, 6880, Elite Athlete Fund, \$100,000; Sports Facilities Management, 6884, National Stadium Trustees, \$1,200,000; Youth Development, 6882, Voluntary Youth Organisations, \$200,000; for a grand total of \$3,235,000.

Mr. Chairman, page C-23 details the expenditure for year 2018/19, and I will just highlight a few. The Bermuda National Athletic Association received \$105,000; the Cricket Board, \$100,000; Bermuda Amateur Swimming Association, \$25,000; Bermuda Bicycle Association, \$40,000; and the Bermuda Olympic Association, \$270,000.

Capital Acquisitions, Mr. Chairman. The budget estimate for Capital Acquisitions for 2020/21 on page C-14 is \$39,000, an increase of \$7,000 from \$32,000 original budget for 2019/20. The funds will provide for a much-needed reverse osmosis system on Paget Island to ensure a clean and plentiful supply of water.

Mr. Chairman, I now turn to the Subjective Analysis of current account estimates for Head 20, found on page B-256 of the Estimates book. I will now focus the subjective analysis for Head 20 on page B-255 and the employee numbers found on page B-257. The budget for financial year 2020/21 of \$10,109,000 reflects no change. Whilst the overall budget remains unchanged as a part of the review and zero-based budget process, there have been quite a few changes in the budget programmes. However, I will speak only to those object codes where there are major changes.

For wages, Mr. Chairman, in the financial year 2020/21 the allocated budget for wages is \$2,730,000. This is an increase of \$201,000, or 8 per cent, compared to the original allocation in 2019/20 budget year. This increase is as a result of reallocation of funds for employees who should have been classified under wages and the reflection of mandatory overtime expenditure.

Other personnel costs, Mr. Chairman. The budget allocation is \$62,000 for other personnel costs in financial year 2020/21, a decrease of \$34,000, or 35 per cent, from 2019/20. The decrease reflects the closure of Messina House and the related costs to operate it.

Transport, Mr. Chairman. The budget allocation for transport in financial year 2020/21 is \$7,000, which is a decrease of \$3,000, or 30 per cent, from the financial year 2019/20. This saving was made by a simple change of having the vendor come to our establishment rather than transporting the children to various venues.

Travel, Mr. Chairman, \$81,000 is allocated for financial year 2020/21. This is an increase of \$15,000, or 23 per cent, compared to the original budget of \$66,000 in financial year 2019/20. The Department of Youth, Sport and Recreation increased the expenditure for travel in order to facilitate staff participation in relevant courses and conferences offered overseas which are deemed necessary to further strengthen and develop staff capabilities and competencies which will benefit both their professional growth and the level of services provided by the department. The courses include those with Search Institute, Character Counts Programme to recertify staff.

Communications, Mr. Chairman. The estimate for communications has been increased by \$7,000 to \$96,000, or 8 per cent, compared to the original budget for financial year 2019/20 of \$89,000. This reflects the need to equip van drivers at the community centres with cellular phones to ensure that they can be contacted at all times or can make contact when faced with emergencies and the like.

Professional Services. Mr. Chairman, \$173,000 has been estimated for this area for financial year 2020/21. This is a decrease of \$36,000, or 17 per cent, compared to financial year 2019/20. This decrease was made in an effort to reduce costs in the area of recreational services. Services that were often provided by external agencies will be reviewed. And creative lower-cost alternatives will be found in-house.

Rentals, Mr. Chairman, has a budget allocation of \$276,000 for financial year 2020/21. This is a decrease of \$187,000, or 40 per cent, from 2019/20. This decrease is part of the rent in respect of Messina House.

Energy, Mr. Chairman. [There is] a decrease of \$10,000 in the estimate for energy in financial year 2020/21, with a total estimate of \$214,000 as compared with the original in 2019/20. The department will continue to encourage staff to assist in conserving energy by turning off lights, shutting down equipment when not in use, together with other energy-saving measures.

Clothing, Uniform and Laundry, Mr. Chairman. The \$24,000 estimate allocation for these supplies in financial year 2020/21 represents an increase of \$4,000, or 20 per cent, compared to the original estimate of 2019/20. This is due to increased costs associated with these items.

Equipment, both major and minor capital. Mr. Chairman, the estimated budget for equipment in financial year 2020/21 is \$16,000, which is a decrease of \$8,000, or a 33 per cent decrease, from the 2019/20 budget of \$24,000. This reduction reflects the fact that equipment purchased in the last budget year does not need to be replaced for this upcoming financial year.

Revenue, Mr. Chairman, as shown on page B-257. It is anticipated that the revenue for the department will be \$670,000 for 2020/21, which is an

increase of \$73,000, or 12 per cent, compared to the original estimate for 2019/20. The increase in revenue is primarily in two areas—8315, Registration; and 8665, After-School Vouchers—which reflects the increased demand and success of these services, which provide working parents with a cost-effective alternative to private sector services.

Full-time Equivalents. The employee numbers, or full-time equivalent count for financial year 2020/21, stands at 95, which is a reduction of one, owing to the closure of Messina House with the employee taking early retirement.

Mr. Chairman, I would like to take this opportunity to thank the Director, Mr. Norbert Simons, and all of the dedicated staff at the Department of Youth, Sport and Recreation for the work they do in advancing amateur sport, recreation and youth development for all, which enhances the quality of life for residents of Bermuda.

Mr. Chairman, in this Olympic year, it is important for me to recognise the significant contributions made by our sportsmen and sportswomen, and the pivotal role they play in inspiring our youth to achieve their true potential. I wish all much success, particularly those having already qualified to participate.

Mr. Chairman, this concludes my presentation on the financial year 2020/21 budgetary allocation for Head 20, the Department of Youth, Sport and Recreation.

The Chairman: Yes. Continue.

Hon. Lovitta F. Foggo: Okay. Thank you, Mr. Chairman. I shall. I will continue with Head 52.

HEAD 52—DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS

Hon. Lovitta F. Foggo: Head 52, which is the Department of Community and Cultural Affairs, can be found on pages B-261 through pages B-269 of the Estimates book. Mr. Chairman, the department has a revised mission statement, which is *To develop our creatives, preserve our heritage and celebrate our people*. The department's objectives for 2020/21 are as follows, Mr. Chairman:

- to support Bermuda's cultural heritage and artistic communities and institutions through developmental programmes and partnerships;
- to preserve our heritage by promoting and understanding Bermuda's cultural identity through education, research, publication and enrichment programmes;
- to celebrate our people and the development of our national identity by curating cultural festivals, public discussions and educational programmes; and

- to serve as stewards of the Bermuda cultural heritage.

Mr. Chairman, the Department of Community and Cultural Affairs administers two programmes and 13 business units for which a general summary is contained on page B-262 of the Estimates of Expenditure and Revenue for financial year 2020/21, with a total estimate of \$2,083,000. The general summary for Head 52, under unit 5202, Cultural Affairs is as follows: line item 62000, Grants to Organisations is \$229,000; line item 62001, Administration, is \$836,000; line item 62010, Cultural Festivities and Celebrations, is \$77,000; line item 62020, Heritage Celebrations, \$274,000; line item 62030, Cultural Education Programmes, \$62,000; line item 62050, National Heroes Day, \$62,000; line item 62060, Promotion of the Arts, \$76,000; line item 62070, Folk Life Bermuda, \$106,000; line item 62080, Research and Publication, \$56,000; line item 62180, Special Projects, \$41,000; line item 62210, Gombey Festival, \$98,000; and under the business unit 5203, Community Services, line item 62100, Uncover the Arts, \$133,000; and line item 62130, Senior Citizens Projects, \$33,000, for a total, as stated, of \$2,083,000.

Mr. Chairman, the two programmes and 13 business units will now be discussed in order of appearance as shown on page B-262.

Mr. Chairman, shall I continue? Or did you want me to stop here? I can continue; that is not a problem.

The Chairman: We have 10 minutes.

Hon. Lovitta F. Foggo: Okay. Thank you.

The Chairman: I will take you through to lunch.

Hon. Lovitta F. Foggo: I was not aware of the time. Thank you.

Programme 5202, Cultural Affairs

Hon. Lovitta F. Foggo: Mr. Chairman, business unit 62000, Grants to Organisations. Mr. Chairman, the total amount budgeted under this business unit for financial year 2020/21 is \$229,000, which is the same level of expenditure compared to the 2019/20 original budget allocation.

As part of a review by the department aimed at streamlining and better regulating the process by which individual students and organisations apply and receive grants for cultural and artistic projects, the Bermuda Art Council's grant has been increased from \$100,000 to \$131,000, representing an increase of 31 per cent. This was achieved by way of a reallocation of funds within this business unit, primarily by allocating \$25,000 formerly reserved for the Cultural Legacy fund as part of the overall Arts Council grant. This was deemed to be a more efficient process,

since in the past the Arts Council assumed the responsibility of reviewing the applications and making recommendations.

The Department of Community and Cultural Affairs is responsible for promoting, preserving and celebrating Bermuda's rich and diverse cultural heritage, and also for the arts. These goals are achieved in part by partnering with private sector organisations by providing funding. Organisations which will receive financial support in the upcoming fiscal year are as follows:

- Bermuda Historical Society, \$10,000;
- St. George's Historical Society, \$10,000;
- St. George's Preservation Authority, \$10,000;
- Bermuda Arts Council, \$131,000;
- Bermuda Heritage Association, \$10,000;
- Bermuda National Gallery, \$48,000;
- The Cultural Legacy Fund recipients, because it has been changed, zero; and
- St. George's Foundation, \$10,000, for a total of \$229,000.

For financial year 2020/21, each of the heritage institutions will receive a grant of \$10,000 consistent across the board. Being a recipient of these grants does not preclude these institutions or others that did not receive grants this financial year from applying directly to the Department of Community and Cultural Affairs to request contributions supporting specific cultural and heritage programmes, events and projects.

Under business unit 62001, Administration, Mr. Chairman, the function of this business unit is to provide for the administration and operation of the Department of Community and Cultural Affairs, which is located on the fourth floor of the Dame Lois Browne-Evans Building. Mr. Chairman, the allocated budget for financial year 2020/21 for this business unit is \$836,000, as shown on page B-262. This amount reflects a decrease of \$10,000, or 1 per cent, compared to the original budget for financial year 2019/20 of \$846,000. This minor decrease is the result of the department's website not requiring major upgrades.

Mr. Chairman, the allocated budget sustains both programmes of operation including salaries, wages and professional development. The remainder of the budget provides for the department-wide promotion, office supplies, copies, website maintenance and telephone services.

Mr. Chairman, business unit 62010, the Emancipation of Cultural Festivities. The total amount allocated for this business unit in financial year 2020/21 is \$77,000, a reflection of an increase of 24 per cent, or \$15,000, compared to the original budget for financial year 2019/20 of \$62,000. This increase can be attributed to an expanded scope of the programme intended to honour more of Bermuda's root cultures. Mr. Chairman, this business unit covers the cost of promoting the culture and heritage of Bermuda's citizenry through festivals and other pro-

grammes and events, and is aligned with one of the primary departmental objectives of celebrating our people.

The costs associated with programmes and initiatives that the department promotes and hosts that are covered in this business unit include the Emancipation of the Commemorative Event and Harbour Night. Mr. Chairman, permit me to expand on these events. Emancipation Commemorative Event was first established as a way of recognising the complicated history of Bermudians of African descent, a history that includes enslavement and segregation, and its aftermath. It is clear that more research regarding African Bermudian history is both important and necessary.

For this reason, in 2019, the department placed a strong emphasis on supporting work by professional historians intended to shed light on contributions of black Bermudians that extended beyond our shores to the world stage. The primary event for the 2019/20 financial year was a public lecture by Margot Maddison-MacFadyen outlining in superb detail the research she has conducted, supported by the Department of Community and Cultural Affairs, which sheds light on the latter days of our National Hero, Mary Prince. This event was punctuated by additional programming, including a Mary Prince Legacy bus tour in collaboration with Titan Tours; an educational Instagram campaign; two lectures by Dr. Arnold Rampasad, the first lecture on African American poet and activist Langston Hughes, and the second lecture, the Importance of Autobiography, including Mary Prince's story, at the heart of the Abolitionist Movement that resulted in Emancipation throughout the British Empire.

Funds allotted to this business unit, 62010, in financial year 2020/21 will be used to support a research project by Dr. Dana Selassie, entitled *Broadcasting Black: Exploring the Role that Black Bermudian Broadcasters Played in the Era Immediately after the Ending of Segregation*. This project will result in a documentary film, as well as a collection of all history transcripts which will be incorporated into the department's archive.

The department will also look to expand its support to Bermuda's group culture by providing assistance to the St. David's Islanders and Native Community for the hosting of their biennial Pow Wow in June 2020.

Business unit—

The Chairman: Minister, we are about two minutes away from lunch. Will you complete the next unit?

Hon. Lovitta F. Foggo: I can finish this page, and it should be less than two minutes.

The Chairman: Okay.

Hon. Lovitta F. Foggo: Okay, business unit 62020, Heritage Celebrations. Mr. Chairman, the total amount budgeted for this business unit for financial year 2020/21 is \$274,000, an increase of \$12,000, or 5 per cent, when compared to the original budget of 2019/20 of \$262,000. This increase can be attributed to increasing infrastructure costs by external vendors and planning for a Heritage Month Cultural Conference.

Mr. Chairman, this business unit covers the cost of both heritage celebrations and the Bermuda Day Parade. Heritage celebrations are a year-long series of cultural events and activities, the crown jewel of which is the vibrant Bermuda Day Parade.

I can stop here if you would like, Mr. Chairman.

The Chairman: Thank you. Minister.
Deputy, would you . . .

Hon. Walter H. Roban: Good afternoon, Mr. Chairman. I do move that we adjourn until 2:00 pm.

The Chairman: Members, we are adjourning until 2:00 pm.

[Gavel]

Proceedings suspended at 12:31 pm

Proceedings resumed at 2:02 pm

[Mr. Neville S. Tyrrell, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2020/21

MINISTRY OF LABOUR, COMMUNITY AFFAIRS AND SPORT

HEAD 52—DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS

[Continuation thereof]

The Chairman: Good afternoon, Honourable Members. We will resume with the Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2020/21.

We are debating Heads 20, 60, 52 and 71 under Labour, Community Affairs and Sport. And I call on the Minister to proceed.

Minister, you have the floor.

Business Unit 62020—Heritage Celebrations

Hon. Lovitta F. Foggo: Thank you, Mr. Chairman.

Mr. Chairman, I am continuing with business unit 62020, Heritage Celebrations.

Mr. Chairman, under this subheading, the Department of Community and Cultural Affairs successfully celebrated Heritage Month 2019 under the theme Bermudian Excellence through an expansive calendar of events that allowed the department to partner with and support existing cultural organisations.

These exciting events included a Seniors Art Show at the Bermuda Society of Arts; the Mobile African Timeline presented by Mwalimu Melodye Micère Van Putten; support for the Chewstick Foundation's Neo-Griot Open Mic Night; a panel discussion entitled *The Pitt Report, 41 Years Later: How far have we come?*; and a launch event and showcase for the department's new resource for creatives, www.creatives.bm. Heritage Month also featured many spectacular cultural events organised through the community, which the department highlighted and supported in their advertising.

The theme for Heritage Month 2020 is *We are Bermudian*, while the 2020 Bermuda Day theme is *Celebrating our Caribbean Connections*. The department intends to host a cultural conference to bring together stakeholders in the creativity community for dialogue as a primary focus during Heritage Month. The department will continue to support cultural industry's efforts to present their events, entertainment and activities which will illustrate aspects of Bermuda's unique heritage and celebrate one of the root cultures that form part of the core of our national identity.

Bermuda Day Parade. Mr. Chairman, a considerable amount of emphasis has been spent on re-engaging the community with the Bermuda Day Parade, an incredible tradition that requires participation from individuals and organisations across the Island. Having introduced new categories and relaxing some of the rules, there were 46 entries in the 2019 Bermuda Day Parade, including 12 floats.

To assist float entrants with decorating, the Department of Community and Cultural Affairs will continue to offer free workshops to the public. And in 2019 they introduced short instructional video content through participation with Bermuda Memes and Sandys Middle School teacher Christopher Naylor to demonstrate how to best design and decorate a float.

The department continues to connect with existing stakeholders and potential new entrants; and it is hoped that the whole community will consider participating in the Bermuda Day Parade.

Business Unit 62030—Cultural Education Programme

Hon. Lovitta F. Foggo: Mr. Chairman, the amount budgeted for this business unit for financial year 2020/21 is \$62,000 as seen on page B-262. This represents an increase of \$30,000, or 94 per cent, when

compared to the original budget for financial year 2019/20 or \$32,000. This increase is the result of real-locating funds from the Folklife business unit 62070 for the production of our cultural documentary films.

Mr. Chairman, the Department of Community and Cultural Affairs is responsible for creating materials about our rich cultural heritage to educate the public and our students.

Under the subheading Study Guides, Mr. Chairman, the Bermuda Folklife Documentary Series is a collection of full-length feature films highlighting the traditions and tradition bearers of Bermuda. In the financial year 2020/21, the department will continue to develop study guides to complement the Bermuda Folklife Documentary Series for use within the school system.

By the end of financial year 2019/20, the department will have completed the first versions of the study guides for use at the primary level, as prior efforts had been focused on creating secondary level study guides. The first of these primary level guides are intended to complement the documentary series: Beekeeping; Bermuda Foodways; a Poem without Words: Contemporary Bermuda Visual Artists; Ronnie Chameau: *Banana Doll Maker*; and Llewellyn Hollis: Fisherman.

In financial year 2019/20, the department will work towards drafting an additional five primary level guides.

Cultural Films. Under this subheading, Mr. Chairman, the Department of Community and Cultural Affairs recognises that this is a vitally important medium through which to educate the public about our history, culture, and heritage. Documentaries, in particular, offer the opportunity to collect oral histories, the transcripts of which serve as a deeper record of the experiences and knowledge of those who have been interviewed for our films.

Mr. Chairman, one of the key areas of focus in 2019/20 for our oral history and film projects was the story of Rafael 'Kid' Corbin, a Bermudian golfer who broke the colour line in the United States and Canada. We were fortunate to have the assistance of our own Honourable Member MP Kim Swan who, along with the New York University History Professor, Dr. Jeffrey Sammons, conducted an on-camera interview of Bermudians who were able to provide information and insight into the life of this extraordinary Bermudian sporting figure.

In financial year 2020/21 the Department of Community and Cultural Affairs will continue to shine a light onto these areas.

Mr. Chairman, just so that people understand, I will probably just be using "19/20" for fiscal year 2019/20 and "20/21" for fiscal year 2020/21. It is just easier for me.

The Chairman: Understood.

Hon. Lovitta F. Foggo: Thank you.

Business Unit 62040—National Heroes Day

Hon. Lovitta F. Foggo: Mr. Chairman, the amount budgeted for this business unit for financial year 2020/21 is \$62,000. This represents an increase of \$1,000, or 2 per cent when compared to the original budget in financial year 2019/20 of \$61,000. This increase is attributed to a minor adjustment in cost for promotional items.

Mr. Chairman, funds associated with this business unit are used to formally honour and commemorate a new national hero when one is named, and celebrate our existing national heroes on an annual basis. In financial year 2019/20, in addition to a public awareness campaign, the department organised a tribute event for the existing national heroes, with greetings by their family members and close friends.

Business Unit 62060—Promotion of the Arts

Hon. Lovitta F. Foggo: Mr. Chairman, the amount budgeted for this year for financial year 2020/21 is \$76,000. This represents an increase of \$32,000 or 73 per cent when compared to the original budget for 2019/20 of \$44,000.

The Premier's Concert and the Writer-in-Residence programmes are funded through this business unit, Mr. Chairman.

Mr. Chairman, the Premier's Concert for this financial year, scheduled for this month, will take a different approach from concerts in previous years. In addition to featuring the talent of young Bermudians under the age of 20, the concert will also focus on artists who have received a grant or contribution from the Department of Community and Cultural Affairs or the Bermuda Arts Council, such as, Gospel duo 'Last Call'; the Working Title Band and singer Nkosi Hollis.

Mr. Chairman, the Department of Community and Cultural Affairs supports programming to assist in developing our literary arts. With this aim in mind, the department hosts an annual Writer-in-Residence workshop focusing on various genres. In August/September 2019 the department, recognising the interest Bermudian writers have shown in documenting our history in a variety of ways, hosted a four-week Writer-in-Residence programme focusing on the genre of historical research and creative writing. The department was delighted to host our very own award-winning poet, Dr. Paul Maddern, to serve as the co-instructor along with the Registrar of the National Museum of Bermuda and poet, Jane Downing, who provided practical information on assessing archival materials. This programme also featured a public reading and workshops for secondary school students. This workshop provided the opportunity to explore some of

the experiences of our past through the lens of creative writing.

In financial year 2020/21, the department will seek to have a Writer-in-Residence programme focused on performance poetry in an effort to provide a workshop which will be more directly focused on the under-40 category of Bermudian writers.

Mr. Chairman, it is also the intention of the Department of Community and Cultural Affairs to continue with the popular Art in Public Buildings initiative by rotating in a new set of public art pieces to be enjoyed by our community.

Business Unit 62070—Folklife

Hon. Lovitta F. Foggo: Mr. Chairman, the amount budgeted for this business unit for financial year 2020/21 is \$106,000, which represents a decrease of \$37,000, or 26 per cent, compared to the original budget for financial year 2019/20 of \$143,000. This decrease can be attributed to the shifting money associated with Cultural Film Production to business unit 62030, Cultural Education Programmes, as well as producing three fewer public lectures in an effort to be more strategic with regard to departmental events throughout the year.

Activities which come under this business unit are the Bermudian Heartbeats lecture series and the Cultural Apprenticeship Programmes.

Mr. Chairman, the Bermudian Heartbeats lecture series, now in its 17th year, highlights various aspects of Bermudian history and culture, and aims to hold regular presentations that are both entertaining as well as educational. During financial year 2019/20, some of the programmes included a lecture on “St. David’s Culture and Connections to the Native American Populations of the U.S.” with the talk given by Bermuda’s Mr. St. Clair ‘Brinky’ Tucker and Brown University Historian Dr. Linford Fisher; our annual Holiday Concert in the Park featuring CedarBridge Academy’s String Ensemble and others; a lecture on preeminent African-American poet Langston Hughes by Stanford University Professor Emeritus, Dr. Arnold Rampersad; a walking tour of Spittle Pond honouring Heartbeat’s founder and National Hero Dr. Pauulu Kamarakafego (that is a tongue twister); and a tour and ghost talk on Orange Valley, hosted by Mr. John Cox and featuring Miss Florenz Maxwell.

In keeping with the revised mission of the department, the new season has already commenced, as it now follows the calendar year rather than the budget year and will feature nine events. As part of this programme, the Department of Community and Cultural Affairs will feature events including: screening of a documentary film entitled “Mashpee Nine” as a complement to the St. David’s islander and native communities’ powwow being held in June; a discussion panel on historical preservation; a creative writing night of performance; and, of course, our annual Holi-

day Concert in the Park designed to highlight young up-and-coming musicians.

Mr. Chairman, the Department of Community and Cultural Affairs offers the Cultural Apprenticeship Programme to support the preservation of cultural knowledge and skills from one generation to the next.

During financial year 2019/20, the department continued to focus on the newly emerging cultural industry surrounding costume design and fabrication for Bermuda’s Carnival.

Five apprentices, including Colita Cook, James Lee, Barbara Paynter, Monique Stevens and Kimberley Robinson, who took part in the previous year’s programme, organised by Nova Mas International, had their costumes displayed in July at the Bermuda Society of Arts. This programme will be continued in financial year 2020/21 with a focus on an aspect of cultural industry.

Business Unit 62080—Research and Publication

Hon. Lovitta F. Foggo: For this area the allocated budget for the financial year 2020/21 is \$56,000. This represents a decrease of \$6,000, or a 10 per cent decrease, compared to the original budget for financial year 2019/20 of \$62,000. This decrease is largely the result of seeking alternatives to traditional printing when making research findings available to the public.

Mr. Chairman, the Department of Community and Cultural Affairs is responsible for supporting and developing materials which contribute to safeguarding Bermuda’s rich history and heritage.

Mr. Chairman, to this end, the department recognises the importance of supporting original academic research on Bermuda and is pleased to contribute to the development of material on Bermudian folklife, culture and heritage.

The precursor to the documentary film project on Rafael ‘Kid’ Corbin that is being funded from the Cultural Education business unit, is the historical research that was funded by Community and Cultural Affairs. Dr. Jeffrey Sammons spent one week in Bermuda conducting additional research on this historical figure and, as previously mentioned, some of this research will be reflected in the forthcoming documentary on Corbin.

Mr. Chairman, in financial year 2020/21 it is the intention of the department to support research projects by focusing on the era of segregated tennis.

Business Unit 62180—Special Projects

Hon. Lovitta F. Foggo: Mr. Chairman, the total amount allocated for this business unit for financial year 2020/21 is \$41,000. This amount reflects a decrease of \$47,000, or 53 per cent, when compared to the original budget estimate for financial year 2019/20 of \$88,000.

During the financial year 2020/21, the funds allotted to this business unit will be used to support

projects associated with the draft National Cultural Heritage Policy as well as any special requests on cultural projects.

Business Unit 62210—Gombey Festival

Hon. Lovitta F. Foggo: Mr. Chairman, the amount allocated for this business unit in 2020/21 is \$98,000, which represents a decrease of \$63,000, or 39 per cent, when compared to the original budget estimate for financial year 2019/20 of \$161,000. This decrease can be attributed to not budgeting to pay for international participants in 2020.

Mr. Chairman, the Gombey Festival has been held annually to provide exposure to the folk art and traditions of the Gombey, which is an important Bermudian icon. Over the past three years, the programme has been rebranded as the Bermuda International Gombey Festival and expanded to a full week-end of events and learning opportunities, celebrating not only our Bermudian Gombey traditions, but also international influences from across the Diaspora.

In 2019/20, in addition to the Gombey Festival Showcase, the successful programme included a film night screening the Bermuda Folklife documentary on traditional crafts and games at Speciality Cinema with guest chairman Shawn Caisey from H&H Gombey's; a Dance of the Diaspora round-table discussion held at the Leopard's Club; a Gombey community art project at the Botanical Gardens, led by the Chewstick Foundation; and the Ayo! Open Mic! Presented by Nadanja and sponsored by the Department of Community and Cultural Affairs was held at Place's Place.

Each of these events were free for the public to attend and participate in.

Mr. Chairman, it is the department's vision that the Gombey Festival will continue its growth as an internationally known event, attracting overseas troupes and visitors alike to our shores. The allocated budget for financial year 2020/21 will finance the cost of event infrastructure, financial awards to participating Gombey troupes, local participating other dance troupes, and the chosen honouree for this year.

Additionally, with the cost and time savings of not bringing in an overseas troupe, the department plans to do other work throughout the year to ensure that the Bermuda Gombey is protected and developed.

Programme 5203—Community Services

Business Unit 62100—Uncover the Arts Programme

Hon. Lovitta F. Foggo: Mr. Chairman, the allocated budget in financial year 2020/21 for this business unit is \$133,000, which is a reduction of \$56,000, or 30 per cent, when compared to the original estimates for financial year 2019/20 of \$189,000.

Mr. Chairman, the department provided in 2019/20 opportunities for both visitors and locals alike to discover and enjoy various aspects of Bermuda's culture, arts and entertainment. The Uncover the Arts programme runs annually, from November to March, for visitors and participating locals, who provide a variety of entertainment and educational activities.

Some of these programmes include the Skirling Ceremony at Fort Hamilton, with the Bermuda Island Pipe Band; Bermudian Cookery Demonstration, with Chef Fred Ming; the Bermuda Gombey Revue at Pier 6, with the H&H Gombey Troupe; Guided Walking Tours of Hamilton, Dockyard and St. George's; African Bermuda Dispersion Cultural Bus Tour; and the Somerset Boat Tour of Mangrove Bay. Lastly, Lunch Time Cultural Chats with Andrew Birmingham on Bermuda's History with Prisoners in Paradise was also offered.

Mr. Chairman, by way of developing our creatives, the department will be creating and implementing a number of new programmes in financial year 2020/21. Some of these will include quarterly sponsorships of open mic nights, intended to encourage our community to share and develop their talents as singers, poets, spoken-word artists, rappers, comedians, and musicians. We will also develop a programme designed to develop our creatives through portfolio building; prepping for the industry; support for musicians, such as, video production and pairing with industry mentors.

Mr. Chairman, by way of preserving our heritage, the department is looking into creating a new cultural and historical tour guide certification programme. Additionally, the department will be exploring the creation of cultural and historical radio podcasts.

Mr. Chairman, the department will be offering a continuation of the Saturday Night Live Entertainment programme during financial year 2020/21. This programme offers a platform for local entertainers to perform. Participants include: The Wall Street Band, Devils Isle Audio, Working Title, Arijahknow Live Wires, and the King's Band, with performances taking place at various sporting and social clubs across the Island. By using several venues across the Island, this programme is expanding its outreach, and by so doing, making it more attractive and appealing to audiences. Funds allocated for this business unit are also used to pay the cost of advertising, rental of site, and sound systems.

Business Unit 62130—Senior Citizen Projects

Hon. Lovitta F. Foggo: Mr. Chairman, the allocated budget in 2020/21 for this business unit is \$33,000. This represents a decrease of \$30,000, or 48 per cent, compared to the original budget estimate for financial year 2019/20 of \$63,000. The department continues to focus on allocating resources strategically, and identifying areas of meaningful cultural pro-

gramming and heritage preservation which otherwise is not served by existing community-led programming or government initiatives for senior citizens.

Mr. Chairman, the Department of Community and Cultural Affairs is responsible for organising a variety of programmes and activities for our seniors. During fiscal year 2019/20, the department published and launched a book of profiles of 15 seniors that attended, taught at, or are affiliated with the Berkeley Institute, as well as the seven seniors who turned 100 years old in 2018. This book was made available to the public at no charge.

The department also worked in collaboration with the Bermuda National Library and Friends of the Library to coordinate a month-long Seniors' Writing Workshops, led by Mrs. Florenz Webbe Maxwell, which the department hopes will result in publication. The highlight of the 2019/20 programme was a free lunch for 500 seniors hosted at the Fairmont Southampton featuring live entertainment.

The department has begun the work on a multi-year book project focusing on the period of segregation, collecting oral histories from senior citizens.

The events and programmes within this business unit provide social opportunities for senior citizens to fellowship, enjoy Bermudian entertainment, and be recognised within the community for their contributions. The funds associated with this business unit will continue in financial year 2020/21 to provide culturally relevant and intellectually stimulating programmes and activities for Bermuda's senior population.

Mr. Chairman, I will now discuss the subjective analysis for the Department of Community and Cultural Affairs, found on page B-263, and the Employee Numbers found on page B-264.

The budget for financial year 2020/21 of \$2,083,000 has been reduced by a total of \$159,000 or 7 per cent as compared to the total original budget for 2019/20 of \$2,242,000.

However, I will speak only to those object codes where there are major changes.

Salaries—Mr. Chairman, the decrease of salaries by \$39,000, or 5 per cent, from the financial year 2019/20 original budget of \$785,000 more accurately reflects adjustments including acting pay, overtime, salary uplift and pay scale grading.

Mr. Chairman, the decrease of travel expenses by \$141,000, or 97 percent, from [the] financial year 2019/20 original budget of \$146,000 to [the] financial year 2020/21 budget of \$5,000 is largely a result of our decision not to invite international participation for the Gombey Festival and, instead, focus on internal work to support Bermuda's most iconic folk practice, as well as not budgeting for participation in the CARIFESTA event.

Mr. Chairman, the increase of \$19,000 [to] \$28,000 for Advertising and Promotion; as well as the increase of \$1,000, or 6 per cent, in Communications;

represents a priority of the department based on a statistical survey to make sure that information about various programmes and initiatives are adequately conveyed to the public. Some of this will include ensuring that the demographics more in tune with social media, rather than traditional advertising, are given more consideration.

Mr. Chairman, the decrease of \$49,000, or 9 per cent, represents a cost savings achieved by the department with respect to Professional Services. The department's website does not require any major upgrades this fiscal year and the department has saved money across the board by conducting their programmes in different ways to achieve more value for money.

Mr. Chairman, under Rentals the decrease of \$55,000, or 35 per cent, represents a further cost savings achieved by the department. Several of the department's programmes are emphasising a developmental aspect versus being primarily event focused. As a result, there is less of a need for the rental of public venues. The department has also made an effort to conduct more programming in partnership with other organisations which, in turn, have venues where the rental fee is waived for the collaborative effort.

Mr. Chairman, with respect to Materials and Supplies, the decrease of \$27,000, or 20 per cent, represents a further cost savings achieved by the department. Certain funds associated with the book project on segregation in Bermuda will not be expensed in this fiscal year because book projects span more than one year. In an effort to consider the shift towards a more paperless and digital society, the department intends to make more research materials available to the public in digital formats in lieu of printing.

Grants and Contributions—Mr. Chairman, the increase of \$124,000, or 36 per cent, represents a different approach by the department in how we are managing research projects and certain events, particularly collaborative events with community partners. The department, for example, as stated earlier, has made a decision to partner with cultural organisations representing our root cultures or festivals and events celebrating our shared heritage, such as the upcoming powwow. It was deemed that it was more appropriate in some instances, both strategically and financially, to partner with groups as opposed to the department solely hosting programmes. Similarly, the department ascertained that we were able to attract independent researchers to conduct cultural research when they are able to continue to own the rights to their own research, rather than the intellectual property passing on to the government. This allows the department to support much-needed cultural research by researchers with excellent educational qualifications and skill sets.

Mr. Chairman, the total estimated revenue for the Department of Community and Cultural Affairs for

fiscal year 2020/21 is budgeted at \$2,000. This is a decrease of \$2,000, or 50 per cent. Although the department is working on the manuscript for a new book during [the] 2020/21 fiscal year it will not be completed until 2021/22. The change in estimated revenue takes into account that a new book will not be available for sale.

Mr. Chairman, there is no change to employee numbers with the full-time equivalents remaining at eight, as found on page B-264.

Mr. Chairman, I would like to thank the staff of the Department of Community and Cultural Affairs for their dedication, commitment, and enthusiasm. Although this is not a large department, the staff work diligently and are committed to serving the public with excellence.

Mr. Chairman, I must also recognise the contributions of Mrs. Heather Whalen who retired last March after some 16 years as the Director for the department. Her legacy of stewardship and promotion of Bermuda's culture will outlive us all and has set the standard for future directors. I wish her the best in her retirement.

Mr. Chairman, this concludes my presentation on the budgetary allocation for financial year 2020/21 for Head 52, the Department of Community and Cultural Affairs and I will now move to Head 60, the Department of Workforce Development.

The Chairman: Proceed, Minister.

Hon. Lovitta F. Foggo: Thank you, Mr. Chairman.

HEAD 60—DEPARTMENT OF WORKFORCE DEVELOPMENT

Hon. Lovitta F. Foggo: Mr. Chairman, I am now focused on the estimates of revenue and expenditure for the Department of Workforce Development, Head 60, found on pages B-270 to B-275 of the Budget Book.

Mr. Chairman, in preparation of their estimates of revenue and expenditure, the Department of Workforce Development conducted a review of its programmes and its mission in conjunction with the National Workforce Development Plan. The resulting revised mission statement of the Department of Workforce Development, as highlighted on page B-270, is:

To develop a resilient workforce to provide a sustainable and stable community.

Mr. Chairman, the objectives of the department are:

- to create the National Workforce Development Board and sub-committees;
- to increase the number of training programmes and apprenticeships to align with the National Workforce Development Plan;
- to increase the number of scholarships in alignment with industry needs;

- to enhance synergies with the Department of Immigration to align the National Certification and Work Permit Policies; and
- to implement a work-readiness training programme recognised by industry stakeholders.

Mr. Chairman, the department's 2020/21 mission statement and objectives have been amended to reflect government's reform and new vision statement: *Future Forward Government for the people of Bermuda*.

Mr. Chairman, our primary aim is to assist Bermudians to become work ready and to position them to successfully participate in Bermuda's workforce. This starts at school age and continues through until retirement. The Department of Workforce Development is a partner in ensuring Bermudians are prepared for the workforce by providing job opportunities in the summer for both high school and college students; scholarships for local and overseas studies; apprenticeships; national certification training; career guidance; assistance on redundancy and career changes; employability skills training; job search support; career fairs; and the Bermuda Job Board.

Mr. Chairman, as noted on page B-271, the Department of Workforce Development has been allocated a budget of \$4,295,000 for financial year 2020/21. This budget is \$1,000 less than the 2019/20 budget allocation. Whilst the overall budget remains relatively unchanged, there have been quite a few reallocations within the budget programmes as part of the review and zero-based budgeting process.

Mr. Chairman, the Department of Workforce Development comprises the three programmes as noted on page B-271: General Administration, Career Development, and Training.

Programme 6001, General Administration, is responsible for the overall management and administration of the Department of Workforce Development. As seen on page B-271, business unit 70000, Administration, has been allocated a budget of \$667,000 for the fiscal year 2020/21. This budget is \$16,000, or 2 per cent more than the 2019/20 allocation, owing to an increase in software maintenance related to the implementation of the National Workforce Development Plan. This has been offset, in part, by a decrease in contractor costs and cleaning expenses. This section is staffed by four full-time employees, consisting of the director, an administrative accounts officer, a customer service representative and a two-year temporary IT officer, as reflected on page B-273. The director's post is currently vacant and recruitment for the post is currently underway.

Mr. Chairman, programme 6003, Career Development, is comprised of Career Development Administration, 70300; and Career Development, 70400. The programme is responsible for client assessment, employability skills training, and job search support. Where indicated, clients may be referred for specific

training and other support services to increase the individual's prospects for suitable employment and job retention.

The 2020/21 budget allocation for the entire Career Development Programme is \$1,397,000, an increase of \$40,000, or 3 per cent, compared with the 2019/20 budget allocation.

Mr. Chairman, Career Development Administration is responsible for designing services to meet the needs of job seekers and reduce employment barriers. The section works closely with employers, the Department of Financial Assistance, and the Department of Immigration in support of their work permit policy.

Mr. Chairman, business unit 70300, Career Development Administration, has been allocated a budget of \$433,000 for the financial year 2020/21. This represents a decrease of \$10,000, or 2 per cent less than the original 2019/20 budget allocation, owing to a reduction in overseas training and travel costs. This section is staffed by five full-time employees consisting of the Career Development Manager, two community education coordinators, an administrative assistant, and a one-year temporary administrative intake officer as indicated on page B-273.

The Career Development business unit, 70400, has been allocated a budget of \$964,000 for the financial year 2020/21, an increase of \$50,000, or 5 per cent, over the original 2019/20 budget. The increase is due mainly to increased rates for both the Summer Employment Programme and the Summer Internship Programme.

Funds to support the Summer Employment Programme for college and university students have been moved to Wages for reclassification purposes, resulting in a corresponding increase of \$500,000 in Wages. The increase for this programme more closely aligns with market rates. This age group is close to entering the workforce and, therefore, increased rates will help to support educational and associated costs related to the attainment of qualifications. Similarly, rates have increased for the high school programme to more closely align with market rates. This increase will result in fewer high school students in the Summer Internship Programme. However, the Summer Internship Programme (SIP) will be restructured to be more deliberate in developing talent for Bermuda's workforce.

This section is staffed by three full-time Career Development Officers, as shown on page B-273.

Mr. Chairman, the purpose of programme 6004, Training, is to provide administration and oversight of the National Training Board activities. This section supports the apprenticeship programmes, the distribution of scholarships, professional designation training schemes and national certification of designated trades. The 2020/21 budget allocation for the entire training programme is \$2,231,000, a decrease

of \$57,000, or 2 per cent, compared with the 2019/20 budget allocation.

Mr. Chairman, business unit 70014, Training Administration, has been allocated a budget of \$282,000 for the financial year 2020/21. This represents a decrease of \$1,000, therefore, remaining relatively unchanged compared to the 2019/20 budget allocation. This section is staffed by three full-time employees consisting of a Training Manager, and two administrative assistants, as stated on page B-273.

Mr. Chairman, business unit 70015, Certification, has been allocated a budget of \$509,000 for the financial year 2020/21. This reflects a decrease of \$107,000, or 17 per cent, which represents a more accurate budget based on previous years' expenditure, and has allowed for these savings to be used in other areas. Funds have been reallocated to business unit 70016, Apprenticeship and Professional Development and business unit 70400, Career Development, to support an increase in overseas scholarships and the increased rate for summer employment programmes. The staff complement for this business unit is two, as noted on page B-273, made up of standard and enforcement officers. One standard and one enforcement officer post is currently vacant. However, recruitment is currently underway and it is anticipated that this post will be filled early in the 2020/21 financial year.

Mr. Chairman, business unit 70016, Apprenticeship and Professional Development, has been allocated a budget of \$1,440,000 for the financial year 2020/21, an increase of \$51,000, or 4 per cent. Again, this increase relates to a reallocation of funds for overseas scholarships and local apprenticeships. The staff complement for this business unit is three training assessment officers, as noted on page B-273.

[Ms. Susan E. Jackson, Chairman]

Subjective Analysis

Hon. Lovitta F. Foggo: Mr. Chairman, *[sic]* I will now discuss the subjective analysis for the Department of Workforce Development found on page B-272. However, I will speak only to those object codes where there are major changes.

Mr. Chairman, *[sic]* the original estimate for Wages was zero.

[Inaudible interjection]

Hon. Lovitta F. Foggo: Oh, sorry! I do apologise.

[Inaudible interjection]

Hon. Lovitta F. Foggo: Yes, Madam Chairman, and you look so lovely in your red. Yes.

The original estimate for Wages was zero for the financial year 2019/20. However, the financial year

2020/21 estimate is \$500,000. These funds have been reallocated from Grants and Contributions for administrative purposes and represent funds for the Summer Employment Programme for college students to more closely align with market levels.

Training, Madam Chairman, the Training budget estimate for financial year 2020/21 is \$15,000 and represents a \$5,000, or 25 per cent reduction. These funds are for staff training and the reduction more accurately reflects actual spend rates and planned training.

Madam Chairman, the Travel estimate for financial year 2020/21 is \$14,000 and represents a \$15,000 or 52 per cent reduction. These funds, again, relate to staff and overseas staff training, as well as recertification. As the recertification was carried out in financial year 2019/20, there is no need for recertification in financial year 2020/21 and, hence, the reduction in the allocation of funds.

Madam Chairman, the Communications estimate for financial year 2020/21 is \$11,000 and represents a \$7,000, or 39 per cent reduction. These funds relate to cellular phones and the reduction reflects the actual historical costs, less overseas usage expense, and other associated costs.

Madam Chairman, the Advertising and Promotion estimate for financial year 2020/21 is \$24,000 and represents a \$16,000, or 40 per cent reduction. The reduction reflects a more focused use of advertising and promotion and the increased use of social media for this purpose.

Madam Chairman, the Professional Services estimate for financial year 2020/21 is \$134,000 and represents an \$86,000, or 39 per cent reduction. The savings are made from a combination of factors including the revision of the office cleaning contract for the department to make savings, and the reduction in the use of contractors to cover for vacant posts, which are expected to be filled in the upcoming year.

Madam Chairman, the Repairs and Maintenance estimate for financial year 2020/21 is \$145,000 and represents a \$44,000, or 44 per cent increase. The increase primarily relates to software maintenance costs associated with the implementation of the National Plan.

Madam Chairman, the Materials and Supplies estimate for financial year 2020/21 is \$62,000 and represents a \$12,000, or 16 per cent reduction. The reduction provides a more accurate estimate based on historical spend rates for the department.

Grants and Contributions

Hon. Lovitta F. Foggo: Madam Chairman, the Grants and Contributions estimate for financial year 2020/21 is \$1,505,000 and represents a \$398,000, or 21 per cent reduction.

Madam Chairman, details of Grants and Contributions can be found on page C-20. The decrease

is primarily owing to the reallocation of the summer employment programme funds for college and university students to Salaries for reclassification purposes to Wages.

Madam Chairman, the Grants and Contributions will fund the government sponsored scholarships, apprenticeship scheme, and sponsorship for trainees, national certification training and the summer student programmes as follows.

As mentioned previously, the estimate for overseas scholarships has increased by \$100,000 to meet the growing demand to support tertiary education. This will fund approximately 45 students at an average of \$10,000 per applicant.

The estimate for [the] apprenticeship scheme has increased to \$471,000 for the purpose of providing more apprenticeship opportunities for young Bermudians to train and gain entry to the workforce.

The estimate for sponsorship trainees is \$114,000 for short-term training programmes, which are usually less than two years in duration. This budget remains unchanged.

The estimate for [the] National Certification Programme is decreased by \$88,000. This reduction represents a more accurate estimate based on previous years' expenditure and facilitates the reallocation of funds to support an increase in overseas scholarships, apprenticeships, and the Summer Student Programme.

Funding for the Summer Student Programme has decreased to \$80,000. As previously mentioned, this decrease is directly attributed to the reclassification of the Summer Employment Programme for college and university students to Wages. The \$80,000 residual has been allocated for the department's Summer Internship Programme, which provides an introduction to the workforce for high school students. These funds will provide approximately 50 students with the opportunity to participate in a work placement during the month of July.

Madam Chairman, Revenue for financial year 2020/21 is listed on page B-272 and is estimated at \$29,000. The estimates are expected revenue from fees charged to applicants registering for National Certification and Apprenticeship Training in 2020/21. The statutory application fee for each applicant for National Certification is \$265, and \$50 for apprenticeships. The budget estimates 104 new certifications at \$265 each and 34 new apprenticeships at \$50 each.

Madam Chairman, at this time I will shift to page C-14, Capital Acquisitions, which outlines an increase of \$22,000 to allow the department to purchase audio/visual and computer equipment for planned training.

Madam Chairman, under the Performance Measures for the Department of Workforce Development, on pages B-274 and B-275, the number of persons sponsored for local and overseas training during financial year 2019/20 was 131 compared to [the] fi-

nancial year 2018/19 figure of 134. This modest decrease was due to a few participants—sorry—a few recipients who elected to further their short-term (less than two years) education to a higher level of achievement to become more marketable and upgrade their skills in their chosen locations. Several students at the entry level of their occupations elected to obtain industry recognised certifications and associate degrees and bachelor degrees and, in some instances, specialised instructor certifications. This meant that they received funding longer than the average duration.

The training programmes were comprised of:

- Welder Inspector Training, Canadian Welding Bureau;
- Safety and Instructor Certification Training, the Construction Association of Bermuda, the National Centre for Construction Education and Research;
- Learn to Earn Restaurant Training Initiative;
- Horticulture for Landscape Gardeners, Bermuda College;
- Bartending Certification Programme, Bermuda College;
- Retail Management Certification Programme, Bermuda College;
- Bridge Watch Maritime Cadet Programme, Holland College;
- FinTech Computer Coding Bootcamp;
- Power Engineering, Tynes Bay Waste-to-Energy facility; and
- Successful Academic and Vocational Education Programme (SAVE), Bermuda Government Court Services.

Madam Chairman, the department continues to provide training and professional development to ensure that Bermudians have a pathway to national certification.

Madam Chairman, the total number of individuals certified as of January 31, 2020 was 203 compared to a forecast of 100 for the year against 248 registrations for 2018/19. As of January 31, 2020, the number of individuals certified includes: 42 electricians, 27 welders, 31 automotive service technicians, and 103 landscape gardeners. The remaining non-certified registrants will continue to be assessed by the Occupational Advisory Committee for approval by the National Training Board.

Madam Chairman, the Apprenticeship Professional Development performance measures are outlined in business unit 70016 on page B-275. The scholarships programmes included in this business unit are available to individuals 18 years old or older and who are interested in expanding their skills and knowledge. Financial support is provided for local and overseas educational pursuits.

Madam Chairman, the Training section awards scholarships based on local workforce needs, particularly in areas of under-representation by Ber-

mudians. Some highlights include a revised forecast for the year: 77 local sponsored trainees, an increase from 52 for the financial year 2018/19:

- 20 overseas sponsored trainees, an increase from 12 for the financial year 2018/19;
- 20 overseas scholarships, an increase from 12 for the financial year 2018/19;
- 37 apprenticeships, an increase from 33 for the financial year 2018/19.

Madam Chairman, the Career Development section's performance measures are outlined in business unit 70400 on page B-275. The Career Development section prepares individuals, particularly the vulnerable population group, for work placement. As of January 31, 2020, a total of 1,559 persons were registered with the department as either unemployed or seeking alternative employment. In the previous budget year 1,499 persons were registered with the Career Development section, reflecting a 4 per cent increase of persons registered.

The department has worked to provide career development services for unemployed persons. As of January 31, 2020, the department provided services for 1,049 persons during this financial year, of which 518 were new registrants. Career development services included: Career and skill assessment; résumé critique and development; employability skills training; job search assistance; and career guidance. As of January 31, 2020, there were 593 career assessments administered against a 2018/19 total of 364.

Madam Chairman, as a requirement of the 2015 Work Permit Policy, the Career Development section this financial year received requests for referrals relating to 352 restricted job category positions. Subsequently, there were 358 suitable candidates referred. As of January 31, 2020, there were 114 reported hires compared to 192 for the previous year. Although this reflects a marked decrease, the section awaits details of reported hires related to recent recruitment and training initiatives.

The Career Development section continues to utilise the Bermuda Job Board as a job search and referral tool to assist clients. Registration sessions and introductory computer courses are offered regularly. Each session is designed to help persons with limited computer literacy skills to build confidence with technology and apply for jobs online to increase their prospects of employment.

Madam Chairman, as of January 31, 2020, there were 17,463 candidates registered on the Bermuda Job Board, an increase of 2,241 from the previous year. The number of employers registered currently stands at 2,374, an increase of 240 from the previous year. There were 221 jobs posted as of January 31, 2020. The Job Board continues to see considerable activity with 206,113 job applications submitted to date since its initial launch in 2013. This represents an increase of 50,778 submissions from 2019. The ability for employers to report on hires was devel-

oped in March 2016. Since then there have been 3,356 reported hires through the Bermuda Job Board. The hires consist of 975 in 2016, 759 in 2017, 725 hires for 2018, 885 hires for 2019, and 12 hires to date in the current 2020.

Madam Chairman, the Career Development section facilitates employability skills workshops to equip job seekers with the tools necessary for employment success. As of January 31, 2020, 421 persons participated in training such as: interview skills, résumé development, introduction to computers, navigating online job platforms, and marketing yourself for success. The lower attendance is primarily attributed to no-shows, low registration, and the inability to contact clients who would benefit from the sessions. However, the department is positioned to continue to exceed last year's total of 416.

Major Achievements

Hon. Lovitta F. Foggo: Under the banner of Major Achievements, I will shift in order to highlight some of the additional work that was undertaken during the 2019/20 financial year.

The Career Development team has deliberately engaged in several public/private partnerships to respond to the hospitality industry workforce needs. In December 2019 the Hamilton Princess Hotel and Beach Club Career Fair was hosted to identify and attract talent for the upcoming tourism season. The Career Development section partnered with Hamilton Princess and provided the following support for the Career Fair:

- Advertised the Career Fair on the Bermuda Job Board and managed pre-registration for the event;
- Contacted each applicant to facilitate vetting and pre-screening prior to the Career Fair, this included assisting each applicant in preparing a complete portfolio inclusive of security vetting, a current résumé, two written references, and certifications where applicable;
- Furnished completed vetting and applications to support panel interviews on the day of the fair;
- Facilitated interview skills workshops for short-listed candidates; and
- Provided manpower at the Career Fair to assist with the overall event.

Madam Chairman, 116 persons registered for the Career Fair; however, a total of 58 persons were referred to Hamilton Princess for pre-arranged interviews. This was largely due to either the applicant withdrawing their application, their unavailability on the date of the fair, failure to avail themselves to complete the security vetting, or our inability to contact the person. Of the 58 persons referred, a total of 48 were short-listed and scheduled for interviews on the date of the Career Fair. Applicants were afforded inter-

views in the areas of: laundry, housekeeping, food and beverage, security, front office, spa and the kids camp. It is also important to note that although 58 applicants completed the prerequisite vetting, the Hamilton Princess Talent and Culture Team were provided the Bermuda Job Board applications for all 116 persons. On the day of the event a total of 126 persons attended the fair, inclusive of the 48 persons who had confirmed interviews.

The Hamilton Princess Hotel and Beach Club had the following to say about the department's participation: *A huge thank you to you and your team for partnering with us to make this day a success. We appreciate the Department of Workforce Development's efforts in pre-screening applicants and your collaboration allowed us to expedite our hiring process and kick-start our 2020 recruitment. Thank you, once again.*

Madam Chairman, we await the outcome of the interviews and recruitment efforts for this public/private partnership.

Madam Chairman, the Learn to Earn Restaurant Training Initiative and campaign was launched in November 2019. The public/private training and development programme aims to attract Bermudian job seekers to restaurant careers and includes the following partners:

- The Bermuda Tourism Authority;
- Bermuda College;
- Tomasz Tobar Memorial Fund;
- Harbourside Holdings, which includes Flanagan's Irish Pub, Divots, The Loft, The Snug Café, Outback Sports Bar;
- Island Restaurant Group, which includes Baracuda Grill, Brew, Hog Penny Pub, Pickled Onion, and Frog and Onion [Pub];
- Take Five, which includes Devil's Isle, Village Pantry and the Buzz Cafes; and
- Yellowfin, which includes Astwood Arms, Bistro J, Ten Café, Pearl, Port O Call, [and] Yours Truly.

Madam Chairman, this initiative was launched in direct response to the PricewaterhouseCoopers [PwC] study on Bermuda hospitality talent needs for the current development projects. The department has been involved at the onset and has provided the following support for the Learn to Earn initiative:

- It created the hospitality survey on the Bermuda Job Board to determine interest in hospitality training and careers. The department manages this database listing.
- It funded the theory component of the training, which leads to the American Hotel and Lodging Educational Institute certifications and industry specific training for certification as baristas, food handlers and wine servers.
- We participated in information sessions to provide an overview of the initiative and the

department's commitment to developing talent.

- We participated in assessing and assessed such things as basic skills, customer service mindset, work personality profile, and we vetted applicants.
- We also provided a facility for information sessions and applicant interviews and provided administrative support for information sessions and the initiative.

Madam Chairman, a series of five information sessions have been held to date. The programme consists of a theoretical component, followed by industry specific training and an eight-week paid internship rotation with each restaurant group. Restaurateurs and representatives from the Bermuda Tourism Authority conducted interviews to select candidates for the January 20th launch. The first cohort included a total of 13 participants. It is important to note that the employers increased the initial target of six trainees to 13 after interviewing potential candidates. The trainees have successfully completed the theoretical component at the Bermuda College and are now engaged in industry-specific training.

The Bermuda Tourism Authority has aggressively promoted the initiative in print, social and radio media, directing interested persons to the Bermuda Job Board to complete the hospitality survey. Recent adverts have targeted youth in an effort to attract this age group, address youth unemployment and create a pathway to hospitality careers. More recently, the advertising promotes careers in hospitality as one of the best kept secrets, and appeals to Bermudian ambassadors to join the hospitality industry.

Madam Chairman, I am pleased to report that as of January 31, 2020, [a total of] 436 persons have completed the survey and listed their interest in hospitality careers and training. We are encouraged by the overwhelming interest and hope that the Learn to Earn initiative will create a pipeline of Bermudian talent for the restaurant and hospitality industries.

Madam Chairman, the department continues to take a collaborative approach to create opportunities for Bermudian job seekers and engage employers to address Bermuda's workforce needs. For a similar purpose, the Career Development section hosted a job fair in October 2019 at Pier 6's lower level. There were 21 participating employers with over 200 persons attending. Approximately 15 persons obtained employment as warehouse porters, sales associates, rust proofers, delivery drivers and waitresses, to name a few. It is important to note that departments continue to learn of hires some months later. To date we have learned the following employers hired through the Job Fair:

- Gibbons Company;
- Auto Solutions;
- IBC ZipX ;
- Take Five Ltd.;

- Hornburg Calypso Ltd.;
- The MarketPlace; and
- People's

Madam Chairman, the Career Development team has contacted employers to determine the level of support required for those who were hired in order to help with job retention. Additionally, officers continue to follow up with those who attended the job fair, but were unsuccessful, offering supportive services to assist with their job search efforts and to improve their readiness for the workforce. Individuals have been sourced for the Learn to Earn training initiative and have also been referred for subsequent opportunities.

Madam Chairman, the Summer Employment Programme, facilitated by the Career Development section, assists Bermudian college and university students in the development of their career goals by connecting work experiences to their academic learning. Work assignments are professional in nature and based on entry level job descriptions. Interns receive placements within government, private and non-profit sectors where they can learn leadership and decision-making skills, time management, conflict resolution, and career and work competency standards.

The Summer Employment Programme commenced in May 2019 with a total of 87 students being placed in internships based on their areas of study. Each, in turn, completed up to 10 weeks [work] and received a \$5,000 stipend for work performed. This year the department originally budgeted for 80 students; however, because some students were not able to complete the full 10 weeks, the department was able to provide opportunity for an additional seven students.

Madam Chairman, there were several extremely talented interns who participated in the 2019 SEP programme. Some of the academic programmes the interns are pursuing include: law; social policy; political science; business in the realm of accounting, finance, international business; health in the realm of pre-medical, pre-dentistry, nursing, radiology, occupational and physical therapy, speech and language pathology, public health, biomedical science, pharmacy; sciences in the realm of environmental science, pre-veterinarian animal science, international wildlife biology; human services in the realm of psychology, social work, forensic psychology; education in the realm of early childhood, history, art and special education; electrical engineering; architecture; advanced automotive technology; television and film; graphic design; music technology; and criminology and criminal justice.

Madam Chairman, this year the department co-sponsored the enhanced Summer Employment Programme which saw four talented interns placed with Cabinet Office. Each intern gained exposure to policy and high-level government initiatives.

This year the department assumed the responsibility for coordinating the Summer Internship

Programme for high school students. The programme runs for the month of July and provides participants an opportunity to work shadow professionals in their chosen area of interest. As a result of the programme, SIP participants are better equipped to make more informed choices about their future career paths. This year there were a total of 87 participants from the public, private, and home schools.

Madam Chairman, the programme rate previously totalled \$400 for the entire four weeks, so that is at a rate of \$100 a week. I am pleased to report that the rate was re-evaluated this year. This resulted in an increase from \$400 in total to \$400 weekly, with a maximum of \$1,600 stipend. The rate increase has created the opportunity to restructure the Student Internship Programme with a more deliberate emphasis on developing talent for Bermuda's workforce.

Madam Chairman, it is important to highlight the work the section continues each summer to prepare youth for Bermuda's workforce and address youth unemployment. Similarly, the Career Development team has been very active within the Department of Education, participating in career fairs and facilitating employability skills workshops for Cedar-Bridge Academy, the Berkeley Institute, Success Academy, Bermuda Institute and Clearwater Middle School, to name a few. This is a worthwhile partnering, one that we hope will bear fruit for many years to come.

Madam Chairman, in October 2019 the Career Development manager was invited to present at the National Council on Workforce Education's Annual Conference in San Antonio, Texas. The manager was first introduced to the conference in 2018 by Miss Valerie Palamountain, the Fulbright specialist who previously assisted the National Workforce Development Plan Working Group with the development of Bermuda's National Workforce Development Plan. This year's presentation focused on developing talent through employer engagement and detailed much of the work completed locally with employers to develop Bermudians.

Madam Chairman, approval was also obtained for one Community Education Coordinator to attend the NCWE Annual Conference with the Career Development Manager. This professional development opportunity is directly aligned with the National Workforce Development Plan and will assist staff in developing more robust, work readiness training programmes for clients and the general public. Furthermore, Career Development staff participated in the following professional development courses and opportunities:

- 'Shedding light on Blind-Spots Within Therapeutic Relationships' facilitating career development (previously the Global Career Development Facilitator course);

- Effective Interviewing Skills (U.S. Department of Labor open and free online resources for career advisors);
- International Visitor Leadership Programme;
- Transformational Living Programmes for Women, sponsored by the U.S. Consulate and
- Northwestern State University's Doctorate Programme in Adult Living and Workforce Development, which was self-funded.

Madam Chairman, staff training and professional development opportunities are vital to assist with providing services for the unemployed, youth and special populations. More importantly, it is imperative that officers remain current with workforce trends and labour market information in order to provide proper guidance. It is particularly critical that officers obtain the necessary training to implement and support the recommendations outlined in the Plan.

Lastly, the Career Development section continues to hold membership with several professional organisations, namely: The National Career Development Association; National Council on Workforce Education; and the Bermuda Human Resources Association. These memberships increase the opportunity for training, professional development, networking and employer engagement.

Madam Chairman, I now shift to the work of the Training section. The Apprenticeship and Training Programme has successfully engaged industry partners in developing opportunity for full-time employment and training for apprentices, specifically promoting employer incentives for formalising apprenticeship and trainee programmes. As a result, steady progress has been achieved in this area with 20 companies registering a total of 95 apprentices as of January 31, 2020. The companies include:

- Keiser Ltd.;
- Insulcon Ltd.;
- Mid-Atlantic Wellness Institute;
- Crisson Construction;
- Perfect Pass Welding;
- J B Complete Fashions;
- Teacher's Pet Nursery;
- Port Royal Golf Course;
- Sylvia Richardson Care Facility;
- Bermuda Government Department of Public Transportation;
- BAC Universal Electric Group of Companies;
- HS & JE Crisson, Ltd.;
- Noble Automotive;
- Efficient Technologies Bermuda;
- Otis Elevator Bermuda;
- Fairmont Southampton;
- Bermuda Telephone Company;
- Bermuda Electric Light Company;
- Bermuda Energy Service Company Ltd.; and
- Tynes Bay Waste-to-Energy facility.

Madam Chairman, a total of 11 companies and 23 Bermudians were awarded approval for training schemes in the year 2019/20. A payroll tax exemption from the Office of the Tax Commissioner provides relief for employers who are committed to training Bermudians. The companies receiving approval include:

- Otis Elevator Bermuda, Ltd.;
- Marshall Diel & Myers, Ltd.;
- Canterbury Law Ltd.;
- Elevate Executive Selection Bermuda Ltd.;
- Arthur Morris Christensen & Company;
- BESCO;
- Walkers (Bermuda);
- Taylors Law Firm;
- Meritus Trust Company Limited;
- Appleby (Bermuda) Limited;
- 2 Tech Limited; and
- Mazars Limited.

Madam Chairman, there is a shortage of Bermudians in the culinary arts field. For example, according to the 2019 Employment Brief, in 2018 there were 697 *chef de partie* cook jobs filled, of which 125 were filled by Bermudians and the remaining 79 per cent filled by non-Bermudians. Currently, there are seven apprentices registered in the Culinary Arts Apprenticeship Programme at the Fairmont Southampton. Two apprentices are on schedule to complete their four-year training on March 6th of this year. Each year the apprentices attend five weeks of training at Holland College, Prince Edward Island, Canada. At completion they will have acquired the relevant number of work hours to qualify them to sit the Red Seal International Certification exam in culinary arts.

Madam Chairman, the training section sponsored 10 apprentices with the Bermuda Electric Light Company. Four of the 10 apprentices have completed their four-year programme. Please join me in congratulating:

- Elijah Dublin, he did industrial electricity;
- Denzell Vickers, millwright industrial mechanic;
- George Fubler, electrical fitter; and
- Stevan Trott, powerline technician.

In addition, the department sponsored three new apprentices for [the] Bermuda Air Conditioning Group of Companies. Currently, BAC Universal has a total of 12 apprentices in the training programme at Bermuda College.

Madam Chairman, according to the 2019 Employment Brief, in 2018 there were 378 mason jobs filled, of which 113 were filled by Bermudians and the remaining 59 per cent filled by non-Bermudians. In direct response to workforce needs, the department, in collaboration with the Construction Association of Bermuda launched a Masonry Apprenticeship Programme designed to ensure opportunity for Bermudians to qualify, gain experience and upgrade compe-

tencies in masonry. The programme utilises the National Centre for Construction and Research Masonry Curriculum and includes a combination of on-the-job training and theory. Since the initial launch, eight companies each registered one apprentice.

Six of the eight apprentices were employed and two were newly hired.

Madam Chairman, the department, in partnership with the CAOB [Construction Association of Bermuda], provided NCCER Safety and Health Training programmes at a reduced cost. This arrangement allowed for persons to participate in on-demand safety training to increase their prospects of employment in the construction industry. As of January 31, 2020, [there were] 36 clients who completed the NCCER Safety and Health Training. This training is a prerequisite requirement for individuals to obtain employment on major development projects.

Madam Chairman, the Training section continues to make progress in the area of National Certification. As of January 31, 2020, there were 103 individuals awarded National Certification in landscape gardening. The horticultural programme was established in partnership with Bermuda College's Division of Professional and Career Education to create a pathway to National Certification.

Madam Chairman, similarly, the department and PACE launched an accredited Automotive Technician Training Programme. The standard for this training is City & Guilds and [it] also provides a pathway to National Certification. As of January 31, 2020, there were 31 individuals who received National Certification for automotive technicians.

Madam Chairman, this year the department upgraded the welding facility at Bermuda College, Tech Hall, which is used for welding instruction and testing. The facilities upgrade supports the National Certification and allows for remote video testing, invigilated by the Canadian Welding Bureau [CWB] in Canada. The upgrade provides for on-demand testing locally and eliminates the need to bring in overseas invigilators, resulting in reduced cost to the department. Also, this year the department trained two local welders and members of the Occupational Advisory Committee as Level I Welding Inspectors. This allows for the test to be administered locally and invigilated virtually by CWB. As of January 31, 2020, there were 27 individuals who achieved National Certification for welding.

Madam Chairman, the Department of Workforce Development has made significant efforts to progress National Certification and recertification for electricians. The Training section plans to launch an online training and testing platform for electricians, in collaboration with Bermuda College and the National Training Alliance. Utilising an online platform provides greater access to requisite courses for National Certification. Further, the online platform will be augmented by traditional classroom training. The online virtual

training, testing platform and traditional classroom instruction will be aligned with the 2017 National Electrical Code Standard. As of January 31, 2020, there were 42 electricians who received National Certification.

Madam Chairman, the National Training [section] funded training programmes for seven at-risk individuals. The Successful Academic and Vocational Education Programme, known as SAVE, is a collaborative partnership with the following stakeholders: Court Services; Bermuda College; Mirrors; the Department of Financial Assistance; Bermuda Housing Corporation; and the Department of Corrections. SAVE coordinates services and resources for at-risk individuals to increase access to academic and vocational training. Apprenticeships, on-the-job training, internships and professional development are avenues utilised to help participants achieve self-sufficiency and sustainable employment.

Madam Chairman, natural attrition and the competitive job market led the Tynes Bay Waste-to-Energy Facility to look at their training projections and need for power engineers. In an effort to help Tynes Bay to meet its mandate of developing certified power engineers, the department sponsored Marcal Wilkinson, a graduate of the Berkeley Institute, and Hezekiah Rampersad, a graduate of CedarBridge to attend Cambridge College of Applied Arts and Technology. The school's curriculum is endorsed by the Technical Standards and Safety Authority [TSS], a standard accepted by power engineers working in Canada and Bermuda. The programme will help these young men to maximise their career opportunities by preparing them to challenge the various TSS examinations after each year level. At completion, each will have the opportunity to interview for available positions.

Plans for the Upcoming Year

Hon. Lovitta F. Foggo: Madam Chairman, I shift to highlight the work that will be undertaken during the year 2020/21. The department will continue to lay the groundwork to support the implementation of the National Workforce Development Plan. During this period, the department will work to establish the National Workforce Development Board towards realising the Plan for Bermuda.

Madam Chairman, to support creating the framework for Bermuda's One-Stop Centre, Management Consultant Services will conduct a review to structure the department to ensure that it is aligned with the Plan's recommendations. The additional manpower and resources provided in the previous budget year from the Community Education department have enabled the department to consistently broaden the employability skills training programme. There will be greater focus on marketing this training to reach a wider audience and the department will

continue to source experienced facilitators to enhance the programme quality. Employability skills are critical to securing and retaining employment, apart from the requisite technical skills. More specifically, the department will incorporate financial literacy training to support the able-bodied Financial Assistance clients as they transition towards self-sufficiency. This will improve their ability to make financially responsible decisions essential for everyday life.

Madam Chairman, professional development training for the department staff is necessary in order to meet the diverse and changing needs of our clients. Of particular focus for [the] 2020/21 budget year will be training in quality service delivery, coaching skills, working with special populations, addressing barriers to employment and understanding motivation. The department plans to continue hosting job fairs and engaging the unemployed more through community initiatives. Hosting community initiatives throughout the Island will improve the department's ability to provide coordinated services by partnering with community organisations and increase awareness on available services and resources, particularly for vulnerable populations.

Madam Chairman, as we seek to grow services and programmes for the unemployed, the department's marketing strategies must also evolve. For this reason, the department will utilise Digicel's broadcast messaging application to ensure the message of opportunity and hope reaches a wider audience. Far too often the department has difficulty contacting clients when employment and training opportunities arise. This results in missed opportunities. The broadcasting application will help to minimise this challenge and enable the department to better serve clients.

Madam Chairman, I am pleased to report that Digicel has approached the department to offer the Bermuda Job Board to its customers. The information and digital technology department is currently working with their technology team to facilitate offering this free channel to their client base. We have had a long-standing relationship with One Communications to offer Bermuda Job Board at no cost on channel 87 and are equally excited about partnering with Digicel to offer a similar service. This will broaden viewership significantly.

Madam Chairman, the department will continue to increase the number of training programmes and apprenticeships to reduce youth unemployment and align with industry needs. The section has experienced considerable success with employer engagement and public/private partnerships. For this reason, the Training section will establish a more deliberate approach of engaging key industry stakeholders. The approach will be more measured to understand what resources are needed and what additional initiatives can be implemented to increase the number of on-the-job training opportunities for Bermudians. The section will target the following industries for the year

2020/21: hospitality; vocational and technical trades; information technology; health; and other related occupations.

Madam Chairman, the department will work closely with the Department of Communications to launch an awareness campaign utilising digital and social media platforms to encourage all tradesmen to register for National Certification in their designated occupations. Additionally, the department plans to increase the number of scholarships to support a talent pipeline for Bermuda's workforce. We recognise there are individuals who do not have the economic means to pursue higher learning. For this reason, coupled with the over-subscription for overseas scholarships, the department will award scholarships on the combined basis of financial need and workforce priorities. Further consideration will be given to first generation college students to support their academic pursuits. Again, scholarships will be awarded to persons pursuing professions in areas traditionally under-represented by Bermudians.

Madam Chairman, the need for more strategic succession planning within Government, particularly in the trades and technical professions, is evident. In the coming financial year, the department will continue to collaborate with government departments who employ tradesmen to understand their forecasted needs. For example, the department will co-sponsor overseas training for up to three persons to become power engineers. The partnership with Tynes Bay Waste-to-Energy Facility will continue in the 2020/21 budget year. As a result, they have already identified two power engineer technicians currently employed at Tynes Bay for development.

Madam Chairman, the department is now represented on the Immigration Board. This provides a unique opportunity to not only advocate for qualified Bermudians, but to also understand employer's needs and develop relevant training opportunities for Bermudians. Madam Chairman, the department remains committed to ensuring that Bermudians are not disadvantaged and that they are sufficiently prepared to meet the needs of the workforce.

As I conclude my presentation, I would like to take this opportunity to thank and acknowledge the hard-working staff of the Department of Workforce Development, led by the Acting Director Oluremi Bademosi. This group is at the forefront of assisting Bermudians in preparing for the world of work.

Lastly, I would also like to thank the National Training Board, chaired by MP Jason Hayward, for their work towards a Workforce Development strategy for Bermuda.

Madam Chairman, this now concludes my specific budget presentation, but indeed, for all Heads: Heads 20, 52, 60 and 71 for the Ministry of Labour, Community Affairs and Sports.

Thank you, Madam Chairman.

The Chairman: Thank you, Minister.

Would anyone else like to speak to the Heads?

The Chair recognises the Member from constituency 31.

Mr. Ben Smith: Thank you, Madam Chairman.

First, I would like to thank the Minister for a detailed presentation covering almost everything that is in the Budget Book so that, at this point, I am going to try to give some questions and then see if I can get some answers from the Minister because time constraints will, obviously, determine how many questions we are able to ask in the time that is remaining.

Starting with Head 20, Youth, Sport and Recreation, this particular Head is one of the main reasons that I got involved in politics. Being somebody who is involved with coaching in Bermuda, I specifically understand the importance of the development of our youth and what sport can do to a society. You have an opportunity with sport to help to influence young people to be removed from negative influences—anti-social peer groups, boredom, alcohol, drugs—these are the things that [we have] the potential to keep our young people away from by having them participate in organised sports.

The difficulty is that when you have a budget that is tight, this is never going to be an area where you are going to see the increase. And I stated it last year and I have also stated that you have seen several people that have been in this position as the Shadow Minister for Sport speak to the point that there is very little change in the support of this particular area. The difficulty is going to be that when you look at the overall issues in the country, when it comes to the negative impact of not spending the time and focus and funding on dealing with the development of our youth, it means that we are seeing some of the anti-social behaviour on the other side.

Obviously, with the constraints, I know that the Minister is not able to give more, but it is just difficult in sports knowing that we all know that if we put more focus on it and we are able to support it at a better level, the potential of us changing the outcome is there. It just has not been something that any government has focused on locally.

So, starting in the Head for Sport, I am just going to look at a couple of areas because the Minister did touch on quite a bit within Sport and Recreation. There was a change this year when it came to the colours for Bermuda, so page B-256, under Clothing and Uniforms, there was a specific change—Bermuda's colours are now going to be blue and pink—I am just wondering if the Minister could speak to [if there] has there been any talk about having an overall ability to purchase using our overall purchasing power to bring in specifically track suits, polo shirts, T-shirts, using the government's buying power so that they can reduce the cost and then, potentially, have

each individual sport purchase from the government prior to travel or prior to participation locally, so that all of our sports will look the same and, at the same time, reduce the overall cost?

Still on page B-256, under Grants and Contributions, I spoke last week to the Minister about the sponsorship grant that is being given to athletics when it comes to hosting the CARIFTA Games in Bermuda, locally. If the Minister can give us a breakdown of whether some of the grant or sponsorship is being used to resurface the track, as opposed to other items that would be specific to hosting the games locally? In order for the sport to receive a sponsorship or grant, there would have had to have been some kind of budget which was provided to government to say this is what they thought the overall cost was going to be, and then the government would make a decision on how much they were going to provide. I also would like to know if we had the opportunity to look at the previous hosting of CARIFTA locally to look at the budget and the cost for those games so that we could see what the outcome was when it came to the overall cost, so that we can compare that to what we are dealing with now.

And my main reason for asking this question is because other sports, particularly knowing what this will do from a growth perspective, hosting games locally gives you an opportunity to highlight your sport and your athletes in front of the local fans. So, if this is something that the government is supportive of in bringing in and hosting, it would be interesting to know what that overall process looks like from a budgeting standpoint so that potentially other sports are going to try to go forward and get the same kind of initiative to happen with other sports so that they get that same outcome.

On page B-258 there is a line for . . . it is under 30055, Sports Programmes, number of registered National Sports Governing Bodies. So, the actual in 2018/19 was 30, the forecast and the revised for 2019/20 was 30, but the target outcome for 2020/21 is 24. So, can the Minister speak to, are we looking to reduce the [number] of National Sports Governing Bodies? Because it seems like the target outcome looks for a reduced number, so, if the Minister could speak to what the purpose would be of trying to reduce that number.

I am going to go to [page] C-6. I am bringing this up under Sport because it is the Sandys 360 facility. I do not know what . . . I can . . . the issue is that, obviously, the Government purchased the Sandys 360 facility, if the Minister can give us some update on whether there is any movement in utilisation of the facility, who is going to be responsible for running the facility, and what parts of the facility are being utilised? Obviously, with it being closed for an extended period of time, there is the potential for some of the areas not to have been at the level for being utilised. So, I am just wondering if she can give

us an update on what has happened with it and what we can look forward to. Because, obviously, when it was up and running, the Sandys community was able to really take advantage of it and I know, specifically from a swimming standpoint, the area youth there [in Sandys] were able to have access to something that they had not had access to. And there were specific cases where some of those kids had access to programmes that allowed them to have a more positive choice than the choices that were around them once that facility was not available.

The Chairman: While we are waiting, for the listening audience, we are today debating Labour, Community Affairs and Sport. The Heads are 20, 60, 52 and 71.

Mr. Ben Smith: Thank you, Madam Chairman.

So, on page C-7, 75128, National Sports Centre Capital Grant, speaking specifically to the track that I asked about earlier under CARIFTA, if the Minister can give us some details on the last time the track was resurfaced, what the lifespan of the track is, so that we can have an anticipation of how long it is going to be before we are, potentially, going to have this budget item, again, to cover the cost of resurfacing the track.

The pool facility at the National Sports Centre, the changing room and building facility was originally a temporary building. If the Minister can give us details on what the lifespan of that building was? What the upkeep—this is at the National Sports Centre—the Aquatics, the actual changing room, and originally it was offices, whether there have been specific budgets to upgrading that facility, knowing that it was originally meant to be for temporary purposes?

I was wondering if the Minister could give us details on how many of the National Sports Governing Bodies are actually utilising the National Sports Centre. And from those National Sports Governing Bodies, how many of them are utilising the money that they are getting from their government grant to pay back to the National Sports Centre? So, in essence, you are taking it from one part of government and giving it to another part of the government, rather than actually having it focused on the detail of development of the athletes.

On the Aquatics Facility, still under 75128, National Sports Centre, has there been any analysis on the secondary pool that is required for Bermuda to host games, like the CARIFTA Championship that is being hosted for athletics? Just a cost analysis, whether it is something that is possible and whether it is something that is feasible.

And still on the Aquatic Centre, can the Minister give us an update on the use of that facility by public schools? What is the cost to public schools for renting the facility? And can we get a total number of public students who are actually utilising the facility presently?

Moving to [page] C-20, 6880, Elite Athletes Assistance, the Minister rightly spoke to the fact that this is a crucial year—being 2020 and an Olympic year. I am wondering if the Minister can speak to—obviously, when you get to the pinnacle year of a four-year quadrennial, looking for the support that it is going to take for our athletes to reach the highest heights in competition, there has not been any movement in the support for our Elite Athlete Programme. That number stays the same year after year. So, I am just wondering if the Minister can speak to . . . has there been any requests to increase that number specifically because it is an Olympic year and what the support level is going to be for our Olympic hopefuls?

So, going back to page B-256 under Grants and Contributions, could the Minister give us an overview of the system in place for the decisions that are made on how sports are selected to get a grant and how sports are selected to get a certain amount for the grant? And I am going to go to page C-23, looking at the Grants and Contributions that were from 2018/19, just as an example. If you are from athletics and the grant was \$105,000 as opposed to squash where the grant was \$4,000, if we can have an idea of . . . is it based on the number of athletes? Is it based on, you know, if we could get some details of what that looks like and, really for the listening public, because depending on which sport you are from, it would be good information for the different sports to know.

Because, obviously, the admin that goes into applying for a grant and knowing that the actual pot that we are pulling from has stayed the same, knowing that there probably will not be a lot of adjustment when it comes to who is getting grants and what the amount of the grant is going to be, it is important for sports to understand why some sports are getting more money than others, just so that overall they can, potentially, spend that time trying to get the money from somewhere else. Obviously, with everybody trying to pull from the same kind of charity position, it is difficult in this day and age for everyone to have the money to actually be able to provide to our young people in order for us to develop them. It is difficult when everybody here knows that to put somebody on a plane to go anywhere is going to probably take up the first part of that budget when the number is low, to \$4,000, and you are probably going to have to take probably a coach or a chaperone with them just for one athlete.

So, if we have an understanding of what that number looks like in order to develop one athlete from an age group or through junior elite to elite level each year, the cost is quite high and the overall kind of support level is never really going to be there in order for us to get our athletes to that next level.

I am following on with that same position, looking on page C-23, out of this total number \$650,000 is going to Sports Anti-Doping. Now, I fully

am aware of the importance of Sports Anti-Doping and what is needed, but when you put \$650,000 up against the number that we are giving to the other sports, you know, I think that the highest sport is going to be football at \$300,000. So, double the amount is going to Sports Anti-Doping. How are we supposed to produce athletes to get tested if there is not a lot of funding to develop the athletes to get there?

Now, I am also aware that, you know, all you have to do is look in the international news, you know, any week over the last year and you will see that there have been tests for, you know, some major athletes from big countries showing that our athletes are having to compete against other athletes that are cheating, that they are using drugs, and that is the purpose of having this programme in place. But coming from a small jurisdiction and having most of the funding going towards testing for drugs rather than developing the athletes means that it is a double loss for our athletes because they are having to compete against people that are already cheating with better resources to get to the cheating, plus not having the resources in the beginning.

So, if the Minister can obviously speak to it—I know it is a difficult situation because the pie has not changed. But when you look at how much money we are giving to testing and how little money we are giving to developing the athletes, it does beg the question, what are we actually trying to achieve?

With that, I will take my seat and see if I can get some of the answers to those questions.

Hon. Patricia J. Gordon-Pamplin: Yes, sorry—

The Chairman: We will now hear from the Minister—I mean, excuse me, from the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

I just have a couple of questions in relation to sport and I am going to run through them very quickly. When we look at the matter that the Honourable Member just referred to, in terms of how we are looking at the allocation of grants and contributions in respect of sports, the question that I have is, is there a possibility that we start to factor in to the allocation process what the results are? I am speaking particularly to . . . I am looking at the start at swimming. We have amazing results from our swimmers on a national and international basis, but their allocation has been relatively . . . well, it has been stable over the course of the last couple of years. When you look down the list in terms of how other associations have been allocated, it just makes you question why we are actually not giving a better weighting to the athletes who are actually performing.

It is wonderful to go to the airport to greet them and say, you know, *well done and welcome*, but

then if their development is not a part of our mantra, if we are not doing everything we could do to develop our athletes—and this is across all the sports. I guess I have to declare an interest in that. I have a great-niece who is a tremendous swimmer, so she has been, you know, she has been out there and I think that it is in that context that I am a little bit more aware of the limitations of the funding for development as against perhaps some of the other sports. I would be curious about that.

I have one other quick question in respect of sports and in respect of . . . yes, in respect of the sports department and that with respect to the total grants and contributions. The Minister indicated that there was a reallocation and as to what should be classified as wages—this is on page B-256 under the subjective analysis as to wages. The Minister said there was a reallocation which is coming, I guess, out of the grants and contributions in respect of what is going to, what should be classified as wages. But if you look at the categories . . . so, we have got . . . I am just not sure how those numbers mesh together because the Minister indicated it was reallocation plus mandatory overtime—this is on page B-256 in subjective analysis—and then the Minister indicated that some should be classified as wages which had not been, and I am just curious to know where exactly is the offset relating to that particular area.

Thank you.

The Chairman: Thank you, Member.

We will now hear from the Member from constituency 19.

Hon. Jeanne J. Atherden: And I just have only one question because I know I would like to give my colleague lots of time to get his answer.

This is getting back to the \$650,000 that is allocated to the [Bermuda] Sport Anti-Doping [Authority] and I just wondered if the Minister is able to indicate whether the amount of money—the amount of time that is spent by the Anti-Doping [Authority], whether that is related to the number of sports that we have going to the Olympics, whether any of the other countries utilise other countries to do some of their anti-doping monitoring. And the reason I am saying this is because, as my colleague says, it is a lot of money when you start looking at, you know, what we are able to allocate to sports. So, if there are any ways that other countries have figured out that they can have part of the anti-doping monitoring done in a way to cut down on their costs, and if she could—and, you know, yes we do use the Caribbean for lots of other things, so Caribbean Public Health Agency (CARPHA) and other things.

Thank you, Madam Chairman.

The Chairman: The Minister will now—

Hon. Lovitta F. Foggo: Thank you Madam Chairman—

The Chairman: —take to her feet.

Hon. Lovitta F. Foggo: —I forgot about that, yes.

With, I think, the first sort of question that MP Smith put was with respect to consideration of bulk purchasing and the like. I can say that at the AGM of the national sports governing bodies, the director had at least offered that type of opportunity up to all of the national sports governing bodies. There has been no real response from them to sit down and meet with us so we could perhaps approach that—especially if you are going to look at it from, let us say, when you are traveling having special shirts just for travel, even though the specific team shirts or team outfits may be different and in some sports they would be required to be different. So, the opportunity is open for that to happen whether it be through purchase by bulk or whether that be through using the Department of Youth, Sport and Recreation as a vehicle to do your purchasing through and then realise reductions when it comes to tax exemptions or something like that. The door is open for those discussions to be had.

You made mention of the number of actual national sports governing bodies. Those numbers are dictated by those sporting entities that choose to register under the National Sports Governing Bodies Association. So, you will see a variation in those numbers because some years some sporting bodies forget to register. There are some sporting bodies which refuse to register and so we are always, our approach is always to encourage all of the sporting bodies to register under the banner of the National Sports [Governing] Bodies Association because of the opportunities that open up to them when it comes to participating in international events because I am sure that my Shadow Minister understands and appreciates that sometimes if you do not belong to a National Sports Governing Body, you do not get to participate internationally. So, we are always encouraging our sporting bodies to get registered in that. So, that is my response to that.

I do want to say as you asked about the pool, 360. I can say, and I will point out that this does not fall under my remit and that the Minister for Works during some time did get up and speak in depth to that and how that pool is being used and operated. So, I would have to either defer that answer to him or I would suggest that you reach out for the specific answer to that question.

You asked a question about the, I guess, the viability of the track and how long it has been since that track was resurfaced. To my knowledge, it has been about 20 years since that track has been resurfaced. I do know that, I believe, the lifespan for the particular track is 10 years, and the way in which that track is maintained can increase the lifespan of the

track. So, we are looking to try and make certain that it is maintained so that we can get greater use out of it because that is also what happened with the track before it was resurfaced. We got more use out of it because we tried to maintain the integrity of the track over the years.

One of the questions that you asked was about the public schools and how many schools—I can tell you that the schools which have used the pool are Purvis and CedarBridge and they do so on a regular basis and I do not know the exact fee for that. We do know that the schools—and that is not the pool because you are asking for use of the pool, in particular, but for the use of the National Sports Centre in general I think you know that all of the public schools go up there and use the track and what have you for their sporting events. But for the pool itself, I do believe it is Purvis and CedarBridge, in particular.

The costs . . . I am still looking to hear what the costs may be, so I am still trying to get that figure for you.

You also, in speaking about the grant monies in general . . . let me answer that question this way. In most jurisdictions, in most jurisdictions, for sports and sporting clubs, monies are realised privately through membership, sponsorship and the like and, I guess, through whatever programmes our local sporting clubs and sports bodies put on, they too are able to realise some monies.

We recognise the importance of sports and this is why as a Government we do provide grant sponsorship to the various levels that we do, and I know you have looked at the variation in the amounts. Some of it is owing to the fact that throughout the Island, you have more. The majority of sports clubs being involved or participating in one's sports.

Our two national sports are cricket and football, which is why you typically see them getting a higher proportionate amount of grant funding because under the umbrella, I would say, of the Bermuda Cricket Board and under the umbrella of the Bermuda Football association, they are required to provide various programmes, various courses and the like to all of those persons involved in that sport for the enhancement of the sport to ensure that the skill set of those who administer the sport remain at a level and can grow, and to ensure that programmes are in place to ensure the development of the youth through those sports.

On that same basis, funding is provided to the other sports. As you can appreciate, some of the other sports do not have the same level of interest or participants, and some of the other sports enjoy far more, I guess if you will, support from the private sector—financially and otherwise. So, we have to look at how we allocate and provide for funding through that entire lens and that entire landscape to ensure that we are, as best we can, we are providing parity.

You also asked about the Olympics, because this is an Olympic year, and whether or not grants are increased. I think history will show that typically in an Olympic year the Bermuda Olympic Association will reach out to the Department of Youth, Sport and Recreation. On top of the grant allocation that they do receive to develop and help elite athletes, they sometimes also receive a special grant to ensure that those of our Bermudian athletes who qualify to participate on the higher stage get the support that is needed to do so. That is not something that is cast in stone. That, too, is something that looks at the contingent that will be participating in the Olympics.

You asked a question, I think, Member, about the cost of—did you ask a question about more details about the cost of the track? Yes? So, I did report that in the House when you did ask a question on that. The track cost is, the overall cost, was \$680,000—\$200,000 was provided through the Panam Sports Association [*sic*] (or whatever it is called). The other \$400,000 was sponsored, I guess if you will, or provided, through the Bermuda Government. We recognise the vital importance of ensuring that we have our facilities at a level that it needs to be in order to be able to accommodate and/or host international sporting events that take place here.

The track, after inspection, it was made clear that repairs were mandatory. So, it was incumbent upon us to ensure that the track be re-laid in order to be able to accommodate events such as CARIFTA and any other international events that may visit our shores. As you can appreciate, because it has a warranty of 10 years and with the proper care and treatment, we can probably get more than 10 years out of this new track. If you look at the monies, the \$487,000 that the Government has put in (\$687,000 in total) and over the years, and with the use and hopefully revenues that may get realised by other events coming down here and participating, I think we can safely say that this is money that has been well invested.

I am just making sure I have answered most of the questions that you have asked . . . and I do want to say this, Member, always remember that the, I guess, the National Stadium does fall under a Board of Trustees and we do provide, as the Government, we provide assistance in their management and care of that facility and so, again, just so that you have—I think that the investment into the track has been a good one.

I answered the one about the schools. Bermuda Sport Anti-Doping Authority (BSADA)—I think that the comments that you made, I think, are made perennially, in terms of the funding, the grant money, that they received. It does seem somewhat high. I do think we know that some of the tests are quite expensive, and anytime our local athletes, I think, have to go over and participate in an international event, that event or that sporting body which is responsible for that event requires testing, and so we must test our

athletes. And certain events that take place down here, let us say for instance the triathlon, there are . . . those persons who participate, many of them are pulled for testing, too, because this is an international event and much testing is random. So, certain persons are pulled and tested here in Bermuda. So, it is something that we have to do. It is not something that we can just choose to say that, *Okay we are not going to do that*. If we do not do it, then we do not get to compete overseas.

Then that might require persons who are athletically inclined and are on the road to becoming elite athletes, if we do not have that here, then if they are going to be serious about their sport, that would require them having to leave Bermuda and go somewhere else and train. And sometimes that is a requirement anyway based on what sport they are involved in, for other reasons. But that would require that.

So, it is an entity that for some may seem quite expensive, but I can say, just like I said perennially, that is the question asked. That budget has remained the same for quite some time as well. That is right. So, I think we have done a good job in trying to maintain that with the way in which we man the Board, so some of the expertise that sits on the Board and can be utilised by the department in meeting their mandate.

One of the statements that you made up front overall for the development of the sport had to do with what you see as being insufficient funding overall if we are serious about helping our athletes to get to the highest of highest levels. I think in my presentation I tried to point out the fact that in the Department of Youth, Sport and Recreation, we are trying to ensure that for those persons who are involved in key sports—especially those sports where we see our Bermudians doing extremely well, that they get the necessary courses and coaching and the like to be able to assist in helping to develop particularly our young people.

So, we know that sports is not just about the sports itself. You know, you have to cater to a certain psychology in order to be able to encourage those persons who are pushing to try and be that elite athlete to be able to rise to the next standard and the next height, and then the next height within their sport which is why we are being very strategic in the types of programmes we provide for those persons when we have—just as we were last year when we brought, I think, elite athletes in basketball, we brought Shaun Goater, people who had been at the tops of their careers in sports to come down and help facilitate some of those courses. And it was the psychology of sports and all of that because it is so key in developing our young athletes.

So, we are doing what we need to do and I guess where there are shortfalls, when we can, we do try to—even for individuals who look to the Depart-

ment of Youth, Sport and Recreation for assistance to get to the highest step, we do make allowances through special grants and the like for some of those individuals to be able to go overseas to realise their full potential.

I think Member Gordon[-Pamplin] asked a question regarding the issue as it pertains to wages and the differences that you see . . .

First of all, let me say that the differences that you see relates primarily to Head 60 and the \$400,000 was for the wages combined with the rate increase for the SEP and, hence, that is why you notice perhaps a difference that you could not account for.

For the grants with, I think you also all had a question on grants for sports, yes?

[Crosstalk]

Hon. Lovitta F. Foggo: Yes, that is it. So, if you could appreciate that we typically get over about \$2.6 million in grant requests—for this year alone—\$2.6 million for grant requests. As I explained to Member Smith that, you know, all of the applications are reviewed in terms of how the funds are going to be allocated within the sports bodies and what their programmes are looking like for the development of all of the sports persons within that realm.

Again, to reiterate what I said to Member Smith, it is through that type of lens that allocations are made but, more specifically, when you were asking about swimming and the accolades that we have gotten in that realm. Let me say upfront, and I do not think you will enjoy hearing this, the swimming body did not register on time and so that impacts their ability to be able to get funding.

However, because we do not want any negative impact to be passed onto those participants—especially those who are doing extremely well—we still allowed our swimming body to be a registered national sports governing body so that any of those young athletes, if they do really well, will allow them to be able to go overseas and participate, and whatever further achievements that they are able to reach to indeed reach that. But we definitely, we are hard-pressed to be able to provide the funding that we believe that all of those sporting bodies deserve.

I can say this, Member, you said that given the types of results that we get, should that not weigh into the allocations and, again, we have two national sports and we look at the overall numbers of people who participate in all of those areas and we try to reach what I consider parity by making the allocations the way that we do.

The Chairman: Yes, Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I did want to have some questions in respect of Workforce Development, but while the Minister is leaving her responses for the last question that she might have, I wonder if she could give us some indication as to how many participants there are in cricket and how many participants there are in soccer, while they are looking at their overall numbers so that we can understand the justification for the amounts that are being distributed to our national sports.

Mr. Ben Smith: Just another question—

The Chairman: Yes, Member.

Mr. Ben Smith: Just wondering if there had been any discussion of moving Sandys 360, which is a sports facility, from Works and Engineering to Youth and Sport, considering that it seems odd for it not to be under that domain. The Minister spoke to the numbers I was referring to on page B-258 when it comes to the outcome for national sports, she is correct that the numbers were steady at 30/30/30 but my question was based on the target for this upcoming year is lower, so it is as if we are expecting there to be less.

So, that was the reason I was asking that question.

The Chairman: Thank you, Member.

We will now hear from the Member from constituency 19.

Hon. Jeanne J. Atherden: Madam Chairman, this is piggybacking on the question that my colleague asked in terms of the two national governing bodies.

Is it possible that the Minister can indicate to us the numbers of females that are in these sports because recognising, to me, national bodies that should be bodies that have men and women there and so I would like to know the numbers of females. What type of development has been put in place and also if they are played in schools and whether there is any growth in these sports. Thank you.

The Chairman: Minister?

Hon. Lovitta F. Foggo: Thank you. First, let me answer the previous question about testing with BSADA and I have to say this: there are some tests that are [sent] overseas. However, I want to make it abundantly clear, if we do not have a testing facility here that can do, I guess if you will, real time testing especially for international events, those international events cannot come here. So, we must, in order for our athletes to compete overseas, we need to have a testing facility here. In order for overseas athletes to come and compete here in an international event, we must have a facility here.

On the question about the number of football players and I guess cricket players . . . I am not able to give that number off the top of my head, but that is something that I can undertake to pass on to her and it is a number that, I think, the Member can appreciate will vary from year to year and from season to season. But what I can say is that we are committed as pointed out in my brief to the development of all sports and to the development of both sexes within that sport, and I made that very, very clear. I can say if you remember last year the BFA brought down the—had a major, I guess if you will, forum for women in football. So, all of the sports have undertaken to help any person who has an interest in that area.

The Chairman: Would anyone else like to speak to the Heads?

Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I just want to very briefly go to Workforce Development and there are two questions that I have, one of which is on page B-271 under business unit 70015. The Minister indicated in her brief that this was to create an accurate budget base and to reallocate overseas scholarships and local apprenticeships. But what the Minister has indicated is that the original 2019/20 was \$616,000 and it has now gone down to \$509,000, but the revised for 2019/20 was \$582,000 which means that we actually spent less in that period of time but we spent more in 2019/20 than we are budgeting for in 2020/21. So, we have gone from an actual, a revision of \$582,000 down from \$616,000 all the way down to \$509,000. So, I am just looking at the actual comparison of the revised budget of 2019/20 to the estimated for 2020/21 and I am just curious as to why the Honourable Member believes—if that \$509,000 is appropriate.

The other question that I have, very quickly, is on page B-275 and that is with respect to career development under business unit 70400, and that was with respect to the numbers of referrals or placements. The Minister indicated that there were 358 referrals but there were 114 hired. I wondered if the Minister could give us some indication as to the areas for which referrals were made but hires were not achieved because there is actually more than, you know, more than double—if we have 114 were hired, we actually have 244 that were referred that were not hired in that number and I wonder if the Minister could give us some indication in terms of the areas to which those non-hires relate.

The Chairman: Just before we go on, we are now just reflecting on the Workforce Development, Head 60.

Minister?

Hon. Lovitta F. Foggo: Let me answer it like this. I did list some of the businesses that we definitely do work with, but also, I pointed to the few thousand people that we have on Job Board and using that, and using that vehicle and the direct work that we do with our clients, we are only able to secure exactly where the hires take place when they come back and report to us. So, with some of the companies that I called off, those are some of the areas where we have hires. What typically happens is that if we have lost contact or people choose not to respond to us, it makes it very difficult for us—even those who do get hired sometimes will not, once they are hired, they are happy.

They do not give us the feedback even though we try and chase them for that feedback, which is why I pointed out why we are going to partner with Digicel who will help us to increase our reach. We already have a partnership with Cellular One. When we partner with Digicel, it is hopeful that we will increase our reach and then be able to maintain a more constant contact with our clients and those who secure jobs through our department and be able to have an even more comprehensive listing of those that get jobs through us.

The Chairman: We are now recognising the Minister from [constituency] 31.

Mr. Ben Smith: This is still under Head 60, Workforce Development on [page] B-272. The Minister spoke to summer employment programme, that being switched to wages. If the Minister can give us an idea of the jobs that are available for this summer programme—like, so what fields and what kinds of jobs will be available for the summer programmes?

Hon. Lovitta F. Foggo: Thank you for that question.

We have [jobs] in various fields, and remember one of the things that I pointed out is that for our university and college students who are overseas, we try to place them in the area for which they are training and getting educated on. So, for instance, in health you may have persons who are in the physical therapy session in health. We may have had persons who were even studying to be doctors. We have persons who are studying to be lawyers and we try to typically place them in those areas. So, we work with private sector persons and we also work with our Government body to ensure that we place them in appropriate areas which will enhance their skills within that area.

The Chairman: Member from [constituency] 31.

Mr. Ben Smith: Yes, the Minister spoke of a hospitality survey and a job fair that was done with Hamilton Princess. So, with the several kind of hospitality projects about to come online and obviously the introduction of, hopefully, lots of jobs, can the Minister speak to the interest that has been shown in Bermudians

training and being involved in the hospitality industry—obviously, because it is exciting to have the opportunity for all these new jobs coming online, but we want to make sure that our Bermudians are trained for it and actually interested in being in the hospitality field because it is a different kind of work than potentially some of the other jobs that have been available.

Hon. Lovitta F. Foggo: Thank you.

Madam Chairman, yes, as pointed out at the Hamilton Princess, the joint venture, the collaborative effort that we had, there were 48—some persons who were pre-interviewed for the various hospitality areas. We are still awaiting feedback from the hotel in terms of the placement of said persons. But also you saw the partnering with the various restaurants for the other courses that we are going to be offering in the realm of hospitality, and many of the restaurants have come on board because it is key that we get our people trained up for all of the jobs that will be coming online. When we had our job fair, we had over 200 persons come and show an interest in various areas. I am not quite sure out of that 200 how many had a specific interest in hospitality. But I can say this, that all of the various employers that came and participated in that job fair, hospitality being one of those areas, that most of those people there did visit all of those, I will call them vendors.

The Chairman: Member from [constituency] 23—I mean 31, sorry.

Mr. Ben Smith: Thank you, Madam Chairman.

So, Minister when you discussed going through the process, in other words, there were so many applicants and then they had to be vetted and you go through all of the different, and you end up, I believe you said the number was 48—

[Crosstalk]

Mr. Ben Smith: With the Hamilton Princess. So, I guess the—out of 100-and-something. So, I guess the part that I am kind of querying is, it looks like there are going to be jobs, more like 650 jobs potentially, with the Southampton Princess project and when those come online, if we are only able to get a certain amount of people through that process, it means that most of those jobs are going to end up going to non-Bermudians as opposed to Bermudians. So, that is the part that I am actually querying.

Hon. Lovitta F. Foggo: I can tell you that is why we have a collaborative effort that is going on to continuously bring in Bermudians who are interested in the hospitality industry and train them up. I also pointed out, even in the hospitality industry when it comes to the culinary arts, we have seven persons under apprenticeship. Two who will be ready to take their exam

and hopefully join in the workforce. People have to make themselves available. So, sometimes people come who need jobs but that may not be their particular interest. But where there is a private sector entity that has the capacity to take on apprenticeships or trainees and where we have the numbers that walk in our door—we will match them up. We do match them up and we do continuously follow up with those persons to ensure that they have the highest level of, I guess if you will, ability to be successful in securing employment. Many of those people who do go through our apprenticeship programme—they get hired.

[Mr. Hubert (Kim) E. Swan, Chairman]

The Chairman: Member from [constituen-cy] 23, you have the floor whilst I check the timeclock.

Hon. Patricia J. Gordon-Pamplin: Thank you. Thank you very much, Mr. Chairman.

Oh, we still have five minutes? I have got plenty of time.

My other question that I have is in looking at some of the activities under Workforce Development, do we still have the linkage between Workforce Development and Financial Assistance in terms of ensuring that the two units work together such that people who are coming for financial assistance are required to register with Workforce Development? I just wanted to make sure that this was put out there for the edification of the public more so than for me.

The Chairman: You got two more minutes.

Hon. Lovitta F. Foggo: Yes, Member, I did speak to that in my brief. Yes, those—and where, if you will, for want of a better—we are enhancing that linkage because we want to make certain that persons who are on financial assistance . . . we do not want them going out in the public domain to the private sector just trying to get people to sign up. We are going to have programmes which are geared specifically to helping them with their employability skills and we are also putting on educational programmes specifically designed to help them better manage their finances so that they can be transitioned off [financial assistance] and be more productive.

The Chairman: With that, Minister, would you like to move the Heads for this debate and conclude?

Hon. Lovitta F. Foggo: Yes, Mr. Chairman, I move that Heads 20, 60, 52 and 71 be approved as printed.

The Chairman: It has been moved that Heads 20, 60, 52, and 71 be approved as printed.

Are there any objections?

No objections.

Minister, it is so moved and that concludes this debate.

[Motion carried: The Ministry of Labour, Community, Affairs and Sports, Heads 20, 60, 52 and 71 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2020/21.]

The Chairman: We will now move on to Legal Affairs, which are Heads 87, 3, 23, 4 and 74. There are four hours allocated to this debate and it will be led by the Honourable Learned Member from constituency 34.

MINISTRY OF LEGAL AFFAIRS

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

Mr. Chairman, I move the following Heads: Head 87, Ministry of Legal Affairs Headquarters; Head 3, Judicial Department; Head 23, Child and Family Services; Head 4, Attorney General's Chambers; and Head 74, Department of Court Services, be now taken under consideration.

The Chairman: It has been moved that Heads 87, 3, 23, 4, and 74 be taken under consideration.

Any objections?

No objections. Continue, Minister.

HEAD 87—MINISTRY OF LEGAL AFFAIRS HEADQUARTERS

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

Mr. Chairman, the Ministry of Legal Affairs, under the direction of the Honourable Attorney General and Minister of Legal Affairs, Senator the Honourable Kathy Lynn Simmons, JP, is charged with the responsibility of upholding the Constitution and the Legal System of Bermuda.

The Ministry's mission statement, department objectives and current account expenditures are found on page B-83 of the Budget Book. The mission statement is as follows: *To provide the fair administration of and access to justice whilst strengthening and promoting the well-being and protection of children, adults and families through rehabilitation, prevention and treatment services.*

[Crosstalk]

Department Objectives

Hon. Kim N. Wilson: The objectives of the Ministry Headquarters are:

- to advance Government policy initiatives under the direction of the Minister of Legal Affairs;

- to ensure the Government's legislative framework is updated and current with policy directives; and
- to effect synergies amongst Ministry departments to ensure that overall policy objectives are met.

Mr. Chairman, the departments that come under the umbrella of the Ministry are:

- Legal Affairs Headquarters;
- Judicial Department;
- Attorney General's Chambers;
- Department of Court Services;
- Department of Public Prosecutions;
- Department of Child and Family Services; and
- Department of National Drug Control.

Current Expenditure

Hon. Kim N. Wilson: Mr. Chairman, the Ministry's budget commences on page B-82 of the Approved Estimates of Revenue and Expenditure for the year 2020/21. A budget ceiling of \$50,136,000 was allocated to the entire Ministry for the 2020/21 fiscal year. This amount represents a \$1,065,000, or a 2 per cent increase from the current 2019/20 fiscal year.

A comprehensive analysis of Ministry expenditure was undertaken to strike a balance between optimising spending limits without compromising the efficient delivery of services.

Of the \$50,136,000, allocated to the Ministry, particular allocations, Mr. Chairman, are as follows:

- Ministry Headquarters, \$6,735,000;
- Judicial Department, \$8,943,000;
- Attorney General's Chambers, \$5,428,000;
- Department of Court Services, \$4,727,000;
- Department of Public Prosecutions, \$3,444,000;
- Department of Child and Family Services, \$16,441,000; and
- Department of National Drug Control, \$4,418,000.

Revenue

Hon. Kim N. Wilson: The only departments under the Ministry's portfolio that have a mandate to generate revenue are the Judicial Department and the Department of Child and Family Services. Their combined revenue is projected at \$6,205,000. This amounts to \$4,198,000 less than the 2019/20 original estimates.

Current Account Expenditure

Hon. Kim N. Wilson: Mr. Chairman, the Current Account Expenditure Estimates for Head 87, of the Ministry of Legal Affairs Headquarters, begins again on page B-82 of the Budget Book. A total of \$6,735,000 has been allocated to Ministry Headquarters. This rep-

resents an increase of \$108,000, or 2 per cent from the 2019/20 original estimates. The increase is mainly due to all posts being funded under Ministry Headquarters net of the Permanent Secretary's post which has been transferred to the Cabinet Office. In addition, there was a decrease in funding allocated to the Mirrors Programme.

Salaries

Hon. Kim N. Wilson: Mr. Chairman, of the \$6,735,000 allocated to Ministry Headquarters, \$2,455,000, or 36 per cent of the budgeted amount represents the allocation for salaries. This includes salaries for Ministry Headquarters, the Legal Aid Committee, the Financial Sanctions Implementation Unit and the Mirrors Programme. Specific details of this, Mr. Chairman, are as follows:

- \$648,000, Ministry Headquarters;
- \$1,000,000, Legal Aid Office;
- \$331,000, Financial Sanctions Implementation Unit; and
- \$476,000, Mirrors Programme.

Professional Services

Hon. Kim N. Wilson: Mr. Chairman, \$1,741,000, or 26 per cent of the Ministry Headquarters' budget is allocated to Professional Services. Budgeting is for external legal counsel retained by the Legal Aid Office of \$660,000. Also included in the Professional Services allocation, is a budget of \$520,000 for the Justice Protection Programme. This programme continues to produce excellent dividends for Bermuda by contributing to the successful prosecution and conviction of criminals.

Also included in professional services is funding allocated for Litigation Guardians in the amount of \$242,000, to ensure the independent representation of children during court proceedings. Further funding in the amount of \$105,000 has been provided towards public relations via a communications consultant to perform services on behalf of the Ministry. Funding in the amount of \$121,000 will enable the Mirrors Programme to avail itself of required consultants.

Mr. Chairman, the Ministry of Legal Affairs Headquarters is furthermore functionally subdivided into six fiscally identifiable programmes, as follows:

- Administration—97000;
- Financial Intelligence Agency— 97010;
- Legal Aid—97030;
- Justice Protection—97070;
- Financial Sanctions Implementation Unit— 97080; and
- Mirrors Programme—97090.

I would like to proceed, Mr. Chairman, and address them all individually.

Administration—97000

The Chairman: Continue on, Minister.

Hon. Kim N. Wilson: This programme provides for the administrative costs associated with the Ministry Headquarters to which \$1,337,000 has been allocated. This, Mr. Chairman, represents a decrease of \$1,000 or 0.0 per cent from the 2019/20 original estimates. The decrease is minimal.

Included in the Administration costs, Mr. Chairman—this cost centre includes salaries and related costs for Ministry Headquarters. Administrative support for the Minister and Permanent Secretary is provided by a temporary reassignment executive assistant and one administrative assistant. Policy formulation for Ministry legislative initiatives and project management is provided by two policy analysts. Fiscal and financial control is provided by a Ministry controller.

Mr. Chairman, Ministry Headquarters intends to continue to focus on the codification and efficient delivery of Ministry policy initiatives. Our Ministry's most recent commitments include: formulating policies to best encapsulate the vital role to be played in realising the medicinal and economic benefits of cannabis, as well as to expunge criminal records of those previously convicted of possession of small amounts for personal use before the decriminalisation law was enacted; reforming the administration of the Criminal Injuries Compensation Board to more efficiently avail victims of violent crime of its assistance; and establishing and administering a committee to optimise safeguarding children from criminal activity.

Moving from limited decriminalisation of cannabis to ending unnecessary continued criminalisation, and laying the framework for a medical cannabis industry, presents many challenges. Mr. Chairman, our Government have honoured its commitment to respond to the increasing numbers of medical professionals and patients embracing the science surrounding cannabis. Cited benefits are its positive impact on pain relief and the management of chronic medical conditions. We have [responded] by pioneering draft legislation and extensively consulting with stakeholders toward implementing a regime tailored for Bermuda. The objective is to ultimately permit licensed medical practitioners to prescribe medicinal cannabis to aid in the treatment of such conditions.

This will deliver upon the Government's promise to "allow licensed practitioners to prescribe their patients medicinal cannabis to address legitimate health issues and establish a regime for domestic medicinal cannabis production." Additional measures are also being pursued as a result of public feedback and existing data which shows broad public support for decriminalising cannabis laws. The Ministry's expanded scope of cannabis reforms now encapsulates creating a simplified regulated cannabis framework.

The framework, to be presented under a new Bill, will include regulating cannabis use and consumption, permitting personal cultivation and commercial cultivation.

Mr. Chairman, work will continue in this 2020/21 budget year, to advance from limited decriminalisation of cannabis to establish a robust licensing regime which will create a comprehensive framework that embraces the science of cannabis use for medicinal purposes and capitalises on the economic benefits of a regulated cannabis industry. This will be achieved by Tabling a new Bill entitled the Cannabis (Licensing and Control) Act 2020 along with the attendant regulations. Consideration is also being given to expunging criminal records for convictions of possession of 7 grams or less. Such persons with otherwise untainted records and who would not have been prosecuted had the new law been in effect, are being considered to be freed from this burden.

An Hon. Member: Amen.

Hon. Kim N. Wilson: Mr. Chairman, having passed sex offender legislation to protect society and especially our children, work has continued apace to coordinate stakeholders and to implement the sex offender registration and notification system. A comprehensive registration, rehabilitation, monitoring and reporting system under the auspices of an Offender Risk Management Team with this primary mandate, is firmly in place. The aim remains to ensure that all necessary steps are taken for offenders to be reformed once incarcerated, and appropriately monitored and supervised upon release. Appropriate notices are also being provided to victims and the public to prevent re-offending, with particular regard to the safety of our children.

The Chairman: We are on Head 87, page B-83, led by the Minister from constituency 34. There are four hours for this debate. It ends at 8:46 pm.

Continue, Minister.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

These accomplishments complement the mandate of the newly established Child Safeguarding Committee vis-à-vis the newly enacted Child Safeguarding (Miscellaneous Amendments) Act 2019. In addition to establishing the Committee, the Act represents a comprehensive reform of a plethora of other legislation pertaining to the protection of our children. Under the auspices of Legal Affairs, the Committee will assist with providing policy direction and coordinating efforts across Government to ensure that our children have maximum protection against sexual predators as well as others who would do harm to them or fail to uphold their responsibility to protect them.

Mr. Chairman, one of the unsung pillars of our criminal justice system is the Criminal Injuries Compensation Board. It has the formidable mandate of providing financial reprieve to victims of violent crime and their families. Passage and implementation of legislation is underway to address historic challenges with the administration of the CICB scheme.

These include prolonged delays in progressing applications for compensation awards. Corresponding complaints have been widely publicised by local media and social media outlets. They date back to long before the current issues that have resurfaced under the current administration. They have exacerbated complaints about adequacy of the amount of compensation, particularly in extremely tragic cases where lives have been lost to dependent family members.

A cited impediment to effective administration is the burden placed upon an already strained judiciary to administer the Board. Accordingly, new provisions are being enacted so that the Chair of the CICB will be a barrister and attorney with at least 10 years' experience. The Deputy Chair will be a barrister and attorney with at least 8 years' experience. Having a senior lawyer as a Chair and another as a Deputy Chair, will ensure that awards by the newly constituted CICB will be fair and just. This is also in keeping with the original intent of the Act, that the ultimate person overseeing the operation of the scheme and deciding whether or not an award ought to be granted has the requisite legal experience to do so. The goal is to increase efficiency of operations without compromising the quality of decisions.

Efficient administration also dictated not having to rely upon the unduly cumbersome process of having the Governor make CICB appointments. Accordingly, provisions are provided for this to be undertaken as a Ministerial responsibility instead. Forging ahead, the work now continues apace and these measures to be fully implemented and operationalised with requisite oversight to ensure the enhanced results that the policy promises.

Legal Aid—97030

Hon. Kim N. Wilson: Turning now to line item 97030, the Legal Aid Office.

Mr. Chairman, the Legal Aid Office's Purpose is "to ensure that legal advice and representation is readily available to those who need it most, and who, because of limited financial means, would otherwise be unable to secure access to justice." The Legal Aid Office's Mission Statement is *to provide high quality legal representation to those who qualify for assistance under the Legal Aid Act 1980*. The Office aims to achieve this by providing qualified clients with accessible and professional legal services in a timely and efficient manner.

The Legal Aid Scheme, Mr. Chairman, which is administered by the Legal Aid Committee under the authority of the Legal Aid Act 1980, is allocated \$1,851,000 for 2020/21, which represents a 10 per cent, or \$167,000 increase, from the 2019/20 original estimate allocation. The increase in the budgetary needs from 2019/20 is primarily attributable to the incremental increases in salaries and two pupil PIDs being reallocated under the Legal Aid cost centre.

Of the 2019/20 allocation, \$1,000,000, or 54 per cent, represents salaries for administrative and management staff. [The amount of] \$660,000, or 36 per cent, represents costs allocated for legal services, and the remaining \$191,000, or 10 per cent, represents administrative expenses other than salaries for the Legal Aid Committee.

Mr. Chairman, the Legal Aid Office has focused primarily on increased operational control over client litigation and administrative efficiency. The reduction of expenditure where possible, has been a primary concern, but not at the expense of a reduction in the quality of legal services.

The largest area of expenditure with the exception of salaries within the Legal Aid budget remains legal fees, which is in keeping with the historical trends. The Office was able to contain spending within its budget in 2019/20, through prudent management, coupled with the cost reduction and budget control initiatives outlined in the previous budget. The transition to the reformed Legal Aid model commenced in June 2018 and continues underway. To date, one of three legal counsel has been employed to decrease previously outsourced work.

Although full staff is not yet in place, from the period 1 June 2019 to 31 December 2019 legal fees paid to external counsel amounted to \$996,000. And this compares to the annual average cost for the immediately preceding two-year period of one million twenty thousand dollars . . . one million twenty . . .

An Hon. Member: \$1,020,500.

Hon. Kim N. Wilson: Thank you.

The Chairman: \$1.2 million [sic].

Hon. Kim N. Wilson: \$1.2 million [sic] . . . \$1.25 [sic] [\$1,020,500]. Thank you . . . how do you know? Sorry, Mr. Chairman, thank you. It is anticipated that cost will continue to trend downward in tandem with full implementation of the reformed model.

Legal Services

Hon. Kim N. Wilson: Mr. Chairman, turning now to Legal Services.

The Chairman: Yes.

[Crosstalk]

The Chairman: We are calling for some lowering of the temperature across the board. It is very warm in here.

[Inaudible interjections]

Hon. Kim N. Wilson: No. Everybody else is hot, too.

[Crosstalk]

The Chairman: Yes. Thank you. Continue.

Hon. Kim N. Wilson: Between the period, Mr. Chairman, 1st April 2019 and 31st August 2019 the Legal Aid Office, Mr. Chairman, managed a combined total of 55 new matters. That represented, Mr. Chairman, 10 domestic matters, 2 matrimonial matters, 5 civil matters, and 38 criminal matters.

The Legal Aid Office continues to maintain a general roster of counsel from private practice, who provide legal services to persons granted Legal Aid Certificates, notwithstanding that in-house counsel also absorbs a percentage of the caseload. For the period of 1st April 2019 to 31st January 2020, 80 counsel including two Queen's Counsel, representing 40 law firms, were listed on the Legal Aid roster.

The current initiative to reform the Legal Aid service delivery model will:

- increase sustainability;
- provide employment and training opportunities for Bermudian counsel;
- improve succession planning; and
- significantly reduce expenditure on legal fees, which has historically been an area of budget overspends.

Mr. Chairman, the Legal Aid Office continues to be a major stakeholder in the specialist court programmes, such as Drug Court and Mental Health Treatment Court, providing defence counsel for these courts. In addition to the traditional rosters of counsel participating in the Legal Aid Scheme and Duty Counsel managed and maintained by this Office, small rosters are also in place for these specialist courts. If in-house counsel is not available, private practice counsel who are competent in these areas will be utilised.

The Legal Aid Office also produced a comprehensive Legal Aid Policies and Procedure Guidelines document relevant to these courts, which was released to the members of the Bermuda Bar Association for circulation to its members in July of 2018. This provides a useful reference guide to counsel who currently participate in these courts and those who may wish to join.

The Bar has also included a designated Legal Aid section on its website for ease of access.

Output Measures

Hon. Kim N. Wilson: Mr. Chairman, turning now to the output measures.

The Legal Aid Office retains the ability to process applications for legal aid certificates within 14 working days. However, achieving this objective is dependent on whether applicants have submitted the required information in a timely manner. One of the primary areas of delay was a lack of information from applicants as to the precise nature of the assistance that they were seeking. We have modified the application process to address this concern. The Legal Aid Office continues to process applications for Temporary Certificates, commonly known as emergency certificates, within three working days. This is feasible once all relevant financial information is submitted at the time of the application, and the applications for emergency certificates can be approved, provided that they are capped below a certain amount and are ratified by the Committee within 28 days.

Staff

Hon. Kim N. Wilson: At present, the Legal Aid Office is comprised of three administrative posts and three legal posts. The three administrative posts are the office manager, accounts officer, and an administrative assistant. The three legal posts are senior legal aid counsel, a paralegal, and a law pupil. In the coming months more staff will be added to this complement consisting of two more legal aid counsel (bringing the eventual number to three). These three counsel will attend court and represent clients at a reduced cost to the public purse since they will be on salary as opposed to drawing an hourly fee rate. We expect to see appreciable savings using this model.

Training and Development

Hon. Kim N. Wilson: The Legal Aid Office has as one of its primary objectives to be focused not only on present service provision but also development of the quality of the advocates who appear in court on behalf of our clients. To this end the research and library facilities at the Legal Aid Office are being revamped and in November 2019 we purchased the Westlaw, which is a UK research tool, and the Clio software. This is necessary to support the litigation which will now be carried on and out of that office, because for the first time Legal Aid Counsel will be not simply managing the scheme on an administrative level, but they will also have conduct of serious cases in the Supreme Court such as murders and firearm matters. This broadening of the scope of the work done by Legal Aid Counsel will provide ripe opportunities for rapid growth and the acquisition of valuable experience. There will eventually be one junior counsel who will work under the guidance of the senior legal aid coun-

sel. Training on the Office's case management system, Legal Files, was also recently conducted for all staff to develop their competency on the system as well as to keep them abreast of updates. The Legal Aid Files System is the database which we use to track client information, case disposition, classification, and cost of each case we have conduct of.

The diversity of legal work in the Legal Aid Office makes it an attractive option for pupils, law students and summer students. It is integral to facilitating the Ministry's thrust to train and retain competent and qualified Bermudians. At present there is a roster which allows pupils to spend time working in all of the relevant government legal environments on rotation, at the end of which they will be able to draw on a wide base of knowledge and eventually choose a specialisation area and settle into practice.

Other Initiatives Legislative Amendments

Hon. Kim N. Wilson: Amendments to the Legal Aid legislation will be considered during the upcoming fiscal year with respect to the calculation of disposable income and to take into account the cost of living increases. This will be coupled with the implementation of clear guidelines on the categories of cases that will qualify for coverage, these categories themselves being a reflection of a balance between the principles of access to justice on the one hand, and reasonable use of public funds on the other.

On 30th October 2019, the acting senior legal aid counsel prepared a proposed policy statement on behalf of the Legal Aid Department regarding proposed amendments to the Means Test applicable to Legal Aid applicants and the introduction of brief fees.

CLE Requirements for Counsel Participating in the Legal Aid Scheme

Hon. Kim N. Wilson: An agreement reached between the Bermuda Bar Association and the Legal Aid Office is in place to ensure that counsel participating in the Continuing Legal Education Scheme will be trained to have a full understanding of the Legal Aid policies, procedures and general expectations of counsel undertaking legal matters. Existing counsel who wish to undertake legal work must attend one mandatory continuing education training session per year hosted by the Bar Association in order to remain on the Legal Aid roster. Additionally, those counsel who undertake a certain amount of legal aid work per year are granted a discount on the fees payable for obtaining their practicing certificate.

Justice Protection Programme—97070

Hon. Kim N. Wilson: The Justice Protection Programme has been allocated a budget of \$520,000 for

fiscal year 2020/21, which is a \$34,000, or 6 per cent, decrease from the 2019/20 original estimates. This programme is operated pursuant to the Justice Protection Act 2010 and provides protection for witnesses who support the prosecution process and meet the legislative requirements for entry into the programme. The success of this legislative initiative is apparent from the increase in successful prosecutions; particularly those that are gang-related and involve violent offenders similar to within other jurisdictions.

Financial Sanctions Implementation Unit—97080

Hon. Kim N. Wilson: The Financial Sanctions Implementation Unit (FSIU) is a unit established in 2018, subsequent to the transfer of the Office of the National Anti-Money Laundering Committee (NAMLC) to the Ministry of Finance. Of the 2020/21 allocation, \$331,000, or 95 per cent, represents salaries for administration. The remaining \$17,000, or 5 per cent, represents overhead costs for setting up the new unit.

Mr. Chairman, the FSIU oversees the implementation and the close monitoring of targeted financial sanctions in Bermuda, and also advises the Minister of Legal Affairs on wider matters relating to Anti-Money Laundering and Countering the Financing of Terrorism.

Mr. Chairman, the Governor is the competent authority in Bermuda responsible for the implementation of financial sanctions. His powers are set out in the various Overseas Territories Orders that are in force in Bermuda pursuant to the International Sanctions Act 2003 and International Sanctions Regulations 2013. The Attorney General and the Minister of Legal Affairs carries out certain functions of Governor that have been delegated to her pursuant to the International Sanctions (Delegation of Governor's Powers) Notice 2018, which came into force on 25 September 2018.

Mr. Chairman, it must be noted the United Kingdom retains overall responsibility for the external affairs of Bermuda, and that the special responsibility of the Governor for external affairs and defence comes under, pursuant to, section 62 of the Constitution of Bermuda is in no way affected by this delegation.

For ease of reference, it is noted that under the said Orders the Minister of Legal Affairs has the power to:

- a) obtain evidence and information by taking such steps as considered appropriate to co-operate with any international investigation relating to the funds, economic resources or financial transactions of a designated person;
- b) issue and revoke licences, with the consent of the Secretary of State, and may grant a licence authorising an activity that would otherwise be prohibited under the said Orders and such licence can be varied or revoked by

the Minister at any time with the consent of the Secretary of State;

- c) serve as a Reporting Depository to whom a relevant institution reports or informs if it credits a frozen account pursuant to an Order;
- d) authorise persons with power to search and investigate suspected ships/aircrafts/vehicles; and
- e) specify, by Regulations, in the currency of the territory, the amount which is to be taken as the equivalent to sums expressed in sterling in the relevant Order,

Mr. Chairman, the FSIU provides support to the Attorney General and Minister of Legal Affairs in carrying out these functions that have been delegated by the Governor. The FSIU also provides the necessary infrastructure to effectively implement targeted financial sanctions as well as provides support to the Minister of Legal Affairs in respect of her statutory functions regarding implementation of Governments anti-money laundering initiatives.

The FSIU team was a part of the Bermuda efforts during the Mutual Evaluation of Bermuda and served as the lead for Recommendations 6 and 7 and the Immediate Outcomes 10 and 11 of the Financial Action Task Force Standards that were the basis of Bermuda's assessment. Recommendations 6 and 7 were both rated *largely compliant*, and Immediate Outcomes 10 and 11 were respectively rated *substantial* and *moderate*.

Output Measures

Hon. Kim N. Wilson: Mr. Chairman, with respect to output measures, the FSIU ensures that the sanctions measures website of the Government portal is updated with regard to additions or de-listings for the various sanctions regimes. Thus upon notification from HM Treasury's Office, FSIU updates the website within 24 hours and also notifies supervisors to immediately advise their supervised entities. In addition, the FSIU will be engaging in outreach to relevant Government Ministries and departments as well as with industry to increase awareness and provide information regarding obligations under Bermuda's sanctions regime and the role of the FSIU in implementing targeted financial sanctions.

The FSIU is also working closely with the UK authorities and operational partners with regard to changes that will take effect once the transitional post Brexit period expires in order to ensure Bermuda's sanctions regime continues to function effectively and efficiently.

Staff

Hon. Kim N. Wilson: Mr. Chairman, currently the FSIU is comprised of a responsible head, and recruitment is nearing completion to fill the position of

Legal Counsel. Administrative support is provided by Headquarters as needed. The Head is responsible for implementing targeted financial sanctions including bringing relevant Overseas Territories Orders in Council into force in Bermuda; reviewing licence applications in respect of the various sanctions regimes; liaising with Government House and UK authorities on sanctions matters; and assisting Headquarters with Bermuda's mutual evaluation process. During the period the Head has been assisted by consultant Legal Counsel for approximately three months.

Training and Development

Hon. Kim N. Wilson: Mr. Chairman, with respect to training and development, the FSIU benefited from various NAMLC national training initiatives in preparing for Bermuda's mutual evaluation and defending Bermuda's report at the CFATF Plenary. In addition, the Head also participated in HM Treasury's Office of Financial Sanctions Implementation meetings which were held with the UK's Overseas Territories in Miami in March of 2019. The FSIU led a session on the establishment of a sanctions implementation unit and shared Bermuda's experience in respect of having certain functions delegated from the Governor to the Minister. The FSIU Head also presented at the CFATF Plenary to respond to key issues raised in respect of Immediate Outcomes 10 and 11.

Mirrors Programme—97090

Hon. Kim N. Wilson: Mr. Chairman, the Mirrors Programme continues to execute its mission of empowering young people to reach their full potential through personal transformation that promotes healthy relationships. Of its 2020/21 budget, \$874,000 has been allocated. \$476,000, or 54 per cent, represents salaries of administration. The remaining \$398,000, or 46 per cent, Mr. Chairman, represents overall costs. The Mirrors allocated 2020/21 budget represents a 4 per cent reduction over last year's budget.

Mirrors continues to focus its efforts on best practices to meet the desired outcomes for Bermuda's youth. The technology used for middle and senior school students are socioemotional skills development, performance coaching and personal transformation with an emphasis on innovative learning strategies and leadership skills. The programme continues to produce results towards its long-term objective to make better learners and to build a resilient community of young adults who have positive life outcomes in education, employment and lawfulness. The two-year post programming data of the core senior school population remains pretty consistent with 92 per cent of clients demonstrating lawfulness (not offending or reoffending), 79 per cent of students connected to education (graduating or currently in school) and 42 per cent are currently employed and at the last

checkpoint in September 2019—those are the statistics. Mirrors consistently works on its outputs and outcomes from a prevention science perspective of decreasing risks and increasing protective factors for societal and cultural public benefit. To date, Mirrors has served 3,967 youth and trained 3,468 adults including parents, teachers and volunteers in positive youth development.

Mr. Chairman, Mirrors launched the Peer Forward programme sponsored by Skyport on February 11, 2020 with 191 Berkeley and CedarBridge teachers and staff and they were scheduled to attend training to boost college preparation and enrolment across the entire public high school population, in preparation for the 2020/21 school year. The intention is to motivate all students to realise their true college and career potential which is aligned with the Ministry of Education's strategic plan.

US research indicates, Mr. Chairman, that by 2020, 65 per cent of all jobs will require higher education and experts predict an 11 million shortage of college-educated workers over the next decade. Peer-Forward has demonstrated a 20 per cent increase in college enrolment rates among its partner schools in the US with a curriculum aligned with college and career readiness standards set forth by the American School Counselor Association, and Common Core. We are looking to ignite the power of peer influence to drive the increase in college enrolment for Bermuda students in both public high schools and compete in the local and global workplace.

Additionally, Mirrors plans to work with YouthNet to encourage corporate partners, mentors and teachers with touch points over the high school experience to support the overall programme goal.

Mr. Chairman, a 4 per cent reduction over last year is based on improved efficiency and readjustments of how the Mirrors Programme works. There will be an increase in the number of senior school students served from 22 to 30 for the 2020/21 fiscal year. The shift in traveling overseas to a university setting for the camp services versus hosting the residential camp locally proved positive last year.

Students are expected to participate in the SuperCamp at Villanova University in Pennsylvania this current year. The change to an overseas camp experience provides a more cost-effective way of providing services whilst adding additional benefits to building students' leadership skills allowing them to interact with overseas students and have a college campus life experience.

Additionally, by focusing on younger senior school students, we can build on the peer support to reach more students in the high schools. It is noted that the limited venues locally and the rising cost for conference and housing services would not be sustainable in the long term to host local residential camps.

Mr. Chairman, the middle school student output will increase to a scheduled 393 students overall for fiscal year 2020/21. There are 343 students who will participate in the "All In! 8 Keys of Excellence" programme (which is based on enrolment projections at Dellwood and [Clearwater] where 90 teachers in two middle schools will continue in the "Quantum Learning Excellence in Teaching" certification training process. Teachers will provide eight months of character development lessons in advisory for students over the school year. Mirrors will increase the focus on getting parents to attend the parent workshops and participate over the school year for improved parental involvement in education to promote positive education outcomes for students. Additionally, 50 students will have the opportunity to participate in the Mirrors middle school SuperCamp which will be held over the October 2020 school term break.

Mr. Chairman, the Mirrors Alumni and Friends Association will continue to support the programme through the volunteer recognition scheme, the annual Bermuda themed art competition, community service clean-up of Southlands and other community engagements. I would like to take this opportunity to sincerely thank the volunteers, corporate Bermuda, the Alumni Board members and the Mirrors team for their commitment to the development of Bermuda's youth.

Grants

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to grants.

The budget allocation for grants for fiscal 2020/21 is found at page C-17 of the Approved Estimates of Revenue and Expenditure for the fiscal year 2020/21 Budget Book. For fiscal 2020/21 grants will be provided to both the Financial Intelligence Agency and the Centre Against Abuse.

Financial Intelligence Agency (FIA)

Hon. Kim N. Wilson: In continuation, Mr. Chairman, of Government's efforts to combat money laundering and terrorist financing, the FIA was established under the Financial Intelligence Agency Act 2007. The FIA is the independent agency authorised to receive, gather, store, analyse and disseminate information relating to suspected money laundering and financing of terrorism, which is received in the form of a suspicious activity report. The FIA is empowered to disseminate such information to the Bermuda Police Service and Foreign Intelligence Authorities.

Mr. Chairman, \$1,805,000 was allocated for fiscal 2020/21, which is an amount which has remained the same as fiscal year 2019/20. The statutory mandate of the FIA dictates that the Agency must report its quarterly expenditure and provide an annual audited report to the Minister of Legal Affairs.

Centre Against Abuse (CAB)

Hon. Kim N. Wilson: The Centre Against Abuse became a registered charity in Bermuda on June 11, 1979, its register number is charity [#146], under the name of the Physical Abuse Centre. In January 2010, the name officially changed to the Centre Against Abuse. The services at the time of its inception included the first hot line, counselling, and safe housing dedicated specifically to victims of domestic abuse.

The overall objective of the Centre is to provide crisis support services to male and female adult victims of domestic abuse and sexual assault; and to educate the community by providing building blocks for healthy relationships.

The Centre is run by a Board of Directors. To assist the Centre Against Abuse to carry on its essential role, \$150,000 was allocated to it for the 2020/21 fiscal year.

Capital Expenditure Estimates

Hon. Kim N. Wilson: The budget allocation for Capital Expenditures is found at page C-10 of the Estimates of Revenue and Expenditure. The Ministry has been allocated a total of \$274,000 for fiscal 2020/21. [There has been] \$249,000 allocated for video conferencing and the remaining \$25,000 is intended to be used to purchase fully depreciated assets with no residual value for departments under the Ministry.

Finally, Mr. Chairman, it is anticipated that the Ministry of Legal Affairs' Headquarters' budget allocations for 2020/21 as detailed, will enable the Ministry to successfully fulfil its mandate with careful monitoring and the continuing exercise of financial prudence.

That completes Head 87, Mr. Chairman.

The Chairman: Thank you, Minister.

We are on Legal Affairs, four hours for this debate. It ends at 8:46 pm, led by the Honourable and Learned Member from constituency 34.

You have the floor.

Hon. Kim N. Wilson: Thank you. Mr. Chairman, turning now to Head 3, the Judiciary.

HEAD 3—JUDICIARY

Hon. Kim N. Wilson: The Judicial Department, Mr. Chairman—the Judiciary is established by the Constitution of Bermuda as a separate and independent branch of government. Its task is to adjudicate charges of criminal conduct, resolve disputes, uphold the rights and freedoms of the individual and preserve the rule of law. The mission statement of the judiciary is as follows: *to administer justice through the effective management of the courts of Bermuda*. Their mission statement of the administrative section is *to provide*

the services and support necessary to enable the Judiciary to achieve its mission.

The Judicial system of Bermuda consists of the Court of Appeal, the Supreme Court, which is criminal, civil, commercial, appellate, family and matrimonial courts, as well as the probate registry, and the Magistrates' Court which has criminal, civil and family courts.

At the start of 2019, Mr. Chairman, ancillary activities included bailiff services, and administrative support for judicial chairs of statutory boards such as the Liquor Licensing Authority and the Criminal Injuries Compensation Boards. In 2019, administration of the Liquor Licensing Authority was allocated to the Ministry of Legal Affairs in accordance with the respective legislative remit.

The Honourable Chief Justice is the head of the Judiciary and the Registrar is the head of the Judicial Department which can employ, when fully staffed, up to 70 officers, none of whom require a work permit. There are currently 56, or 80 per cent substantive posts filled; 5, or 7.1 per cent posts filled by temporary relief employees, and 10, or 14 per cent, vacant posts. The budget for this department in the upcoming year is approximately \$8,943,00 and revenues for this year are projected at \$6,013,000.

Highlights 2019/20

Hon. Kim N. Wilson: Mr. Chairman, the Judicial Department gives thanks to the Permanent Secretary, Ms. Marva-Jean O'Brien, and the Department of Human Resources for their assistance and support in helping the department fill a number of vacant posts. In late 2019, Mrs. Jasmin Smith was appointed the Acting Permanent Secretary, who has continued to assist the department in pursuing its goals of securing a full complement of staff.

The Court accommodation being placed under one roof would increase service efficiency. The closure of the 113 Front Street location as well as the renovations being carried out at Sessions House have continued to have an impact on service delivery of the Courts. It remains a priority to find suitable relocation space for administrative staff, Judge's Chambers as well as suitable, secure and separate jury space and Court operations.

Technology—Video Conferencing

Hon. Kim N. Wilson: The Evidence (Audio Visual Link) Act 2018 was passed and capital funding has been allocated for the implementation and installation of the required technology.

Further Education

Hon. Kim N. Wilson: In the upcoming year we will look forward to once again ensuring that staff explore

opportunities for growth and learning that could lead them to qualifying as future lawyers or other such recognised positions in this community.

It is further envisaged that training for all judicial posts (judges, the registrar and the magistrates) will recommence. The most affordable options for Judicial training will be fully researched, given the lack of training available in Bermuda, to provide the most reliable and applicable training in order to further increase the quality and efficiency of the Judiciary.

Commercial Court in the Government Administration Building

Hon. Kim N. Wilson: Mr. Chairman, the Commercial Court has now completed its tenth year of operation and continues to be well received by practitioners, both here and overseas.

Dame Lois Browne-Evans Building

Hon. Kim N. Wilson: Magistrates' Courts in the Dame Lois Browne-Evans Building (DLBEB) on Court Street opened for business in April 2011. The Courts and Administrative offices are now spread across the northern section of the second, third and fourth floors.

The premises continue to house the Supreme Court Family/Matrimonial Division, IT, and the Probate Division, which were displaced from the previous 113 Front Street location. The Criminal Division have also now been temporarily relocated to Dame Lois Browne-Evans Building due to safety concerns raised by members of staff at Sessions House. Due to the ongoing renovations, the staff of the Criminal Division of the Supreme Court remain at Dame Lois Browne-Evans Building.

Cost Centres

Hon. Kim N. Wilson: The majority of the department's increase in funding is to cover an increase in costs associated with a Contract for Security Services for Dame Lois Browne-Evans Building, as well as the requirement for Acting Magistrates who are employed in the private sector to be paid as consultants rather than as members of staff through salaries.

Additional funds have also been allocated to the department to ensure the judges and magistrates have access to the most up-to-date online research and law books to facilitate carrying out research in order to deliver high quality and accurate rulings and judgments for the matters which appear before the Courts.

Furthermore, additional funding has been allocated for judicial training which is not available online and is a necessity for all judicial officers to be effective in their respective roles.

Cost Centre 13000—Criminal Injuries Compensation

Hon. Kim N. Wilson: This cost centre provides for payments to victims of criminal acts as decided by the Board. As of the 30th January 2019, \$162,450 in awards has been paid out. While control of the Criminal Injuries Compensation Board has been transferred to the Ministry of Legal Affairs, the expense remains in the Judicial Department's cost centres.

Cost Centre 13010—Supreme Court

Hon. Kim N. Wilson: This cost centre provides for the salaries and operational expenses for the administration of the Supreme Court Registry for which there are 10 posts, including the assistant registrar, manager, and accounts and administrative officers. The increase is largely due to an increase in the expense to allow the judges to update their legal libraries and to have the benefit of access to online legal research tools. [There were] 390 new civil matters filed and there were 115 divorces filed in 2019.

Cost Centre 13015—Courtrooms and Chambers

Hon. Kim N. Wilson: This cost centre provides for the salaries and operational expenses for the Courtrooms and Chambers of the Supreme Court, representing criminal, civil and commercial and family/matrimonial. There are 19 posts including the chief justice, puisne judges and the registrar's post.

The increase results from an incremental increase in salaries (due to movement to the next post grade), and an increase in training expenses, and a small increase for Judicial attire offset by a decrease of a portion of our security expense due to transferring a portion of the expense to another cost centre in the department. There were 27 new indictments filed and 29 civil and criminal appeals filed from Magistrates' Court.

Cost Centre 13020—Court of Appeal

Hon. Kim N. Wilson: This cost centre, Mr. Chairman, provides the sitting and retainer fees of the President of the Court of Appeal, four Justices of Appeal, and the salaries of two posts, an administrative officer and an administrative assistant.

The increase results from an incremental increase in salaries (due to movement to the next post grade). The Court of Appeal meets three times a year; sessions are three weeks long. The number of appeal cases filed in 2019 was 17.

Cost Centre 13025—Court Technology Office

Hon. Kim N. Wilson: This cost centre provides for the salaries for the information technology section for

where there are three posts: the IT manager, IT assistant and a data entry clerk. This funding includes transcription services, maintenance fees for the court case management system (JEMS), the court reporting system (CourtSmart), and the telephone system. Equipment and software applications must be maintained, kept up to date and will ultimately have to be replaced when necessary. We must ensure that the CourtSmart and other information technology systems work well. The ultimate goal of electronic filing throughout the courts will be a significant future expense where funding will need to be earmarked. We will continue our research in relation to the cost of electronic filing software which would be the most appropriate for our Courts as this expense can be upwards of \$1.5 million.

The decrease is largely due to a decrease in expenses for software maintenance and overtime.

Cost Centre 13040—The Magistrates' Court

Hon. Kim N. Wilson: This cost centre provides funding for the senior magistrate, four magistrates and acting appointments where necessary. The Magistrates' Court is presided over by the Worshipful Senior Magistrate Juan P. Wolffe; the Worshipful Tyrone Chin; the Worshipful Khamisi Tokunbo; the Worshipful Maxanne Anderson; and the Worshipful C. Craig Attridge, all of whom bring a wealth of knowledge and expertise to the Magistracy. The senior magistrate has increased his acting magistrate roster so as to give opportunities to those in the legal profession to acquire judicial experience and skills which would put them in a position to elevate to the bench.

The Magistrates' Court, Mr. Chairman, is multi-jurisdictional having conduct of Civil, Criminal, Traffic and Family matters. There are also the Treatment Courts, such as the Mental Health Treatment Court, Drug Treatment Court and the pilot Driving Under the Influence (DUI) Court which continue to reduce recidivism by addressing the drug, alcohol and mental health challenges of offenders.

There was also an increase in funding for the law library offerings for the judges, magistrates, the registrar and assistant registrar for the conduct of legal research.

Cost Centre—13050 Civil Records

Hon. Kim N. Wilson: The Civil Section is overseen by the office manager who has under their remit one senior court associate and two court associates.

This section provides case management and court services for the resolution of civil claims up to \$25,000, landlord and tenant matters under the Landlord and Tenant Act 1974 and the Rent Increases (Domestic Premises) Control Act 1978. The filing fees for civil matters have not been amended in over 25 years. Legislative amendments are required to in-

crease fees for the preparation of these files. The process has begun and has been submitted to the Attorney General's Chambers for a review. There were 1,626 new civil cases filed in 2019.

The increase results from an incremental increase in salaries (due to movement to the next post grade).

Cost Centre 13060—Family and Child Support

Hon. Kim N. Wilson: There are two Family Courts, each comprised of a magistrate and two special panel members (a male and a female), pursuant to the Magistrates' Act 1948.

This Court continues to exercise its jurisdiction in cases involving children who have not yet attained the age of 18 years and children who have continued in full-time education beyond 18 years.

The Family Court is a Special Court which was created to handle the specific needs of children whether born within or outside of marriage, and matters arising in respect of their custody, care, maintenance and violations against the law such as juvenile offenders.

The Family Support Office serves the public and the Magistrates' Court by providing customer service, records management and financial control. This Office also provides services to other Government agencies such as the Department of Child and Family Services and Court Services.

The total Family Court caseload for 2019 was 1,705 cases which represents a marginal decline of 18 per cent over 2018 previously.

The total Family Court caseload for 2019 is recorded as the lowest number of cases heard over the past five years. There was a total of 1,705 cases heard in Family Court in 2019 which is 18 per cent or 309 cases less than 2018, and 23 per cent or 388 cases lower than in 2017. While there has been a continuous decline in the total number of Family cases between 2015 and 2019 there has been a noticeable increase in the severity and complexity of the Family matters that come before the Court which require more court time to resolve.

The Family Court had an additional 79 new cases filed in 2019. There was a significant decline of 35 per cent or 112 New Family cases filed in 2019 as opposed to an increase of 19 per cent in the number of Juvenile Cases heard in Family Court. Over the past three years 2017–2019 the number of Juvenile cases heard were between 34 and 52 cases, while in 2015–2016 there were 115 and 128 cases heard, respectively. This reduction may be due to the lower birth rates, but also due to parties seeking alternative dispute resolution, such as mediation.

The total amount of child support payments received in 2019 is slightly lower than in 2018. This represents an 8 per cent reduction or \$344,607 as is illustrated, Mr. Chairman, in Figure 12. This is con-

sistent with the fact that the number of new cases filed has decreased.

The increase results from an incremental increase in salaries due to movement to the next post grade.

Cost Centre 13070—Administration

Hon. Kim N. Wilson: The Magistrates' Court senior officers, who fall under the remit of the court manager, consist of the family support officer, the head bailiff and the deputy provost marshal and the office manager. They provide support and overall control of personnel, facilities and financial resources of the Magistrates' Court.

The Magistrates' Court Administration Section consists of the court manager, office manager, accounts officer, an administrative assistant and two court associates (fully titled cashiers). The accounts officer and two court associates are fully responsible for all revenue collected. They are to be commended as they collected \$9,181,154 in fees, fines and direct deposits over 2019. This amounted to a 4 per cent increase in revenue collected. The total amount collected by Magistrates' Court for all categories including child support in 2019 was \$6,942,763.

Following the completion of a Request for Quotation process, a new contract for court security services for the Dame Lois Browne-Evans Building commenced during this fiscal year. The increase in that cost centre is to cover the costs associated with the new contract, which included an increase in the hourly rate from the previous contract.

Additional funding is also required for forensic lab services which are provided by the Bermuda Hospitals Board (BHB) in relation to autopsies and coroners reports as the Judicial Department is responsible for covering these costs. Over the course of 2019 there was an increase in the total number of autopsies performed due to an increase in the number of sudden deaths. The senior magistrate, who serves as the senior coroner, has confirmed that there has also been an increase in the number of coroner's inquests.

Cost Centre 13080—Criminal/Traffic/Records

Hon. Kim N. Wilson: After a spike in the number of outstanding warrants in 2018, there was a notable decline of 8 per cent or 1,019 warrants over the past year. This is likely attributable to a decrease in the number of Criminal, Traffic and Family matters that have come before the Courts, but also due to compliance of court orders by the parties in matters.

In 2019, there were 10,665 outstanding warrants. Outstanding warrants for criminal and traffic offences fall under three categories which are as follows: committals, summary jurisdiction apprehensions warrants, and apprehensions.

The total amount of unpaid fines that have accrued as a result of warrants not being executed saw a nominal reduction, Mr. Chairman, of \$88,746, or 4 per cent, as of 31 December 2019. Interagency collaboration has been beneficial for the execution of warrants. Magistrates have made payment orders so that offenders could pay their fines over a reasonable period of time thereby removing the possibility of incarcerating them for default.

The Criminal Records Office of the Magistrates' Court provides case management functions for criminal, traffic and parking records. For the past year, the Criminal/Traffic/Records Section processed a total of 2,196 record requests as at 31 December 2019. This represents an additional 262 requests or a 12 per cent increase when compared to 2018.

It is to be noted that the fee for a record request at the Magistrates' Court continues to be disproportionately low at \$10.00 per application when a similar report from the Bermuda Police Service is \$100.00. There has been extensive communication over the years regarding increasing the fee to at least \$50.00 per application as it has not changed in over 25 years.

The decrease results from a combination of the transfer of a court associate post to the Criminal Injuries Compensation Board (CICB) cost centre, and the incremental increase in salaries due to movement to the next post grade.

Cost Centre 13090—Bailiff's Office

Hon. Kim N. Wilson: The increase results from an incremental increase in salaries due to movement to the next post grade.

This office, Mr. Chairman, provides for the service and execution of court papers inclusive of Civil, Family, Supreme Court and Foreign Services. There is one head bailiff/deputy provost marshal general and one administrative assistant and five bailiffs who travel throughout the Island serving Court processes. Unfortunately for the entire year of 2019, the bailiff's section operated under strength with four bailiffs to execute the processes issued by the Courts. During the past year, the bailiffs were assigned 3,106 documents for service. There were also 37 Writs of Execution orders executed in 2019 which was more than double the amount of orders executed in the previous year.

After an untiring review of the Writs of Execution, several of these cases were withdrawn due to no further requirements for enforcement. Be that as it may, several cases remain ongoing to settle the indebtedness of the judgment debtors. There was one case of merit, where a total of \$148,922.10 was seized from the judgment debtor's investment accounts after the person had absconded from the jurisdiction.

There were a total of 26 evict warrants executed in 2019—I think that represents 33 per cent.

Revenue

Hon. Kim N. Wilson: Mr. Chairman, turning now to Revenue.

The Chairman: Yes.

Hon. Kim N. Wilson: The revenue reported in this section is for the calendar year of 2019.

Traffic and Parking Fines

Hon. Kim N. Wilson: The major components of revenue are traffic and criminal fines. The total amount recorded for traffic fines was \$2,212,016; \$378,775 for parking fines; and \$139,841 for criminal fines. These amounts tend to fluctuate in line with the volume of offences prosecuted and the number of successful convictions and the levels of fines imposed. There are significant collection difficulties associated with recovering Court fines, such as locating offenders, often repeat offenders, which leads to outstanding warrants. It is to be noted that in June 2017, the Traffic Offences Procedure Amendment and Validation Act 2015 was implemented in law. The amendment to this Act increased the parking fines from \$50.00 to \$75.00 and altered the receipts of revenue from the Accountant General to the Corporation of Hamilton. Soon after the Act was passed, the Corporation of Hamilton assumed the responsibility of managing the traffic wardens from the Bermuda Police Service. Currently the traffic wardens enforce parking regulations within the City of Hamilton and the Town of St. George's.

From 1 July 2017 to 31 December 2019 over \$1,000,000 has been collected by the Magistrates' Court Cashiers from parking ticket fines and paid out to the Corporation of Hamilton. However, the Financial Controller for the Ministry of Legal Affairs has disclosed that the Bermuda Government paid out a total of over \$478,000 in parking ticket fines in 2019, to the Corporation of Hamilton. There remains a concern that the Magistrates' Court Cashiers' section provides all of the resources to collect parking ticket fines on behalf of the Corporation of Hamilton. These resources are funded by the Bermuda Government. There is no financial reimbursement by the Corporation of Hamilton to cover the costs of collecting their fines as 100 per cent of the fines collected are transferred directly to the Corporation of Hamilton and it results in a loss of revenue to the Bermuda Government.

Court Fees for the Supreme Court

Hon. Kim N. Wilson: Regrettably, the fees collected for Supreme Court matters has not been revenue that

has historically been recorded. The majority of Supreme Court fees are paid by way of revenue stamps which counsel and parties purchase through the Accountant General. This uncaptured revenue needs to be recorded to show the true revenue of the Judiciary.

Court Fees for the Magistrates' Court

Hon. Kim N. Wilson: There was a consistent decline in the number of New Civil Cases filed in the Magistrates' Court between 2015 and 2018. However, in 2019, the Civil Court adjudicated 1,626 new civil documents filed which is a 9 per cent increase over 2018.

The revenue received to date for [Civil] fees for 2019 is \$125,735. As stated above, the process has commenced to amend the Civil Court fees. It is anticipated that appropriate increases will be instituted through the necessary legislation.

Liquor Licences

Hon. Kim N. Wilson: [There was] \$541,931 in revenue collected during 2019. As of June 2019, the administration of the Liquor Licensing Authority was moved to the Ministry of Legal Affairs thereby legislatively transferring the chairmanship from the senior magistrate to an individual appointed by the Government. However, the Magistrates' Court still has the responsibility of collecting all of the payments for liquor licensing fees.

Stamp Duty on Deceased's Estates

Hon. Kim N. Wilson: Applications are made to the Supreme Court to probate the estates of deceased individuals. A tax assessment regarding revenue is made on the net estate value of a deceased's estate. The net estate value is a calculation of the total value of a deceased's gross estate less the value of various statutory deductions and exemptions including the value of property designated as a primary family homestead and a spousal benefit.

For the period April 2019 to September 2019 (6 months) Revenue assessments of \$1,207,379, with respect to 111 grants were issued.

For the period April 2018 to March 2019 (12 months): the revenue assessment of \$1,270,407 (or 95 grants) was issued. The lower number of grants issued during this period was a direct result of a severe shortage of staff during that period. The lowest assessment was \$26.42 and the highest assessment was \$386,959.16.

Total Revenue for 2020/21

Hon. Kim N. Wilson: The Revenue estimates for 2020/21 are found on page B-90 of the Budget Book.

Revenue Estimates are expected to decrease from the prior year as there was a one-off large estate

that resulted in a taxation of \$4.5 million which is not anticipated in the next fiscal year. Budgeting for \$6,012,000 is a more realistic estimate for 2020/21.

[Crosstalk]

The Chairman: Yes, we are in Committee of Supply on the Budget. We are doing Legal Affairs which is Heads 87, 3, 23, 4 and 74.

Honourable and Learned Member from constituency 34, you have the floor.

Capital Expenditure

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

Mr. Chairman, turning now to Capital Expenditure.

Capital Expenditure estimates for 2020/21 are found at page C-10 of the Budget Book. The Judicial Department has been allocated a total of \$267,000 for fiscal year 2020/21. The funding for court reporting has been rolled forward to the next fiscal year to continue the implementation of having court reporting in the courts.

This concludes the submissions for Head 3, the Judiciary.

HEAD 4—ATTORNEY GENERAL'S CHAMBERS

Hon. Kim N. Wilson: Mr. Chairman, turning now to Head 4, the Attorney General's Chambers. Mr. Chairman, this can be located at page B-97 of the Budget Book.

The Chairman: Thank you.

Hon. Kim N. Wilson: The mission statement, department objectives and current accounts estimates for the Attorney General's Chambers under Head 4 are set out in the Budget Book. The mission statement is as follows, Mr. Chairman: *Provide high quality legal advice; representation and drafting of legislation for the Government.*

A total of \$5,428,000 with respect to expenditure, Mr. Chairman, has been allocated for Chambers. This represents an increase of \$120,000, or 2 per cent from fiscal 2019/20.

Mr. Chairman, the Attorney General's Chambers objectives are:

1. to provide quality legal services to the Government of Bermuda;
2. to advise all Government ministries, departments, and entities on the law applicable to their operational requirements;
3. to draft legislation as required to implement the Government's legislative agenda, to maintain Bermuda's legislative database, and to support law reform;

4. to draft contracts, international instruments for mutual tax information exchange, conveyances and other documents required for public purposes and to provide advice on private Bills; and

5. to conduct litigation in the Civil Courts of Bermuda on behalf of the Government of Bermuda.

Mr. Chairman, the Attorney General's Chambers is functionally divided into six programmes accounted for below as follows:

Cost Centre 14010—Administration

Hon. Kim N. Wilson: Administration provides administrative support to the Attorney General, Solicitor General and Crown Counsel. This cost centre provides salaries for an office manager, a receptionist, a records management clerk, and an administrative assistant for Accounts. It also supports the purchasing of office supplies which are common to all sections of the department. The modest year-over-year increase is due to changes in the BPSU salary scales allocated for salaries under this cost centre and an allocation of funding for books, periodicals and subscriptions.

Cost Centre 14020—Advisory

Hon. Kim N. Wilson: The Advisory Section is responsible for providing quality legal advice to all Government departments and to conduct litigation matters brought by or against the Government. Additionally, Advisory is responsible for recovering debts owed to the Government.

This cost centre provides salaries for one solicitor general, two deputy solicitor generals, two senior crown counsel, six crown counsel, three administrative assistants and one pupil. The increase is due primarily to funding for a vacant deputy solicitor general post.

Cost Centre 14030—Legislative Drafting

Hon. Kim N. Wilson: The Legislative Drafting Section, Mr. Chairman:

1. advises regarding proposals to introduce or amend legislation;
2. drafts primary and subordinate legislation for all Government departments; and
3. provides advice and support to Ministers in the House of Assembly and Senate as their respective legislation progresses.

This section also, Mr. Chairman, provides advice to Ministers and the Governor on legal and constitutional issues and on matters of parliamentary procedure. The salaries provided for in this cost centre include those of the chief parliamentary counsel, deputy chief parliamentary counsel, five parliamentary counsel, two assistant parliamentary counsel, and a

legislative database manager, as well as a legislative editor, a legislative administrator and a legislative database administrator. The year-over-year budgetary decrease is due to a reduction in the funding for a consultant parliamentary counsel.

Cost Centre 14040—Revised Laws of Bermuda

Hon. Kim N. Wilson: This cost centre supports the consolidation, periodic revision and publication of the Laws of Bermuda. It is responsible for providing members of both Houses of the Legislature, businesses, lawyers, and the general public with access to the Revised Statutes and Regulations of Bermuda. It also supports the ongoing consolidation of primary and subordinate legislation. The modest budgetary increase is due to the annual increase in the cost of Arbortext licence renewals.

Cost Centre 14050—Debt Collection

Hon. Kim N. Wilson: The Debt Enforcement Unit within the Attorney General's Chambers was established by the Government to assist the Department of Social Insurance and the Office of the Tax Commissioner in the recovery of unpaid Social Insurance contributions, Payroll Tax, Land Tax and other taxes owed to the Government. The cost centre provides salaries for one crown counsel, one junior crown counsel, and an administrator.

The modest year-over-year decrease is due to a reduction in the funding for the post of junior crown counsel due to the promotion of a junior crown counsel to the post crown counsel.

Cost Centre 14060—Law Library

Hon. Kim N. Wilson: This programme provides for the cost of maintaining the Law Library in the Attorney General's Chambers, which includes the purchase of books, periodicals, and the provision of access to leading online legal information sources, such as Lexis/Nexis and Westlaw. The modest increase reflects the increased cost of subscriptions.

Capital Acquisitions

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to capital acquisitions. This can be located in the Budget Book found at page C-10.

For capital acquisitions, Mr. Chairman, the Attorney General's Chambers has been allocated the sum of \$16,000 for fiscal year 2020/21. More funding has been given to Chambers for capital acquisitions. This funding is intended to purchase furniture and computers to replace fully depreciated assets with no residual value.

Output Measures

Hon. Kim N. Wilson: Mr. Chairman, during the 2019 calendar year, 56 Acts were enacted, and 139 Statutory Instruments were made. In addition to the annual budget Legislation, there were a number of new and amending Acts to give effect to the Government's Legislative Agenda on topics including child safeguarding, liquor licensing, employment law, health insurance, superyachts and incorporated segregated accounts companies.

The Bermuda Laws website, which contains all of Bermuda's current laws and subordinate legislation, is updated in real time from within the Chambers and we are continuing to make improvements to the site. Since November 2018, as part of the *e-Gazette* project, statutory instruments (sometimes referred to as BRs) are now gazetted by publication on the website which clearly indicates, Mr. Chairman, the operational date.

Over the past budget year, we received 15 Mutual Legal Assistance requests, which is an increase of four more in the number of requests than in the previous year. Notwithstanding this increase, the number of days for us to respond has remained constant.

Staffing

Hon. Kim N. Wilson: Mr. Chairman, there are currently three vacant posts within the Civil Advisory and Litigation Section of the Attorney General's Chambers: one deputy solicitor general; one junior crown counsel, and one administrative assistant. The vacant post of junior crown counsel follows the promotion of a junior crown [counsel] to the post of crown counsel in October of 2019 following five years of on-the-job training.

The current staffing levels of the Civil Advisory section are: one solicitor general, one deputy solicitor general, two senior crown counsel, seven crown counsel, two administrative assistants and one paralegal to the solicitor general who is currently on secondment to the Department of Child and Family Services.

In the Drafting Section of Chambers, there is one vacancy for an assistant parliamentary counsel following the promotion of an assistant to a parliamentary counsel post in January following five years of on-the-job training. The recruitment process has commenced for a new trainee drafter to start in the forthcoming fiscal year. There are currently eight parliamentary counsel (including the chief and deputy chief), and one assistant parliamentary counsel. In addition to these dedicated lawyers who are responsible for drafting all Government Bills and Statutory Instruments, the section is fortunate to have an excellent administrative team comprising four persons,

each of whom plays a vital role in the timely production, publication, and consolidation of legislation.

Training and Development

Hon. Kim N. Wilson: Mr. Chairman, the Attorney General's Chambers includes within its mandate the development of its professional and administrative staff. Members of the Civil Advisory and Administrative Section of Chambers attended training and personal development courses offered by the Department of Human Resources. Members of the Advisory Section also provided in-house presentations on advisory and litigation matters.

The Permanent Secretary for the Ministry of Legal Affairs; the solicitor general and the deputy solicitor general attended a plenary session of the Caribbean Financial Action Task Force (or CFATF) meeting in Antigua in November 2019. CFATF is an organization of states and territories in the Caribbean that have agreed to implement common countermeasures against money laundering and is a regional organisation that is associated with the Financial Action Task Force [FATF]. They attended and participated in various sessions surrounding the mutual evaluation of Bermuda pertaining to the level of effectiveness of Bermuda's AML/[CFT] regime.

[Pause]

The Chairman: We are on Legal Affairs. Heads 87, 3, 23, 4 and 74. Four hours, and this debate will conclude at 8:46 pm.

The Honourable Learned Member from constituency 34 is on her feet.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

They attended and participated in various sessions surrounding the mutual evaluation of Bermuda pertaining to the level of effectiveness of Bermuda's AML/CFT regime.

The plenary sessions resulted in a successful outcome for Bermuda in regard to being both technically and effectively compliant with the Financial Action Task Force standards. In relation to Bermuda's overall level of effectiveness in combating money laundering and financing of terrorism and proliferation, Bermuda's AML/CFT regime ranks in the top six of the more than 75 Mutual Evaluation Reports that have been published to date.

Mr. Chairman, a junior crown counsel and the deputy solicitor general attended a conference in relation to the United Nations Convention Against Corruption [UNCAC] in Vienna, Austria. This professional development will assist with advising the Attorney General in relation to her responsibilities under the Bribery Act [2016].

One Parliamentary Counsel attended (at his own expense) the biennial conference of the Com-

monwealth Association of Legislative Counsel and the conference of the Commonwealth Association of Law Reform Agencies held in Livingstone, Zambia in April 2019, and gave a presentation to the drafting team on his return to share knowledge acquired at the conferences. Members of the Drafting Section also attended various training and development sessions offered locally on topics including the role of the ombudsman, child safeguarding, tobacco reform, and sessions of the Bermuda tech summit. Drafters also attended management and development courses offered by the Department of Human Resources. The assistant parliamentary counsel continues work toward obtaining a Drafting Diploma offered online by a university in Canada. Members of the Drafting team take turns in giving in-house monthly presentations and lead roundtable discussions on drafting matters.

Initiatives in the Forthcoming Year Advisory

Hon. Kim N. Wilson: Mr. Chairman, turning quickly to the initiatives in the forthcoming year, under the advisory section.

A principal focus will continue to be on the development of Bermudians in Chambers, particularly in using senior counsel to assist junior counsel and pupils with advice and guidance on advisory and litigation matters. The Advisory Section intends to fill the vacant posts of junior crown counsel, deputy solicitor general and the post of administrative assistant for the Accounts in the forthcoming year.

Improving the personal development of staff will remain paramount by providing them the opportunity to attend training courses offered by the Department of Human Resources.

The Advisory Section will continue to:

4. review contracts for the various ministries and departments to aid the same in making better decisions in contract negotiations;
5. review the assignment of specific counsel to provide advisory and litigation representation to ministries and departments;
6. seek to improve their case management system to reduce demand for paper resources; as well as
7. provide more in-house presentations by Counsel on a variety of legal topics.

[Mrs. Renee Ming, Chairman]

Legislative Drafting—Staff and Training

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to the legislative drafting—Madam Chairman—to the legislative drafting.

Staff and training: a principal focus will continue to be on the development of Bermudians in legisla-

tive drafting. Experienced drafters will continue to train and mentor the assistant parliamentary counsel so that they will be able to draft independently. This is essential for purposes of succession planning in this very specialized area of law.

Legislative Information Management System (LIMS)

Hon. Kim N. Wilson: The legislation is produced quickly and accurately using LIMS, which is customized to our Bermuda drafting style. This, combined with the important role of the Legislative Editor, has kept the number of errors and inconsistencies found in legislation during House and Senate debates to a minimum, thereby expediting the legislative process. The maintenance of LIMS is through a Canadian vendor who provides timely professional assistance whenever necessary and regularly updates our software with the latest versions and technical support.

It is intended to continue to improve our database and to post new laws within a week of enactment on the Bermuda Laws online website which, Madam Chairman, can be located at www.bermudalaws.bm, which is hosted locally by Fireminds Ltd. Consolidation, which is the incorporation of amendments into existing laws, is more time-consuming since the amendments are checked by the drafter as well as the legislative database manager. The goal is to continue to complete the process within one month of the enactment of the amending legislation, which was achieved in the last few years.

HEAD 23—DEPARTMENT OF CHILD AND FAMILY SERVICES

Hon. Kim N. Wilson: Turning now to the Department of Child and Family Services. This is found at Head 23.

Madam Chairman, I would now like to proceed to Head 23 which is the Department of Child and Family Services which can be found at pages B-100 to B-106 of the Estimates Book.

The Department of Child and Family Services (DCFS) is responsible for protecting children by strengthening families. The department provides investigative services, day care services, care and protection services for children, residential and home-based services for families, assessment, intervention and counselling services for children, adolescents and families.

Madam Chairman, the current account estimates for Head 23, begin at page B-101 of the Budget Book. A total of \$16,441,000 has been allocated for Head 23 for 2020/21. This represents an increase of \$526,000 of the original budget for 2019/20.

DCFS continues to focus on developing an integrated service which allows children, adolescents and families to receive services that are appropriate

and coordinated, thus meeting the needs of families and assisting them with the diverse challenges they face. These challenges include but are not limited to lack of parenting, social and life skills, the ability to maintain housing, secure employment, effectively budget, the abuse of substances, involvement in anti-social behaviour, cognitive deficits, educational challenges, mental health issues and anger management, which all contribute to these diverse and complex challenges that are now seemingly exacerbated by the challenging economic times families are facing. DCFS is charged with the responsibility of promoting and protecting the best interests and social well-being of children, adolescents, adults and families.

Madam Chairman, in order to meet these responsibilities, DCFS operates four programmes:

8. Programme 2301—Services to Children and Young Persons;
- Programme 2302—Services to Individuals and Families;
- Programme 2303—Residential Treatment Services;
- Programme 2304—Administration.

In the fiscal year 2019/20, Madam Chairman, DCFS continued with its efforts of providing a seamless continuum of services to children and families by examining and redeploying resources to meet changing programme and client needs. These changes continue to be implemented based on a performance quality improvement focus that is consistent with best practise standards as a requirement of accreditation. These standards are defined by accreditation requirements in the area of human service provision.

Madam Chairman, service improvements have been achieved by DCFS implementing a strategy that begins with the enhancement of a structured decision-making tool, designed specifically for Bermuda giving account to our social and cultural norms. This tool utilises a comprehensive assessment that ensures clients receive the appropriate service from the appropriate agency. This process reduces referral duplication, closes previously identified gaps in service delivery and increases overall effectiveness and efficiency of programmes.

Madam Chairman, utilization of this tool has resulted in an improved, comprehensive service delivery system which has increased response time to initial referrals. It enhances appropriate prioritisation of referrals according to risks; and it ensures, Madam Chairman, that the highest risks are addressed first resulting in better responses and positive outcomes for clients.

Madam Chairman, the DCFS's business units are discussed by Programme.

Programme 2301—Services to Children and Young Persons, and Madam Chairman, I am referring specifically to page B-101. The Happy Valley Child Care Centre [HVCCC] is covered under this programme. The estimate for the fiscal year 2020/21 is

\$1,028,000. The output measures for the Happy Valley Child Care programme are found at page B-104 of the Budget Book.

For business unit 33010, the budget allocation represents a decrease of \$10,000, or 1 per cent from fiscal year 2019/20, and that is again, Madam Chairman, I can refer you to page B-101. This decrease is a direct result of budget cuts and efficiencies. We continue to contain expenditure within budget allocation for fiscal year 2020/21, the feeding programme, the clothing programme and the enrichment programmes will have been curtailed so as to minimize the impact of the wrap around services provided to high risk children referred for care and a head start, at the Happy Valley Child Care Centre.

Happy Valley Child Care Centre, the only Government operated Child Care Centre, provides high quality child care for children from three months to four years of age and accommodates a maximum of 40 children.

[Crosstalk]

Hon. Kim N. Wilson: Most of the children are from the Pembroke, Devonshire, Warwick and Southampton areas, but the Centre also has an intake of children from other parts of the Island. Government has mandated that priority be given to children referred by helping agencies such as the DCFS, Teen Services, Department of Health, the Child Development Programme and Financial Assistance. These agencies along with families experiencing various challenges, account for 60 per cent of the child care centre's intake.

The intake of children for September 2019 according to parish is as follows:

- from Pembroke—17 per cent;
- from Warwick—17 per cent;
- from Southampton—17 per cent;
- from Devonshire—14 per cent;
- from Hamilton Parish—10 per cent;
- from St. George's—10 per cent;
- from Paget—7 per cent;
- from Sandys—4 per cent;
- from Smiths—4 per cent.

The Happy Valley Child Care Centre monthly fee is \$400.00 for all children enrolled. However, if a child is in the care of DCFS, they do not qualify for the Child Day Care Allowance and as such their costs are absorbed by the department. There were two children who fell into this category during the last budget year.

During the 2019 school year, the amount of fees collected was \$192,000. It is most important to note that the cost per child is higher than the fees currently paid by parents. This is because the Happy Valley Child Care Centre, a first-class facility that is specifically designed to meet the comprehensive needs of young children, provides an extensive curriculum of high academic standards with trained teachers who

are continuously involved in professional growth and development. It offers enrichment programmes that encourage parental involvement and growth development to strengthen family functioning and improve child development.

Comprehensive services offered at the Happy Valley [Child] Care Centre include an intervention programme, a full nutritional programme that provides morning snack, lunch and afternoon snack and is monitored and approved by the Health Department's Public Health Nutritionist, mandatory parenting classes and involvement in music and movement, creative arts, literacy, writing, science, math, technology, community service, field trips, strider bike riding, gardening, tennis and swim classes, along with other curriculum activities which are designed to assist in the overall development of the children at that centre.

Madam Chairman, in July of 2019, eleven children graduated from the programme and were well prepared for attending pre-school. Happy Valley Child Care Centre consistently utilizes child assessment outcomes for classroom planning and individual intervention lesson activities. The High Scope Curriculum and Assessment tool reflected outstanding results that validate Happy Valley Child Care Centre's commitment to an inclusive learning model. The results for infants/toddlers and preschoolers mapped steady improvement in all areas of developmental growth.

Happy Valley Child Care Centre received re-accreditation with no conditions from the Bermuda National Standards Committee for 2017, and it will be up for their third re-accreditation in 2020, which attests to the fact that they are a centre of excellence working at best practice standards.

Madam Chairman, the increased demand for child care placement at the Happy Valley Child Care Centre year over year remains. There were 176 applications received for the 2019/20 school year, with HVCCC only able to enrol eleven students. The inability to accommodate increasing demands coupled with the need of care for special needs children while adhering to legislated ratios and maximums remain ongoing challenges facing the Happy Valley Child Care Centre.

Madam Chairman, fathers and mothers are actively involved in parenting classes, school programme activities, parent/teacher conferences and social interaction opportunities with their children. Grandparents and extended family members remain positively involved in the centre's programme as well.

Happy Valley Child Care Centre continues to uphold its commitment to partnering with community resources. In collaboration with the Child Development Programme, two-year-old assessments are conducted at the centre; intervention services and parenting classes, parent CPR/First Aid classes are also provided by the Child Development Programme (CDP) and the Health Department and Fire and Life Safety Associates on site, Madam Chairman. Happy

Valley Child Care Centre also continues to serve as an internship site for the Bermuda College students enrolled in the Child Care Certificate programme as well as a community service site for public and private schools. A broad range of community activity involvement designed for children's enrichment learning include, giving out food to the elderly, visiting senior care centres, visiting Dolphin Quest, Aquarium, BUEI and historical sites across the island and hosting its annual Week of the Young Child mini fair, and hosting neighbouring child care centres and preschools, in celebration of young children. This event is greatly supported by HVCCC's alumni, parents, families and the community.

Community resources that support children's learning on site are presentations from Sun Smart, Dental Care from the Government Health Department, and Fire and Police Services, as well. Support services for speech occupational therapy and physical therapy are provided by the Government Department of Health and the Child Development Program.

Madam Chairman, as Happy Valley Child Care Centre is housed in an older building in need of constant maintenance and repair, we would like to thank Works and Engineering for their commitment and supportive services in addressing the maintenance needs of Happy Valley Child Care Centre throughout the year.

Unfortunately, Happy Valley Child Care Centre has been the target of arson attacks twice during the past year. The first arson attempt was on the school's bus in February 26 of last year where the back bumper on the bus was slightly burned. The next arson attempt which completely destroyed the bus happened in June of last year, Madam Chairman. The bus was only a year old when destroyed. The bus cost when purchased was \$86,000. When it was destroyed, the estimated cost for a new bus was \$93,000. As Government vehicles are only insured as third party, the cost of the new bus had to be sourced within the Ministry. Once news of this incident was placed in the public domain, the private sector responded generously in assisting with the cost of a minibus service for the last week of July 2019 and for September 2019 to November 2019, and January 2020 to date at a cost of \$8,000. Transportation is a vital service that was required to ensure that the children were able to continue to engage in their curriculum by being transported to activities such as gymnastics and tennis. All other school trips have been suspended until such time as Happy Valley Child Care Centre receives their new bus. The bus is scheduled to arrive before the end of March 2020.

Madam Chairman, the Happy Valley Child Care Centre PTA would like to thank those businesses and members of the community who so generously contributed to the replacement of the bus and the minibus service cost.

Happy Valley Child Care Centre endeavours to maintain a first-class facility while educating children in a safe, healthy and caring environment.

Madam Chairman, on behalf of the Minister of Legal Affairs, I would like to thank all the staff at the Happy Valley Child Care Centre, their active Parent Teacher Association (PTA), their volunteers and community partners for their continued dedication to Bermuda's most valuable resources; Our Children, Our Future.

Programme 2302—Services to Individuals and Families

Hon. Kim N. Wilson: Madam Chairman, turning to Programme 2302, again, I am still on page B-101, Services to Individuals and Families.

The activities covered in programme 2302 are Intake, Assessment, Investigation, Family Preservation (formally known as Family Services), Foster Care and Counselling and Life Skills (formally known as Bermuda Youth Counselling Services). The estimate for these activities for the fiscal year 2020/21 is \$5,417,000. This represents a \$544,000 decrease compared to the 2019/20 budget allocation.

Madam Chairman, the Intake, Assessment and Investigation unit is responsible for providing a unified response and comprehensive safeguarding services to the children of Bermuda. This thorough approach is achieved with the use of the structured decision-making assessment tools which allow staff to objectively determine safety and risk for all children and their families who are referred to the department. The assessment tools provide designated timeframes to initiate contact with a child when thresholds for investigations are met. The output measures, Madam Chairman, for this unit can be found at pages B-104 to B-105 of the Budget Book.

Madam Chairman, the Intake and Assessment team provides care and protective services and assessments to the children of Bermuda. This is achieved through the three specialized units—Screening, Investigations and Assessments team with a total of 16 staff. The screening team is comprised of four social work assistants who are on duty each day to receive new referrals via email, fax, the KIDSLINE, or from members of the public or professionals who walk into the department. The Investigation team includes five social workers who are responsible for conducting enquires on all screened investigations to the department. The Assessment team includes three social workers and a clinical supervisor. The primary responsibility of the assessment team is to complete comprehensive assessments on clients who are referred by social workers within the department. These assessments assist the workers in determining the specific treatment needs of each referred client and provides recommendations to the workers and other professionals involved with the children or the child

and their families. The output measures for Intake and Assessments are located, Madam Chairman, at page B-104 of the Budget Book.

Madam Chairman, the Investigation Team received 1,031 new referrals on children. This was a decrease from [2018] when 1,139 new referrals were screened by DCFS. The department has one central screening system, and this allows investigations or assessment services to be processed and assigned in an expedited manner. All screenings are reviewed to provide immediate feedback to the [referrer] on the service or investigation that will be provided along with the designated response timeframe, or stipulates if it is screened out. The department is required to respond within 24 hours, 5 days or 10 days depending on the nature of the referral and the assigned timeframe. The department received 235 referrals which required a 24-hour response, 525 referrals which required a 5-day response and 37 required a 10-day response.

Some examples of referrals that require a 24-hour response are physical abuse cases where there are bruises, burns, bone or head injuries. Other examples are when a child is fearful of going home due to likelihood of physical abuse or sexual abuse when the perpetrator is in the home or has unprotected access to the child. Neglect cases require a 24-hour response when a referral indicates a child is unattended or abandoned, a drug-exposed newborn or the child has ingested toxins or drugs. Any referral that indicates that the child is under the age of two is automatically assigned a 24-hour response.

Madam Chairman, examples of referrals that will be screened for investigation in five days are children who are at risk of moral danger such as drugs being sold in their presence, the child's basic needs of food, shelter, and clothing are not being met and children who are exposed to family violence.

Examples of referrals that will be assigned a 10-day response are historical sexual abuse cases when the alleged incident happened more than six months prior to the report and the offender is not in the jurisdiction or will not have immediate access to the child in that designated timeframe.

Social workers, Madam Chairman, conduct thorough, objective investigations that involve: interviewing the child or children, interviewing parents, interviewing other witnesses or collateral contacts with relevant sources of information, observing the child and the child's living conditions, observing parent/child interactions and relationships, obtaining reports, conducting further record checks, obtaining medical and other assessments/reports.

Madam Chairman, the second purpose of the investigation is to conduct an assessment of the immediate service needs of the child and family. This, Madam Chairman, involves the following:

Assessing the child's immediate safety needs, assessing the child's future risk of neglect and/or

abuse within the home, assessing the family's need for necessities, crisis intervention, counselling or support services.

The department collaborates with the Bermuda Police Service on referrals received for physical, sexual abuse, neglect and behaviour problems. Through collaboration it is determined if joint investigations are required.

All investigations and services were reviewed quarterly to ensure that best practise accreditation standards were maintained. The Intake section works with our community partners during the investigation and assessment phase.

Madam Chairman, during this budget cycle, the Investigation team continued to complete 100 per cent of the structured decision-making screening assessments in the stipulated time frames. Of the total number of cases screened, 179 were screened out to other services, 795 were screened in for investigation and 55 were screened directly to the Counselling and Life Skills section for substance education. Cases which are screened out did not meet the threshold for child protection and where appropriate, Mr. Chairman, the department ensured that the children or child and their families were referred to other services within the community.

Madam Chairman, referrals were received for the following types of abuse:

- Neglect: 408
- Sexual Abuse: 211
- Physical Abuse: 161
- Behaviour Problems: 116
- Emotional Abuse: 71
- Care of Relative: 2
- Teen Pregnancy: 1
- Service Requests: 56

The total number of referrals screened in for investigation represents 705 children and 589 families for 2019. [There were] 206 children who had multiple referrals for either the same or multiple abuse types.

Trends

Hon. Kim N. Wilson: Madam Chairman, the investigation team noted a decrease in all abuse types. Referrals received for child or child sexual abuse or sexualised behaviour (numbering 122) continues to account for the majority of the sexual abuse referrals and is 58 per cent of the total number. While the number of neglect referrals decreased, to 185 or 45 per cent of referrals, were for children exposed to family violence. The majority of those referrals were received from the Bermuda Police Service. The second highest number of neglect referrals is for lack of supervision representing 58 per cent, Madam Chairman.

Madam Chairman, DCFS received 56 service requests. This was a 47 per cent increase over 2018. For example, welfare checks were requested locally

and from other overseas jurisdictions. These requests require home studies for children who are involved in child protection services outside of Bermuda. It is important to note that these home studies or welfare checks may require a considerable amount of time to liaise with the agencies and relevant parties both here and in overseas jurisdictions. The department is also required to investigate mandated professionals to determine if they are identified as alleged perpetrators (i.e., day care providers, teachers, coaches, religious officials, youth leaders, or other mandated professionals).

I would just like to pause for a moment, and I will acknowledge the presence of the Learned and Honourable Attorney General, the Honourable Kathy Lynn Simmons who is present.

In these cases, the police may be required to assist with the investigative process. A total of 35 were conducted and required the investigating social worker to conduct interviews with the child, their parent or guardian, the mandated professional and all relevant witnesses. At the conclusion of the investigation a report is provided to the organisation that the investigated professional is employed or affiliated with. Mandated reporters referred 796 referrals with the majority referred from the police, which was 317, and the schools, which was 283.

Madam Chairman, investigations were conducted on 797 reports of maltreatment and response times were met on 700 referrals. This performance measurement exceeded our 80 per cent goal for the year. Challenges to meeting response times included the inability to locate families and when parents or guardians were not cooperative in the investigation process. Once initial contact has been achieved the department is required to complete a safety assessment to determine imminent risk on all in home abuse cases.

The primary goal of this, Madam Chairman, the safety assessment, is to ensure the child or children are safe in a household and that the parent or guardian has agreed to the established safety plan. If a safety threat has been identified, the objective of both the safety assessment and the plan is for the department and the family to work together to reduce risk without seeking a court order. As a result, the investigation social workers completed 530 safety assessments. This engagement with parents allows the department to ensure that the children or child are safe while working to preserve the integrity of the family. Risk assessments are always completed after conducting a home visit and prior to a case being transferred or closed. The team, Madam Chairman, completed 482.

Investigations that are referred for abuse outside of the home do not require the structured decision-making assessment tools as the alleged perpetrator is not in the home and therefore the household is deemed safe. The Investigations Team referred 167

cases for transfer for ongoing services within DCFS. Upon completion of the investigations, 557 cases were closed, 181 were substantiated, and 274 unsubstantiated, 76 suspected and 26 inconclusive. The investigation team participates in multiagency teams such as SART (Sexual Abuse Response Team) and the CPT (Child Protection Team) at KEMH [King Edward VII Memorial Hospital]. The team decreased the number of presentations to the community in anticipation of the amendment to section 42 of the Children Act.

Madam Chairman, the Assessment team is required to complete comprehensive assessments on children who are experiencing issues ranging from substance abuse to cognitive challenges. There were 26 new referrals received in 2019. The total number of clients carried over from 2019 were 53 (18 were male and 35 females). The cases which were closed for the year were 35. The team administered 268 assessment tools and completed 50 reports that provided parents, social workers and other professionals with clear recommendations for intervention and support services for each child and their family. These assessments comprise of the following which were completed in the year of 2019; cognitive, 15; academic, 15; behaviour, 65; trauma, 44; substance, 18; biopsychosocial, 45; and mental health, 66. The Assessment team provides in-service presentations and training within the department and in the community.

The Assessment team receives referrals from DCFS internal teams (Investigation, Family Preservation, Foster Care, and Residential Treatment Services). These interventions can be either an individual child assessment, a family assessment, or both. The assessment, once assigned to an assessor, entails gathering information from the child or family with the intent of producing a report that details issues being faced by the child or family and supplying recommendations to assist with strengthening families and their children.

The time frame that the assessors work in is 45 days; however, it needs to be noted that there are factors which impede the process. These factors are building up rapport, engaging the client in feeling safe as well as trust in the process, and complexity of the case which can impact the length of reports and the time needed to process information. The Assessment team also conducts assessments on all new clients who are entering into foster care or residential treatment services. Referrals received from Court via court order must be expedited due to the reduced time frame. These cases take precedence due to the time frame which is being provided by the Court.

Madam Chairman, the Foster Care Section of DCFS provides children and youth under the age of 18 in need of out of home care with protection, care, and nurturance by licensed foster parents in private homes. Foster care or out-of-home care is used for children when a safety assessment decision results in

a placement to ensure children's safety. Foster care provides a safe, supportive and therapeutic environment for a child, while working towards either family reunification or an alternative permanency option. Madam Chairman, foster care may be provided during a child abuse investigation, assessment or ongoing intervention phases of child protection.

The Foster Care Programme, Madam Chairman, has three classifications of private home placements:

- Traditional Foster Care Placement—These foster parents are generic and have no biological connection to the child.
- Kinship Foster Care Placement—These foster parents are related to the child and may have a significant bond and connection to the child.
- Therapeutic Foster Care Placement—These foster parents have an advanced level of either education or employment, and skill set and are equipped to foster children with either physiological impairments and/or emotional challenges.

Madam Chairman, when a child is placed in foster care, the department will work with the child, their parents, foster parents, and several professionals from additional agencies from whom the children and their parents are receiving services. It is important that the following occurs:

1. Foster children must be supported through key transitions such as the original placement, changes in placements, changes in schools, and then leaving foster care.
2. Foster children must have ongoing care and protection while having their developmental needs met.
3. Foster children will not be subjected to any physical discipline, physical restraint, or chemical restraint.
4. Foster children must be assisted with gaining skills and an overall sense of well-being that will allow them to realise their potential while positively participating in and contributing to the wider community.

Madam Chairman, the department is responsible for monitoring out-of-home care placements to ensure that the level of care provided by foster parents is consistent with the Council on Accreditation Standards. Social workers are required to visit with the child and foster parent in the foster home a minimum of once per month in addition to monitoring the well-being of the child in school and their involvement with other stakeholders. The child's psychiatric, psychological, and emotional needs must be constantly evaluated to promote optimum care. Visits with the foster parents allows for information sharing, discussion regarding the stability of the placement including discussion about successes and concerns.

Madam Chairman, all children in foster care have a social worker and a social work assistant as-

signed to them. Children in foster care have all of their needs met. Services provided to foster children by the department include, but are not limited to medical care, dental care, clothing, therapy, social and recreational extra-curricular activities, education and tutoring. In addition to contact with the child and foster parent, foster care workers are required to meet with the parent(s) on a monthly basis to work on service plans to address the child welfare risks that placed the child in foster care. Frequency of contact is determined by their assessed risk level.

The higher the risk, the higher the level of intervention and engagement required monthly. In accordance with the Children Act, parental visitation is required for all children in foster care unless otherwise ordered by the courts. Foster care workers are responsible for ensuring supervised and unsupervised visitation occurs. Regrettably, there are a number of children in care who have no contact from their parents either by conscious decision of the parents or due to their parents untreated severe mental health or substance use impairment.

The department holds to the principle of maintaining significant familial relationships within the biological family of the child. It is the social worker's responsibility to assess the suitability of family members to ascertain what role they can play in beneficial visits with the child or telephone contact. If a child is placed with a non-relative, the department is always open to family members as alternatives to traditional placements.

Madam Chairman, the foster care team consists of one coordinator, three social workers and three social work assistants and one administrative assistant. The team was responsible for a total of 81 children, along with their birth parents and their respective foster families during the last budget year. This represents a numerical decrease by seven children from the prior year. Although this is a numerical decrease, the complexity of the cases has magnified in terms of parent/child mental health challenges, behavioural issues and school difficulties.

During the last budget year, the Foster Care Programme serviced a total of 11 therapeutic foster children. The children in this category have a variety of physical, cognitive, emotional and behavioural challenges—for example, Downs syndrome, cerebral palsy, moderate autism, respiratory challenges, chronic medical challenges including heart deficiency, immobility/wheelchair bound and requiring gastro tube feeding. Some children in this category also present with significant behavioural challenges such as conduct disorder and behaviours associated with severe ADHD. Therapeutic foster parents are compensated at a higher rate than traditional foster parents as their involvement in the care needs of these children is expected to be greater. They sign contracts which outline the levels of care expected based on the chil-

dren's needs. These are the same 11 children that were serviced in this category last year.

The department recognises that a significant number of children in care and their parents have specialised clinical needs such as current and past trauma, substance use and psychological or psychiatric disorders; hence, funds are allocated to ensure that individual and family therapy and assessment is provided for the children in care, and their parents. The department engages therapeutic services from public partners such as Child and Adolescent Services, Child Development Programme and the department's Counselling and Life Skills section. The department also contracts with a number of private psychologists and clinicians in the community to ensure that the specialised mental health needs of the children and families served are met which usually exceeds the \$100,000 budgeted for counselling services. The ultimate goal for the dedicated team of foster care is permanency planning for children in the care of the director.

Permanency can be through reunification with their parents; hence, the investment by the department in funding therapy for parents, or alternative permanency with family or other significant others within the family or child's network. When permanency placements are not an option, children can remain in long-term foster care until their 18th birthday. This is not the ideal situation for a child; however, it is a reality that occurs. The department encourages any family member interested in caring for a relative in foster care to approach the department to be assessed for suitability as a Kinship Care parent.

By the end of 2019, a total of 17 children left the foster care programme. Two received more intensive services overseas via the Psycho-Educational Programme. One was transferred into Residential Treatment Services/DCFS as a result of their placement. Six were reunified with their birth parents. One was transferred into the full custody of a grandparent. Seven aged out of the Foster Care Programme but continue to reside with their foster families voluntarily.

The Foster Care Coordinator recruited 12 new foster parents this year—a numerical increase of eight. Despite this commendable increase, the department continues to remain hard-pressed to recruit enough foster parents to be open, available, and suitable for emergencies and for hard to care [for] children.

Madam Chairman, in May of 2019, Foster Care Month, the foster care team arranged the "Appreciation Tea" in honour all foster parents. Each foster parent was presented with a plaque in the shape of a "star" to represent the stellar job that they do. The Minister of Legal Affairs was present to express her sincere gratitude on behalf of the Government of Bermuda. The keynote speaker was Ms. Shalisa Smith, a young lady who was able to share her personal experience of being adopted and what it meant

to navigate through the difficult teen years of self-identity questioning. Her adoptive parents and community support persons were in the audience and present for the presentation. CITV recorded the event and it was featured in the media. The department received numerous positive comments about this event from foster parents.

DCFS recognises that becoming a foster parent is a huge commitment and sacrifice. Foster parents open their homes and hearts to children who have experienced trauma through abuse, neglect, loss or abandonment. Patience and genuine commitment is required to provide this service to these vulnerable children. The department has a responsibility to ensure that foster parents are equipped to meet the needs of the children placed in their homes. Children in care come with unique needs and challenges. In addition to monthly in-home visits with each foster parent and the child or children, the department provides foster parent training throughout the year based on the presenting needs of the children. During 2019, Madam Chairman, the following Foster Parent Trainings were offered:

- Department of Financial Assistance and the Foster Parent Association information session on services for ageing out youth;
- SCARS training;
- Kinship/Relative Caregiver Support Group;
- "Taking Care of Emotionally-Charged Children";
- "All About ADHD" An education and awareness workshop for foster parents; and
- "Trauma & Our Children"

The Foster Care Programme ended 2019 with a Christmas party for foster youth hosted by the Premier and ably facilitated by the staff members of the Cabinet Office. This party was held on 19 December 2019 at the St. Paul's AME Church Hall. It was a huge success and was well attended. The Minister of Legal Affairs attended with some of her Cabinet colleagues. The party was a public/private partnership that saw numerous donations provided majorly by the RenRe Insurance Company and members of the public. The organisation of gift donations was fully arranged by the executive of the Foster Parent Association which, Madam Chairman, is a registered charity.

DCFS would like to acknowledge the foster parents of Bermuda. These are our unsung heroes who provide loving, stable homes to children who have experienced significant trauma as a result of abuse and/or neglect. Every day, they make a foster child's life better by their numerous acts of care and kindness.

Appreciation and recognition must also go out to the Foster Parent Association. They work in partnership with the foster care team. They provide extra support to foster children and foster families in the form of financial support for educational trips, specialised recreational programmes, laptops for senior

schools and tertiary education scholarships for foster youth post high school completion. In 2019, the Foster Parent Association provided further education scholarships to three former foster children who have now aged out of DCFS. The scholarships were in the amounts of \$30,000, \$20,000 and \$10,000. The department extends sincere appreciation to the efforts of these dedicated and unsung heroes.

An Hon. Member: Hear, hear!

Hon. Kim N. Wilson: Madam Chairman, Counselling and Life Skills Services (CLSS)—their mission is to advance and promote the emotional well-being of youth up to 18 years of age and their families. CLSS offers services that strengthen the knowledge, skills, positive experiences, and support systems of individuals and families to make healthy life choices. Individual and family issues include, but are not limited to family and relationship dynamics, co-parenting, grief and loss, communication, trauma and adolescent substance use.

CLSS provides individual, family, and group counselling. There were eight substance groups conducted for the year at middle and high schools. The CLSS team with help from their assessment colleagues developed a one-week trauma informed therapeutic camp LITT (Ladies in Top Training) for at risk females ages 13 to 17 years old.

In order to best serve the needs of clients, CLSS counsellors work collaboratively with clients to complete specific assessments or screening tools to measure progress and treatment planning that is geared towards positive growth and development. The team completed 42 assessments and 40 assessments geared to substance.

CLSS continues to align services and practices with other teams within DCFS in order to maintain a client focus that promotes wellness for families and their children. In addition, CLSS continues to collaborate with external stakeholders by providing a holistic approach which incorporates the whole family and their supports.

Referrals that are received from external entities such as the Department of Education, Child and Adolescents Services and the public are screened into the Investigation/Screening sections and a decision is determined in conjunction with the SDM tool as to which intervention is required based on identification of the needs of the individual child and their family. This then directs assigned services. There is a memorandum of understanding between the Department of Education and DCFS that all substance-related incidents that occur in school are referred to the department for either substance assessment, education or both.

Madam Chairman, to meet Council on Accreditation (COA) standards by continuing the Performance Quality Improvement process of maintaining

best practice standards, Quarterly Performance Quality Improvement meetings occurred during this year to review programme data, client trends, file audit, client, staff and stakeholder feedback and staff development. We continue to align services and practises, so they are consistent with the DCFS's strategic plan.

Madam Chairman, the number of referrals that were received for the year was 111. There were 54 females and 67 males referred in 2019. Over the years, there has been a steady trend where the highest age group for males and females were children and adolescents between the ages of 10 and 14, and 15 and 18.

This year the trend is following previous years where the number of children or adolescents requiring services is as follows, Madam Chairman: There were 21 females between the age of 15 and 18, and 16 females between the ages of 10 and 14. Males were 32 between the ages of 15 and 18, and 16 between the ages of 10 and 14. This trend demonstrates that there is a growing need for resources for children and adolescents who are impacted by numerous stressors that were previously mentioned. Without these additional resources, there is a strong possibility that these vulnerable children/adolescents run the potential of engaging in risky behaviours that could impact their future.

Programme 2303—Residential Treatment Services

Hon. Kim N. Wilson: Madam Chairman, Programme 2303, Residential Treatment Services—and I am still at page B-101.

The activity covered in programme 2303 is Residential Treatment Services. These services include the Brangman Home, the Oleander Cottage, the Youth Development Centre and Administration. For this programme, there is a budget allocation of \$6,995,000. This represents a decrease of \$178,000, or 2 per cent from the 2019/20 budget allocation.

Residential Treatment Services (RTS) provides a continuum of intervention services to children between the ages of 12 and 18 years of age. These are adolescents who are deemed to be at risk in the community and requiring care and protection in a safe and structured residential environment. All children placed in this service have had their situation and circumstances heard by the Courts where it has been deemed appropriate for them to be placed on a Care Order and, as such, become the responsibility of the Director of Child and Family Services.

The RTS programme provides 24-hour services. The young ladies are located at the Brangman Home while the young men receive services at Oleander Cottage. The Youth Development Centre is utilised to provide one-on-one and special management of residents based on their needs as indicated by ongoing evaluation, and if they are placed in care of the director as a result of criminal behaviours. The inclu-

sion of family is a key component of the service provision, when this is not possible, Madam Chairman, alternative community-based relationships and resources are utilised to develop an appropriate community-based plan.

The programme at RTS also includes the monitoring of clients on transition in preparation for family reunification. The goal is to have children transition within 12 months of placement or to implement an individual plan which may include independent living, depending on age and family circumstances.

During the 2019/20 budget year, RTS provided community-based services to children on transition in the community, as well as those eligible for discharge. This has resulted in a more seamless reunification process for the children and families.

RTS offers group living, individual and group counselling, family assessments and interventions, parent groups (as needed), vocational and educational planning, and life skills development. Aftercare and interagency interaction services are based on the individual needs of the adolescent and their consent for continued services.

RTS exceeded the estimated costs for 2019/20 budget year, as they were faced with many challenges related to the number of children receiving services, those requiring specialised services and the need to create separate residential space. As a result, RTS had a significant increase in overtime in addition to the excessive use of outside service providers.

The fiscal budget for 2019/20 continues to reflect DCFS's commitment to ongoing quality improvement based on sound statistical data and empirical research. In 2019/20, client data again indicated that the majority of children requiring this service had family relationship issues and childhood trauma.

Due to trauma induced behaviours with residents, RTS continues to utilise therapeutic and family components of the programme, maintaining its partnership with Cornell University as they continue to provide RTS staff with Therapeutic Crisis Intervention [TCI] and Children and Residential Environments [C.A.R.E.] training. Both the TCI and the C.A.R.E. curriculums are based on empirical research and provide a foundational philosophy and tangible behavioural management skill set for staff to provide effective care for all children and families that experience crisis in their lives.

The Chairman: One minute, Minister. I just want to give the listening public an opportunity to know where we are. Can you hear me? Okay, great.

We are on Committee of Supply and today we are doing the Estimates of Revenue and Expenditures for the year 2020/21. The Heads that we are currently doing are under the Legal Affairs and they would be Heads 87, 3, 23, 4, and 74.

ANNOUNCEMENT BY THE CHAIRMAN

HOUSE VISITOR

The Chairman: And for those persons who may have missed it, I would like to just recognise that the Attorney General, the Honourable Kathy Lynn Simmons is in the Chamber as well.

[Committee of Supply, Ministry of Legal Affairs, continuing]

Hon. Kim N. Wilson: Thank you, Madam Chairman.

Madam Chairman, the RTS provides in house/ residential services for 18 adolescents in 2019. This total included 8 males and 10 females. Client's services included case management of children as indicated by individual assessments and service plans. Interventions included cottage programmes, educational and vocational opportunities, transition, family reunification and aftercare.

Client profiles for 2019/20 indicated that 100 per cent of adolescents involved in the services had family relationship issues; the majority of children, both male and female had experienced childhood trauma, including abandonment, abuse, grief and domestic violence. This data demonstrates the wide range of specialist services required for dealing effectively with the children and families in need of our services.

Madam Chairman, to give some statistical data of the client base we are experiencing within RTS, consider the following, the data from 2019 highlights trauma as a prominent factor for the young people placed in RTS. Of the components featured in the trauma category, neglect, attachment difficulties and abandonment represent the most profound challenges. Madam Chairman, 89 per cent of clients experienced neglect; 84 per cent experienced attachment difficulties which have adversely affected their ability to engage in healthy interpersonal relationships; 100 per cent of all children at RTS have parent/child relationship challenges; 64 per cent of the client population experienced mood disturbances or disorders; and 47 per cent display learning challenges. Mental illness/cognitive challenges is evidenced across 63 per cent of parents of the children in the RTS programme; domestic violence among the adults has been witnessed by 40 per cent of the residents and has likely to have contributed to their trauma; 90 per cent received psychiatric or psychological interventions for the year; 8 of the 19 residents at RTS have been identified as long term as they have no plausible family reunification plan; 4 of these residents will turn 18 and will require an independent living option.

To this end, Madam Chairman, DCFS during the 2020/21 budget year is looking to establish a Transitional Living Regime for children ageing out of

the care of the Director of DCFS without a reunification plan. The objective of this regime is to ensure that children ageing out receive the same level of support that their peers would expect from a reasonable parent. This includes, Madam Chairman, but is not limited to continuing education, finding a job, setting up a home and having supportive opportunities that help them progress to be productive citizens of our community.

Madam Chairman, over the previous year RTS has successfully met the majority of the planned outputs/outcomes, seen on page B-106 of the Budget Book. Statistical data and the performance quality improvement process has been consistently used to monitor quality and to determine changes needed to improve the service provided. The 2020/21 budget is designed to continue providing resources which allows this programme to provide a quality service to children and their families.

With a continued focus on the best interests of the child, Madam Chairman, and continued review of our policies and procedures, while it is noted that RTS is not a prison or a secure environment, rather a group home; in the 2020/21 budget year RTS will engage in upgrading its physical structures inclusive of security systems as to better ensure the care, safety and protection of the clients to which they serve.

Madam Chairman, DCFS's Family Preservation Team operates under a sound case management and assessment [model], which comprehensively assesses family and child's needs and develops service plans with the family, the child and stakeholders to maximise intervention and positive outcomes for the family. The team is responsible for providing ongoing intervention to monitor and ensure the safety of children at risk of abuse or neglect, assist families to improve family functioning, increase child well-being, reduce the need of placement in out of home care, and to enable children in out of home care to return safely to their families. Out of home care refers to children in foster care, RTS, and the psycho-ed services.

The ultimate goal is to reduce or eliminate the circumstances in which family that have been or is causing abuse or risk of abuse (emotional and/or physical) to the child, and to maintain the children or the child in the home environment.

The Family Preservation team receives referrals from both the department's Intake team and out of home services (foster care, psycho-ed, or RTS).

Madam Chairman, Family Preservation Services are provided to clients of the Department, either via consent of the parents or under the authority of a Family Court Order. If a child's safety is an assessed concern as per the Children Act 1998 and its revisions, Family Preservation Services will be mandated if deemed so via the courts.

Upon consent, Family Preservation Services are also provided for a young person transitioning

from care at the age of 18. The purpose of this service is to reduce the likelihood of future harm and to provide support and assistance to the young person as they transition into independent living.

Madam Chairman, in order to achieve its goal, Family Preservation Services requires its social workers and social work assistants to manage cases in compliance with the Council on Accreditation Family Preservation standards, in accordance with the policies and procedures of the department, and the structured decision-making assessment tool for Child Protective Services. The social worker's frequency of contact with a family is determined by the family's assessed risk level. The higher the assessed risk for future abuse or neglect, the higher the level of intervention and engagement that is required monthly.

A household assessed as high risk requires a minimum of four face-to-face visits per month with parents/caregivers and the children in addition to collateral contacts (for example, Madam Chairman, therapists, doctors, mentors, et cetera); moderate risk requires a minimum of two face-to-face visits per month with the parent or caregiver and the children in addition to collateral contacts; and low risk requires a minimum of one face-to-face visit per month with the parent or caregiver and the children, again, in addition to collateral contacts.

The Family Preservation Team consists of two coordinators, seven social workers, seven social work assistants and one administrative assistant.

Madam Chairman, we will now highlight the performance of the Family Preservation team and the client outcomes for the calendar year January to December 2019.

Caseload management improved during the last quarter of 2019 as a result of the department's restructuring. All vacant posts were filled bringing the staffing to 100 per cent.

The data below is an overview of the statistical outputs and outcomes for the Family Preservation Team.

Madam Chairman, for the calendar year [January] 2019 to December 2019, the Family Preservation Team has served a combined total of 116 families and 189 children. In 2018, the numbers served totalled 151 families and 238 children. This represents a 23 per cent decrease in families over the prior year. Despite the decreased number of families referred, the complexities of these cases remain very high.

All families involved with Family Preservation receive Family Strengths and Needs assessments and are reassessed every three months. These assessments help to identify the kind of needs of development required within a family, as well as strengths within the family unit. It also serves as a guide for service planning. Assessments completed during 2019 have identified the following as the top four issues or areas of need affecting our families:

1. Parenting Skills—improvement of basic parenting skills is needed by the parent/caregiver in order to ensure safety and appropriate discipline of the child. In addition, improvement needed to meet the emotional and developmental needs of the child.
2. Mental Health, Coping Skills and Cognitive Functioning—parents and caregivers having difficulty coping with stressors in their life which creates situations that places the child or children in their care at risk. This may be demonstrated by periodic or at times severe mental health symptoms including but not limited to depression, apathy or consistent use of negative coping mechanisms which exacerbates the problem.
3. Emotional/Behavioural challenges with the child or behaviour beyond parental control—This manifests as the child having difficulty dealing with situational stressors, crises or problems which impairs their functioning. This involves the child displaying periodic mental health symptoms including but not limited to depression, anxiety, self-harm or suicidal ideation, running away, hostile behaviour, substance usage (predominantly marijuana usage), or the child having episodes of extreme acting out and testing limits.
4. Household Relationships and Family Violence—Frequent discord or family violence. The household experiences increased disruption of positive interactions coupled with lack of cooperation and emotional, verbal or physical abuse between adults. Custody and visitation issues are characterised by frequent conflicts. Ultimately the parents' relationship creates significant stress and risk for the child's emotional and developmental well-being. We see children in these situations exhibiting behaviours ranging from anxiety, depression, and disassociation to learned volatile behaviour manifesting in school and out of school environments.

During 2019, Madam Chairman, 64 new cases were referred to Family Preservation. Throughout the year a total of 57 cases were closed. All closed cases were void of child safety or child protection issues at closure. Three cases were transferred to out of home services such as foster care and Residential Treatment Services, due to an increased safety risk in the home.

- Forty-two achieved service plan goals where [there were] no child protection issues at closure. This represented 74 per cent of case closures.
- Five aged out and declined further services.
- Six declined services. Assessment indicated family would benefit from services; however, there were no safety issues at closure.

- One relocated to the UK with a family member.
- Three transferred to out of home services (one to foster care and two to Residential Treatment Services).

During the year there were 65 re-referrals on children to Intake of parent/guardian abuse/neglect on open cases to Family Preservation. This is a decrease from the previous year where there were 3 for emotional abuse; 53 for neglect; 5 for children beyond parental control; and 4 service requested for preventative support.

We note that neglect remains as the highest category with respect to re-referrals on open cases with child exposure to domestic violence as the greatest contributor to the high neglect figure.

Madam Chairman, the Family Preservation Team would also like to report on performance outcomes. The department constantly assesses outcomes to determine if intervention is effective and determine when and where adjustments to service delivery need to occur. Family Preservation performance outcome measures for 2019 were as follows:

- Percentage of Family Risk Reassessments for abuse and neglect completed demonstrated behaviours consistent with or some improvement in behaviour by participating in service plan goals—82 per cent of households were assessed.
- Percentage of households where risk of abuse or neglect has decreased or remained low/moderate—75 per cent of households were assessed.
- Percentage of closed cases closed due to families achieving goals—74 per cent of families had cases closed with DCFS due to achieving service plan goals.

Madam Chairman, in 2019 the department continued with its commitment to increase the skills of its front line family intervention workers in engaging and meeting the needs of the clients we serve, through the completion of the Homebuilders Core Curriculum which started in 2018. The training was designed to introduce the team to the Homebuilders programme philosophy, programme structure and the treatment practice that is fundamental to delivering high quality Homebuilders Family Preservation and Reunification Services. Skills that were attained, Madam Chairman, were as follows:

- Motivational Interviewing (a client-centred approach to helping clients better understand and resolve their ambivalence about change);
- Relapse Prevention which is an introduction to the evidence-based strategies for addressing and preventing relapse of addictive and other behavioural problems;
- Implementing cognitive and behavioural strategies with clients and teaching skills to families; as well as

- Improving decision-making through critical thinking;
- Working with families with domestic violence.

Madam Chairman, at the core of Family Preservation is the understanding that if we can improve the functioning and circumstances of the parent/adult caregivers of the children, we can reduce the risk of abuse and neglect of children. As such, it is vital that we provide training to our staff to increase their skills in engaging and providing intervention services to our families.

The Family Preservation team continues to strive in providing effective service to children and families. Performance improvement is an ongoing endeavour, thus enhancing the opportunity for improved client outcomes. The data gleaned from 2019 has been utilised to establish annual plan goals and objectives for 2020, striving towards increased positive client outcomes. The Department of Child and Family Services commends the Family Preservation Team and its coordinators for their commitment to families through 2019.

Programme 2304—Administration

Hon. Kim N. Wilson: Madam Chairman, the activity covered in Programme 2304 is Administration, and I am still on page B-101. The estimate for this programme [for the fiscal year 2019/20 was] \$1,743,000. [The estimate for 2020/21 is] \$3,001,000 reflecting a budgetary increase of \$1,258,000, or 72 per cent.

Madam Chairman, the Administration section of the department is responsible for the general supervision of the sections within the department and the oversight of the Psycho-Educational Programme. All staff development and training is delivered via this section and as previously highlighted, training in all sections of the department has been purposefully aligned with the overarching goal of providing a comprehensive, seamless continuum of services that meets the complex needs of our client population.

Madam Chairman, DCFS has taken a huge step to improve the onboarding and ongoing core training for all employees through partnership with Relias training solutions. Relias offers a cost-effective, comprehensive online training and management system for organisations to provide on-demand access to courses for their entire staff with both monitoring and reporting capabilities.

This training solution is endorsed by the Child Welfare League of America (CWLA) who partners with Relias to provide easy access to a broad range of continuing education and professional development online courses for child welfare and human service workers, clinicians, supervisors, and managers. This includes a series of courses on topics targeted to those who work with children who have experienced trauma.

The training solutions also have customisable elements which allow for the department policies and procedures and legislation training to be built into the system allowing for consistency and accessibility to necessary training for all staff. We expect staff to commence training in the Relias system in April 2020.

Madam Chairman, the Administration section is responsible for reviewing all policies and procedures and making the necessary recommendations that will expand the capacity, scope and quality of our social service delivery system. Given the current fiscal restraints coupled with the increase in demand for more specialised and therapeutic services, the Administration section continues to review all of its resources to ensure they meet client needs.

In this budget year, the Administration section will finalise the implementation of its approved reorganisation structure and strategic plan, complete recruitment so that the department is fully staffed and look for continued opportunities of performance quality improvement. This section will continue with modernising the department's strategy of providing comprehensive assessments of all referrals so that clients receive the appropriate service from the appropriate agency thereby reducing referrals and enhancing outcomes thus, ensuring that each section maintains their accreditation standard.

The Psycho-Educational Programme was developed to focus on children who could not be effectively treated in Bermuda or those who had exhausted all available local therapeutic/treatment services. Although our ability to diagnose various psychological, behavioural, and educational problems has improved, more children are being identified with various psychological, social/emotional and psychiatric conditions that are currently unable to be fully treated locally. The Psycho-Educational Programme affords us the opportunity to have external input with regard to therapeutic intervention and aftercare services.

Overseas schools utilised by the Psycho-Educational Programme are chosen based on the area of treatment specialty they are licensed to provide. After clinical review and based on the needs of the child, recommendations are made by the assessment team on best school options. The department has sought for several years to find schools on the East Coast to meet the needs of our children but unfortunately only a limited number have been able to meet the therapeutic needs of the children we service. It has also been identified that it is not cost-effective to provide all of the services in Bermuda, because of the insufficient client base in each area.

The Psycho-Educational Programme provides children and youth with protection, care, and nurturance by licensed therapeutic overseas facilities. Psycho-Education programmes provide a safe, supportive and therapeutic environment for a child, while working collaboratively towards either family reunification or an alternative permanency option.

The Psycho-Educational Committee is comprised of representatives from the following:

- Ministry of Health (not currently active);
- Child and Adolescent Services;
- Ministry of Education; and
- The Department of Child and Family Services.

With the Psycho-educational Programme, during 2019, a total of 17 clients were serviced overseas in therapeutic placements for a complexity of issues identified across the Diagnostic and Statistical Manual of Mental Disorders (DSM-V) Criteria of Mental Disorders. The purpose of the DSM-V is to provide clear descriptions of diagnostic categories in order to enable clinicians to diagnose and treat people with various mental health disorders. Each client received an assessment from local service providers which determined an individualised treatment plan and intensive interventions, according to the diagnostic categories defined by the DSM-V.

The Psycho-Educational Committee in the best interest of the child utilises an overseas service provider that specialised primarily in providing clinical and comprehensive assessments at a university hospital. The implementation of such an assessment was utilised to assist DCFS in obtaining a clear and comprehensive understanding of the needs of the referred Psycho-Educational clients without an identified diagnosis or those that did not engage at all with local service providers. The comprehensive overseas assessment assisted in the development of a dynamic, individualised treatment plan that has facilitated the most appropriate match of local community resources or an overseas therapeutic placement that will meet the client's specific need.

Madam Chairman, a total of four Psycho-Ed clients were approved for an overseas placement at the University of Neuro-Psychiatric Institute for a comprehensive overseas assessment. The Comprehensive Assessment and Treatment (CAT) programme at the University Neuropsychiatric Institute, located in Utah, offered our clients a four- to six-week comprehensive clinical evaluation in a safe and secure environment. The multi-disciplinary treatment team assessed psychiatric and medical conditions, provided behavioural and educational assessments, psychological testing, therapy, and when necessary, addressed chemical dependency issues.

The programme included psychiatric evaluations provided by board certified Child and Adolescent Psychiatrists with diagnostic expertise in major depression, bipolar, schizophrenia, ADHD, reactive attachment, autistic spectrum disorders and substance abuse. The CAT programme conducted full psychological and neuropsychological testing and therapy provided by PhD psychologists. Most importantly, Madam Chairman, CAT utilised a collaborative approach constructed by a complete multi-disciplinary team consisting of child psychiatrists, paediatricians, psychologists, nurses, licensed clinical social workers,

recreational therapists, art therapists, music therapists and education specialists.

All four, Madam Chairman, of the Psycho-Ed clients who completed the CAT programme were recommended for treatment in an overseas therapeutic placement that matched the determined diagnoses and other treatment recommendations. A definitive and comprehensive report inclusive of a summary of findings, clinical treatment plan and recommendations to meet the clients' specific needs was provided to DCFS, immediately upon discharge, in a book format.

The current data revealed that of the 17 children receiving treatment 13 were male and 4 were female. Clients presented significant problems in various DSM-V multi-axial classifications.

Madam Chairman, this data is identical to the data collected in previous budget years. Also, identical was that all Psycho-Ed clients had an Axis-V Diagnoses categorised as psychosocial and environmental problems. A psychosocial or environmental problem was defined in terms of a negative life event, an environmental deficiency, a familial or other interpersonal stress, an inadequacy of social support or other problem relating to the context in which a person's difficulties developed.

All Psycho-Ed clients serviced overseas received the Global Assessment of Functioning (GAF) with a scoring range of 20 to 50. A score of 50 is defined as having serious symptoms or serious impairment in social, occupational or school functioning, and 20 is defined as having danger of hurting self and/or others. The result of low Global Assessment of Functioning (GAF) scoring required that all Psycho-Ed clients receive intensive clinical treatment and a longer duration of treatment options coupled with one-to-one staff interventions, psycho tropic medications, frequent team meetings, psychiatric hospitalisations, family intervention programmes and therapeutic visits, all of which have increased and impacted the programme's cost significantly.

Madam Chairman, the Ministry of Education continues to lack resources and is not equipped to service clients who are conduct disordered and high risk in the community. Consequently, applications are made to the Psycho-Ed committee requesting an overseas placement for a young person that is not able to be serviced in a traditional school environment.

Madam Chairman, 100 per cent received some sort of alternative education due to educational gaps prior to being enrolled in an overseas therapeutic placement. The Ministry of Education has had an increased demand to continue to seek alternate educational placements with local vendors in the community prior to referring a child to Psycho-Ed for services overseas.

Large demands continue to be placed on the Department of Child and Family Services as a result of the Ministry of Education's lack of resources and

the overall inability to service children in a traditional school setting. Without the High-Risk Intervention Team [HRIT], DCFS lacks an adequate response to the increase [of] referrals for this group. Where skill set and resources allow, Family and Educational assessments and school support are provided by their Assessment, Counselling and Life Skills Teams and their Residential Care officers.

Also, there has been no relief in the time spent responding to PATI and media requests, preparing court documents to support care and supervision orders and to provide status updates. Consequently, client contact time continues to decline due to the demands of the Family Court process, guidelines and overall expectations.

Madam Chairman, at this time we would like to thank the staff within the department for their dedication to providing effective services to those families requiring the array of services they provide.

An Hon. Member: Hear, hear!

HEAD 74—DEPARTMENT OF COURT SERVICES

Hon. Kim N. Wilson: Madam Chairman, turning now to Head 74, which can be found at page B-107 of the Budget Book, and this relates specifically to the Department of Court Services. For this budget year, Madam Chairman, they received the sum of \$4,727,000—this has been allocated to Head 74, Department of Court Services, within the Ministry of Legal Affairs. This represents a 1 per cent increase from the current 2019/20 year in the sum of \$69,000.

Madam Chairman, the Department of Court Services' [DCS] budget disbursement is primarily comprised of salaries for personnel and basic operational expenses. The department plays the lead role in the assessment, rehabilitation, treatment, and case management of offenders in the community who are subjects to statutory orders. Correspondingly, it delivers comprehensive assessments and makes referrals to treatment agencies for all substance abusers, via the Bermuda Assessment and Referral Centre (BARC). The manpower figures for the Department of Court Services are on page B-108 of the Budget Book.

Madam Chairman, the department has continued to withstand challenges encountered by and through the diverse clientele who present varied degrees of risks. Many of the challenges are exasperated by economic hardship, lack of residential accommodations and varied tensions in the community. Some pervasive issues include, but are not limited to, unemployment, mental health issues, lack of housing, misuse of substances, parenting challenges, childhood and adult trauma, [anger] issues, gang affiliations, cognitive deficits, ineffective role models, negative peer influences, educational deficiencies or deficits, as well as unsatisfactory leisure activities. Whilst

there has been a thrust to identify root causes, there is no definitive community research in this regard.

Whilst the department reached some milestones during the past fiscal year, it also continued to resolve staffing shortages via the established protocols.

The department continues to operate seven cost centres within three distinct programmes.

Cost Centre 7402—Administration

84070—Court Services Administration

Hon. Kim N. Wilson: The budget for the administration unit has remained the same as the prior year. Salaries for senior management, technical and administrative support personnel, totalling \$723,000 constitutes the majority of the allocated funds. The remaining expenditure of \$692,000, covers building security, training, software and electronics/technology, office cleaning, apprenticeship, counselling, operational equipment and supplies.

This department has continued to utilise more than 65 per cent of the accessible Electronic Monitoring Devices (EMDs) since inception of the programme. A new contract has been entered into during this fiscal year for the sustained operational effectiveness in using these devices across Ministries. The Nightlight programme (curfew checks) remains viable, in spite of recent adaptations as a result of the Bermuda Police Services' manpower issues.

Departmental policies and procedures remain under active revision for standardisation of operations, data collection, and evolving evaluation methods. In addition, training to maintain certification standards related to sex and violent offenders remains a work in progress with an aim to promote a continuum of care. Community sentences under the remit of this department are life changing and motivate offenders to examine their behaviours, challenging them to alter their lifestyles and behaviours and to confront the difficult and challenging issues that they face. Partnerships with stakeholder partners in wider criminal justice ventures result in all related fiscal interfaces being driven from existing budgets.

Madam Chairman, the specialist Treatment Court Programmes operated under this department maintain effectiveness in meeting the needs of participants and curbing their offending behaviours.

Cost Centre 7401—Case Management Unit

Hon. Kim N. Wilson: The Case Management Unit is overseen by a manager and comprise of the Drug Treatment Court Programme [DTCP], Probation, and Parole Teams. Vacancies in the unit remain active with recruitment drives that have been extensive in keeping with wider public service policies and direc-

tives. Each case is managed according to the offenders' risks, as well as their needs.

Personnel within the unit give representation on several interagency committees or groups. The aim is to enhance collaborative efforts, communications, promote training and generate data collection. The 2020/21 budget allocations will be dispersed in the following three cost centres:

Cost Centre 84010—Probation Services

Hon. Kim N. Wilson: The Probation Team oversees probation [orders] which are robust, and challenges offenders to change their offending behaviour and lifestyles. This is reinforced through office and field visits, as well as contacts with significant others to ascertain a more accurate synopsis of the clients' functioning and responses to supervision. There are currently 81 sentenced to this form of supervision. Whilst this is a decline over past years, it is anticipated that the numbers will soon increase again.

The allocated Probation Services budget of \$507,000 is broken down as follows:

- [There is] \$485,000 for employee expenses, which represents salaries.
- The other operational expenses total a sum of \$22,000, Madam Chairman, which includes cell usage, assessment materials and outsourced treatment services, if required.

Madam Chairman, successful delivery of the Probation Team's services in the upcoming year will include more accurate data analysis and refined site visits to observe offenders in their environments. This will assist officers in mitigating risk needs levels and responses.

Cost Centre 84020—Parole Services

Hon. Kim N. Wilson: Madam Chairman, individuals released on early conditional release from the correctional facilities, by the Parole Board, are supervised for the duration of their sentences under the supervision of an officer from the Parole team.

The allocated Parole Services budget of \$409,000 is broken down as follows:

- \$392,000 to cover employee expenses and salaries; and
- \$17,000 for operational expenses.

To promote the successful delivery of Parole Services, gang-related and other high-risk parolees were required to wear the Electronic Monitoring Devices [EMDs]. This ensured that identified persons refrained from visiting high risk places and limited the degree to which high risk individuals were able to associate with each other, which proved effective.

There are currently 63 individuals on parole and the conditions of their respective orders vary according to their need of supervision coupled with the risks that they pose to themselves and others.

Cost Centre 84080—Drug Treatment Court Programme

Hon. Kim N. Wilson: Madam Chairman, the Drug Treatment Court Programme [DTCP] remains the leading model for a team approach to offender supervision. Currently, there are 26 participants in the Drug Treatment Court Programme plus 14 persons observing for potential admittance into the programme.

Two persons graduated from the programme in the past year, as two others had to recommence Phase Four due to relapsing. The team maintained quick response time to client non-compliance and facilitated the transition of clients across levels within the treatment continuum. A varied stream for offenders convicted of Driving Under the Influence [DUI] offences continues to emerge with a finite operational structure under consideration. At present, there are nine individuals in the DUI stream.

The \$438,000 budget allocation for the Drug Treatment Court programme is distributed for the rehabilitation of offenders whose offending is directly attributable to their substance abuse, and includes urinalysis assessments, counselling and overseas conference. Private psychological and counselling services address issues that contribute to the offenders' use of substances.

The majority of these funds for the Drug Treatment Court Programme represent salaries, in the amount of \$390,000. The remaining \$48,000 covers operational, as well as assessment and treatment services for the programme. In essence, this has enabled offenders whose substance misuse contributed to their offending to be afforded treatment and upon completion of the programme their index offence can be expunged.

Madam Chairman, during the next financial year the Case Management Unit, overall, proposes promoting officer well-being, and exerting more focus on re-assessment of clients as main objectives. Performance measures have been revised for future outcomes, and revision and enforcement of standards will ensure effective enforcement of the requirements of statutory orders to hold offenders to account.

Cost Centre 7403—Assessment and Treatment Unit

Hon. Kim N. Wilson: Madam Chairman, the Assessment and Treatment Unit of the Department of Court Services provides accurate and comprehensive assessments, reports and treatment programmes which identify risks and criminogenic factors that clients pose to the community. These interventions guide service delivery and assist in reducing relapse rates. Madam Chairman, 18 personnel function under the direction of the unit manager.

The unit's four teams, each under the supervision of a coordinator, operate under three cost cen-

tres. Regulation of its operational procedures remains a priority in this unit.

Cost Centre 84030—Aftercare and Community Integration Service

Hon. Kim N. Wilson: Madam Chairman, this programme includes Community Service Orders [CSO] and the Mental Health Treatment Court Programme [MHTCP], consisting of two officers supervised by the coordinator.

During the past fiscal year, [25 offenders were sentenced to a total of 2,317] hours of community service of the hours by the Courts. Madam Chairman, 67 per cent of those hours were completed.

The Mental Health Treatment Court Programme is a valuable programme for individuals who come into the criminal justice system with diagnosed and treatable mental health issues. There were 23 new referrals this year. We highlight that the performance measures for this team were 100 per cent in all areas indicated. One significant challenge is the inability for clients to access the relevant residential treatment services required. Over the last reporting period, 60 per cent of the 23 clients required suitable housing and treatment.

Significant activities for the upcoming fiscal year, Madam Chairman, include:

- To continue to explore residential and dual diagnosis options for clients with mental health challenges. This is a dire need and we are working collectively with other Ministries toward this end, in addition to enhancing skills building.
- Outline the framework for programme evaluation.

The salary estimate is \$307,000 and the additional outlay of \$28,000 is for specialised mental health and vocational assessments, vehicle fuel, maintenance of programme equipment, and cell phones.

Cost Centre 84040—Community Based Programmes Team

Hon. Kim N. Wilson: The Community Based Programmes, Madam Chairman, which is located at line item 84040. The Community Based Programme Team continues to deliver accredited programmes to high-risk offenders, such as sex and violent offenders. The team was drastically short-staffed for the majority of the year. The team composition is three senior probation officers who are specialists overseen by a psychologist/coordinator.

Some of the outcomes for the team are highlighted:

1. Programmes Team to offer at least 12 offending behaviour groups.

Outcome: This target was exceeded with 19 offending behaviour groups run over the 12-month period.

2. Maintain an overall client attendance rate (individual and group sessions) of 70 per cent.

Outcome: This target was achieved with an overall average attendance rate of 71.4 per cent, and 73.4 per cent attendance rate for individual session and 69.8 per cent average attendance rates for groups.

In addition to meeting these targets the Programmes Team offered 1,153 client contacts over the past year period.

Madam Chairman, we also share that the re-offending rate for sex offenders enrolled in the community sex offender programme remains at zero.

Objectives are accomplished with a financial disbursement of \$494,000. Clinical expenses, operational and training expenses amounted to \$40,000 and a majority of the funds cover salaries totalling \$454,000.

During this upcoming year, the team will do the following:

- Increase and monitor its referral base.
- Outline criteria for ongoing evaluation and training regimes.

Cost Centre 84060—Assessment Team

Hon. Kim N. Wilson: The Assessment and Treatment Team, consisting of the Report Writing and the Bermuda Assessment and Referral Centre (BARC) teams compile timely, comprehensive and succinct reports and assessments to aid in referrals and the disposition of cases.

The Report Writing Team had a total of 186 reports for the calendar year. It is noted that more offenders are declining parole, hence a slight decrease in numbers.

Madam Chairman, there were eleven reports compiled on gang members, which was down 58 per cent over the preceding year. DCS remains an active participant on the Gang Task Force.

The BARC Team, in particular, met direct challenges tenaciously and conducted a total of 220 reports in the past year. The length of time for clients to enter into treatment remains a challenge for the department. This compromises persons who are mentally ready for treatment yet having their entrance into treatment programmes delayed. This is not a control factor within the department's remit but was in compliance with the agencies' accreditation standards and policies. Of the 75 clients referred for residential treatment, only five entered into the residential treatment facilities. Of note, an additional officer met the BACB's certification criteria and is awaiting Board confirmation.

Madam Chairman, salaries for the 11 personnel total \$1,079,000 which is the only uplift in expenditure. The residual \$50,000 allows for assessment materials, operational repairs and supplies, cell phones, local training, and journals.

The budget year 2020/21 initiatives include, Madam Chairman, to explore an additional assessment tool to enhance treatment for substance abusers.

Madam Chairman, the department forecasts that in the upcoming fiscal year, funding will be utilised for certification of some officers in targeted interventions, such as trauma and substance misuse, as these will assist in targeting root causes of behaviours and ascertaining criminogenic needs. This, as shared, will mitigate costs in private services.

Ongoing professional development is critical for officers in this department as more astute analysis of offenders' risks is being applied. This also promotes compliance to specific international standards and the safety of officers. Enhancement of standards coupled with operational procedures will be further expanded and evaluated. Therefore, a revised training curriculum is being implemented this year and will coincide with forward job plans, and future performance appraisals.

Madam Chairman, in these challenging and rigid times, this year's budget for the Department of Court Services provides the fiscal framework to sustain programmes and services at a bare level utilising all resources at its disposal. It is challenging with the lack of supportive services such as residential options and dual diagnosis programmes and services.

In recognising that offending and other social problems will not be eradicated instantaneously, the efficiency and integrity of the department is supported by using motivational endeavours with clients and their significant others. The department's treatment, assessment, accountability and rehabilitation regimes continue to lessen the effects of offending, and the impact of associated risks on the community.

Attempts by personnel to challenge behaviours in clients are often met with resistance. Officers conduct curfew checks, visit homes and attend events in the community to monitor clients more vigorously. They also use electronic means to augment supervision tactics. These responsibilities present safety risks, yet officers are dedicated to transform lives and deter further offending or relapse. We note that some offenders prefer to forgo supervision which they view as being onerous, this was also mentioned as relates to offenders denying parole more recently.

The Offender Risk Management Team, thrust by the Criminal Code Amendment 2018, which is the sex offender's management, is operational and work remains in progress to better manage, monitor and assist sex and violent offenders through this accountability framework.

The Nightlight Programme, the curfew regime, saw pitfalls and accomplishments. Due to manpower issues, the Bermuda Police Service (BPS) was not able to sustain escorts in accompanying the probation officers. After further review, the departments' team went out in "threes" to carry out this function. This will not be sustainable moving forward, unless there is a renewed mechanism to bring the required results. This will be rectified, and new procedures employed for operational, overall safety and efficiency purposes. For data sharing purposes, there were 28 nights when checks were completed in March 2019 alone and accompanied by the Bermuda Police Service. Since we recommended checks without the BPS in June, there have been a total of 78 checks on various nights since that time, averaging 11 nights per month during that period.

Madam Chairman, the department has embraced new initiatives, without increased fiscal resources for several years. We acknowledge the hard work of the department's officers and support personnel who work collaboratively with partners to further validate the protection of the community. The department will re-implement its staff recognition awards to motivate and encourage personnel in this often thankless profession.

Madam Chairman, this ends the presentation for Head 74, the Department of Court Services, and highlights the operational use of its expenditures. I take a brief moment to thank all personnel in this department who face the risks and challenges of the job with steadfastness and determination.

Madam Chairman, that ends the submissions with respect to the budgets, namely, Head 87, Head 3, Head 4, Head 23 and Head 74.

Thank you.

The Chairman: Thank you, Minister.

At this time, I would just like to let the listening public know that we have approximately one hour [left]. We will be concluding at 8:46 for the Heads that were previously mentioned.

I welcome any Member to speak. I recognise the Member from constituency 22.

Mr. Scott Pearman: Thank you, Madam Chairman.

Let me start with formalities and let me thank the Honourable and Learned Minister of Health who is babysitting the brief for the Honourable and Learned Attorney General. But let me also recognise that the, I believe, the Honourable and Learned—there is a pillar in my way, but there was, I did see sight of her earlier so let me also acknowledge the presence in the Chamber of the Honourable and Learned Attorney General and indeed the Permanent Secretary and indeed their team. It is your job to prepare this brief and what a *tour de force* of a brief it was, and it is my job to try to ask questions and make observations to

hold the Government to account. And that is what I propose to do.

Let me start that by observing that last year this debate was only three hours and the Honourable and Learned Minister, who is accomplished with her briefs, took almost all my time, and this year I begged for a further hour and it seems that did not help much. I will resist the word "*filibuster*," but that was certainly a comprehensive presentation.

Let me next turn to the Ministry as a whole, and for those who have the benefit of the Budget Book (and not everyone does), it is page B-82 of the Budget Book. What I propose to do, Madam Chairman, is just a quick whistle-stop tour of the highlights of the Ministry and the Heads at page B-82 and then a quick turn to Head 3, the Judicial Department.

After that, we are going to move to Head 23 which is the Department of Child and Family Services and at that point I know that there are a number of colleagues on this side at least who have questions for the Minister. So, I will bowl a few overs there, but then turn over to my colleagues. And then to the extent that there is any time left after their questions, which I very much doubt, we will turn to the other Heads. So, that is the framework of the discussion.

If we look at page B-82, we have the Ministry of Legal Affairs and the seven substantive Heads under that Ministry. Only five of those Heads are on for debate today, namely the Legal Affairs Headquarters, the Judicial Department (which in shorthand is the Judiciary), the Attorney General's Chambers, the Department of Child and Family Services and the Department of Court Services.

The Honourable and Learned Minister concluded her remarks by noting that these are challenging and rigid times. Indeed they are, but let me start with a general observation and it is this: the cost to the public of Bermuda for all five of these Heads is going up under this budget—all five. I would just like to put that in context looking at the budget numbers as a whole.

I would like to remind those present in the Chamber and listeners that in 2017/18, which was the last year in which the OBA had a budgeted year, the budget for this Ministry was \$42.5 million—\$42.5. Spending then increased under the first year 2018/19 to \$45.9 million. Then the next year with the PLP Government, 2019/20 was up from \$45.9 million to \$49.07 million and now as we can see from page B-82, the estimated budget for the year 2020/21 is to be \$50.1 million.

So, just taking it to a very high level, that is an increase in spending of over \$7.6 million in the past three years since the PLP has been the Government. Now whether you think that is a good thing or a bad thing, likely depends on your politics. But it is certainly a change in position.

Given those increases and projected increases, my first question for the Honourable and Learned

Minister is this, What plans are there, if any, to bring the cost of spending down for the Ministry of Legal Affairs?

Hon. Kim N. Wilson: Madam Chairman, with your lead, I think it may be a more productive use of time recognising that I am, as the Honourable and Learned Member said, babysitting this brief, that if we go through and I can get all the questions that are asked and then I can wait on the responses from the team.

The Chairman: That is fine. We can do that.

I recognise the Member from constituency 22.

Mr. Scott Pearman: Thank you, Madam Chairman.

I only have three questions in respect to the Ministry of Legal Affairs as a whole, and that is the first one. I am happy to put the other two.

Still on page B-82, Public Sector Employees. Employees is the last line item on the page. This Ministry had 300 employees in 2017/18, the last budgeted year for the OBA. This increased to 319 in the 2020/21 estimate. This is a 6 per cent increase in staff since the PLP has come to power, which the 6 per cent is calculated by the difference between 300 and [319].

Now, we know from the budget statement given to this House by the Minister of Finance that this Government is not wanting to reduce the size of Government. And so, given those increased numbers and projected increases, my second overarching question of three for the Minister is this: Is the PLP Government committed to the maintaining of the size of this Ministry in the next budgeted year—maintaining the size—or will we see growth?

Madam Chairman, I am very happy to put my third question so the Minister can answer all three and this is one as to the revenue overall in the Ministry. And more specifically to the line item for the Ministry of Legal Affairs Headquarters in which we see no revenue and I will come back to revenue in respect to the Judiciary separately. But we have no revenue for the Ministry Headquarters and so, in view—

The Chairman: What page are you referring to?

Mr. Scott Pearman: That is Head 87 at page B-82, line 87. Thank you.

The Chairman: Thank you.

Mr. Scott Pearman: So, it is a nil revenue. And the question is that . . . other than the Judiciary, which we will return to in a minute, there is very little revenue coming in to this Ministry as a whole and we have just seen that the costs are going up and the numbers of those employed have gone up. And so, my third and final question on the Ministry as a whole is, What is the thinking behind the Government in growing this

Ministry both in terms of expenditure and headcount when Bermuda already has such a high debt level?

Those are my three questions for the Minister before turning to the next Head.

The Chairman: Is there any other Member that would wish to speak?

I recognise the Member from constituency 36.

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

First, I want to commend the brief presented and prepared by the Honourable and Learned Madam Attorney General, Senator Kathy Lynn Simmons. I want to commend the Minister of Health Wilson who has actually had to carry an incredible set of barrel bricks over the last few days dealing with coronavirus and then to turn up here today and complete and discharge this incredible brief on her feet dealing with Legal Affairs—and she has done a very fine job.

Legal Affairs, Madam Chairman, as a brief in this country really is a re-visitation of the Pitt Report and its assessment of this country, Judge Tumin's Report, Dr. Clark's Report and not to forget Professor Dorothy Newman.

Looking at the statistics and—they may strike all Members of this House, but looking at the state and problem in this country when Minister Wilson is dealing on pages 13 through 15 of the Department of Child and Family Services, looking at the state and problem of the need for protection of our children in this country is a serious matter. The whole question of our response has been historic. Lord Pitt talked about it. Judge Tumin talked about it. Professor Clark talked about it and Professor [Newman] analysed it. And \$5 million assigned under this budget for services to some 500 investigations and about 500 families impacted by the state of play of infants being exposed to drugs in homes, referrals of—discovered and the Attorney General has shared these experiences in her brief because she has experienced them upfront—of broken bones and burns and bruising appearing on our children.

Madam Chairman, \$5 million was assigned for just supporting services is entirely inadequate. This \$5 million represents, Madam Chairman, the biannual salary of senior management partners of some of our large firms, in just two years. It probably represents the bonuses—annually—of some of our international business players in this jurisdiction. It is inadequate and it is incredulous for the Honourable and Learned Member Mr. Pearman to actually question these allocations for the problem that we face—

The Chairman: Member, I just want to know if there is a question relating to the Budget Book part of it.

Hon. Michael J. Scott: The question is really simple: Will there be additional funding—because I have asked this question—will there be additional funding

for both services and assessments provided in future budgets? Because the country is in crisis in connection with the protection of our families and children.

POINT OF CLARIFICATION

Mr. Hubert (Kim) E. Swan: Point of clarification, Madam Chairman.

The Chairman: I recognise the Member from constituency 2.

Mr. Hubert (Kim) E. Swan: The Honourable Learned Member, Mr. Pearman—I do not believe he is comparing apples with apples. At the benefit of being able to go back a number of years, I just want to point out something, just my little country boy from up the way. Legal Aid in 2010 and 2011, \$2.3 million for Legal Aid. Legal Aid in 2020/21, \$1.85 million was attributed to Legal Aid there.

To me, that does not reflect what the Honourable Member was trying to portray, and if you look at Head 87, what you will see is other departments through realignment coming into those particular Ministries. So, Legal Aid would form a major part of what the Justice Department does.

So, when you look in the modern context of this Budget Book, you would see things such as FSIU making things such as the sanctions unit—well even the Mirrors Programme formed part of this area now. So, financial crime and all that we have to do overseas is now impacting on this particular Ministry. So, we are not getting apples compared to apples from the Opposition in their opening salvo, I am sorry to say.

The Chairman: I recognise the Member from constituency 9—he was a little faster than you, Member.

Hon. Trevor G. Moniz: Thank you. Thank you, Madam Chairman.

I appreciate it because I want to jump on the coattails of the Honourable Member Kim Swan to talk about Legal Aid in that the Ministry Headquarters at Head 87, to look at Legal Aid—and he is right. Certainly, when I was there in the position of Attorney General there was a policy to try and bring Legal Aid attorneys inside the department—

[Inaudible interjection]

Hon. Trevor G. Moniz: We are talking about Legal Aid, 97030.

[Laughter]

The Chairman: Members.

Hon. Trevor G. Moniz: I think that is the Member who is growing fat from Government contracts.

So, we have them bringing inside, bringing in defence counsel inside the Legal Aid Ministry. Now the specific question I have with respect to Legal Aid are the numbers on page B-85, it talks about Legal Aid and it talks about going from full-time equivalent of eight going up to a full-time equivalent of 10.

Now the problem I have and the question I have which I asked a year or so ago—at some point in time the Senior Legal Aid Counsel was Ms. Susan Moore-Williams and I believe she was seconded to the Post Office and she was a substantive post holder. Since that time, I think one of the leading and very good defence counsel was brought in house, Charles Richardson. Now, what I do not understand—we have had discussion in this House before, the Government seemed to have some confusion as to whether he is a, he is a civil servant but he is being appointed to the substantive post or whether he is on some sort of consultancy contract. I have seen on occasion where he is representing people in court who do not look like they are Legal Aid people and that he is still operating his practice which would indicate to me that he is on some sort of consultancy contract.

Hon. Zane J. S. De Silva: Like Ambrosio.

Hon. Trevor G. Moniz: However, the difficulty with that is that he signs himself off . . . I have certainly seen him sign himself off as the Acting Senior Legal Aid Counsel. And, of course, you can only be in an Acting position if you are a member of the civil service. So, he is either a member of civil service or he is a consultant. But if he is a consultant, then he cannot sign himself off as the Acting Senior Legal Aid Counsel.

I would like a definitive answer as to what the plan is there. Is the plan to keep him there in a permanent capacity and he is now a civil servant? Or is the plan that there is a substantive post holder who is going to be brought back after a secondment elsewhere in the civil service, I believe at the post office?

So, I think that is something that should be definitively answered by the Government. As I said, it was raised before, a year ago, and one Member of the Government said he was a consultant and another one said, no, he was a substantive post holder.

Thank you, Madam Chairman.

The Chairman: You are welcome, Member.

Does any other Member wish to speak?

I recognise the Member from constituency 22.

Mr. Scott Pearman: Thank you.

Just by way of clarification, I thought the question that I posed was clear and I actually looked over at the Minister and I think that she thought it was clear as well. I was only dealing with the overall budget of the Ministry of Legal Affairs. I was not under Head 87

and it was that overall budget that increased by \$7.6 million, not \$5 million—

Mr. Hubert (Kim) E. Swan: Point of order, Madam. And my point of order is this—

The Chairman: I recognise the Member from constituency 2.

POINT OF ORDER

Mr. Hubert (Kim) E. Swan: Thank you. And I was making the point, whilst I referred to [Head] 87 because I went to a line item under [Head] 87 that actually had not increased but was still substantive, if you look at Heads 87, 3, 4, 23, 74, 75, 78—a number of them would not have fallen under Justice at that particular time that he was referring to. So, to say that there was an increase . . . yes! Other Heads were not part of those Ministries at that time.

The Chairman: Thank you.

Mr. Hubert (Kim) E. Swan: That is the point I was making.

The Chairman: Proceed, Mr. Pearman.

Mr. Scott Pearman: Thank you, Madam Chairman.

I would be grateful for an answer to the questions posed so that we can move on to the next Head, if the Minister is prepared to answer the questions. I do not think she needs people running interference for her, but I will see how it goes.

[Laughter]

The Chairman: Member, keep it clean.

Hon. Kim N. Wilson: Madam Chairman, thank you.

Madam Chairman, with respect to the three questions that were asked by the learned and honourable friend concerning the cost of spending and what steps are being done to reduce the cost of spending with respect to this Head, as I indicated previously in the brief one of the items that has been historically over budgeted for is Legal Aid. So, what the Chambers has done is they have retained the services of three legal posts.

Previously there was one Legal Aid Counsel, the Senior Legal Aid Counsel, which was just spoken about, and they have retained the services of three. So, there are four counsel in [house]. So, as opposed to farming out work there are four counsel in house that are conducting a large percentage of the Legal Aid matters.

With respect to the question concerning the revenue, because of the nature of this particular de-

partment, there is no revenue generated by this department.

There was a question about staff accountabilities—

An Hon. Member: Staff numbers.

Hon. Kim N. Wilson: No . . . oh, yes. The spending.

Madam Chairman, with respect to the spending in the, the staff spending . . . sorry, the spending. It is based on the programme. So, if the programmes are such that there is a requirement for increased spending because of the nature of the programme, such as, for children, the Government is prioritising across the government the areas that we think are the most important to be addressed which would have been announced at the Budget Statement. One of those such areas does involve our commitment to children and families and as such there was an increase in spending concerning that with respect to this budget.

The Chairman: I recognise the Member from constituency 33.

Hon. Jamahl S. Simmons: Thank you, Madam Chairman.

I am going to speak briefly on Head 23 and particularly a point that was raised by the Minister in her presentation where she said, and I quote, “there has been no relief in the time spent responding to PATI and media requests, preparing court documents to support care and supervision orders and to provide status updates. Consequently, client contact time continues to decline due to the demands of the Family Court process guidelines overall expectations.” That is taken from the Minister’s brief on Head 23.

Now, if you were to read today’s [daily](#), you would have seen the headline, “Youngsters sent abroad by DCFS without [mental health] checks.” This is an example of, as the Minister said, time spent responding to PATI and media requests. So, if you read this headline and it spoke about youngsters being sent abroad by DCFS without checks, you would be led to believe that children were just being snatched out of their homes, thrown on a plane with no process, no screening, nothing.

Nothing more can be further from the truth and this is where the budget, when we talk about cutting manpower . . . I mean, one thing I find fascinating about the One Bermuda Alliance, they love to talk about putting Bermudians out of jobs and on the streets.

POINT OF ORDER [Misleading]

Mr. Scott Pearman: Point of order. The Honourable Member is misleading the House. My question was

about maintaining the current numbers, not about reducing them. That was very clear.

Hon. Jamahl S. Simmons: I stand by my point. I said the OBA loves to talk about—

An Hon. Member: That is right.

Hon. Jamahl S. Simmons: —putting people out on the street and unemployed.

So, we have a staff at DCFS under Head 23 that has been burdened by what I would call performative compassion by a media that has failed to adhere to two of the principles of ethics in journalism: fairness impartiality and accountability.

Today, the staff of DCFS which should have been helping to prepare the Minister for her presentation had to deal with the story where the facts were not correct—wasting resources—

POINT OF ORDER

Mr. Scott Pearman: Point of order, Madam Chairman. Is there a question for the Minister coming?

Hon. Jamahl S. Simmons: Ministers do not ask Ministers questions.

But what I am saying, Madam Chairman, this speaks to the point about the manpower and the resources that are needed. When you are dealing with this on an unrelenting basis, when the media has to constantly be told *DCFS does not send children overseas*, it is a drain on our resources. It is a drain on our time. I also would like to speak really briefly—

The Chairman: Member, we do not have much time for this one. So, if you will allow others to ask the questions—

Hon. Jamahl S. Simmons: I am known to be brief and I will continue.

The Chairman: Be very brief.

Hon. Jamahl S. Simmons: I would just like to ask through the Chair to the staff of DCFS, what has been the impact of the performative compassion displayed by the One Bermuda Alliance in attacking DCFS and their head, Mr. Alfred Maybury? What has been the impact—

Mr. Scott Pearman: Point of order, Madam Chairman.

Hon. Jamahl S. Simmons: What has been the—

Mr. Scott Pearman: Point of order, Madam Chairman.

The Chairman: Hold on a minute.

POINT OF ORDER

[Misleading]

Mr. Scott Pearman: The Honourable Member is misleading the House and knowingly so. There has been attack on the staff at DCFS. There have been questions raised by the Opposition about allegations made against people at DCFS. We have constantly and repeatedly observed that there are people, very good people at DCFS and I am on the record about that.

No one is attacking anyone, so stop spinning and stop misleading.

Hon. Jamahl S. Simmons: I would encourage the Honourable Member to maintain his composure. I know he is not used to people speaking to him like this. But let us continue.

[Laughter]

Hon. Jamahl S. Simmons: Let us continue. I would ask the question, what has been the impact in terms of manpower and time that has been expended on addressing queries that were erroneous, misleading or incomplete from the Opposition and the press? What has been the time that has been spent in processing PATI requests that have been taken away from, as the Minister said in her presentation, decline due to the demands of the . . . the client contact time continues to decline due to the demands of the Family Court process guidelines and overall expectations.

Those are my questions, Madam Chairman.

The Chairman: Thank you, Minister.

I recognise the Member from constituency 22.

Mr. Scott Pearman: Thank you, Madam.

Perhaps we can get back to the Minister presenting her brief and the questions that she is answering rather than the filibustering.

I will stay with Head 23 . . . and he is laughing. The Minister is laughing because he thinks it is funny. But it is not funny. It is the Department of Child and Family Services. There are significant allegations that have been made by children of abuse and neglect and it is not a laughing matter. And it is not being made up by the press and it is not being made up by the Opposition.

POINT OF ORDER

[Misleading]

Hon. Jamahl S. Simmons: Point of order, Madam Chairman.

The Honourable Member is misleading the House. What I said specifically, and I will quote, there was a story in today's press that was erroneous and

not factually based, to the point that they had to update and correct it on the website. What has been the impact of these attacks and the impact it has on children? And I referred to this as performative compassion because I have seen no compassion for children, particularly when we talk about they need to cut the budget.

Thank you, Madam Chairman.

The Chairman: Member from constituency 22.

Mr. Scott Pearman: Thank you, Madam Chairman.

I will return to Head 23 and hopefully we will have an opportunity to hear from the Minister with some answers to questions, those posed both from this side and the other side. I have three.

One is that the Minister in her brief today . . . and let me pause for a second. I am going to turn to the topic of litigation guardians. And lest it be thought that this is just a booyah *we-said/he-said* debate, let me stop and commend the Attorney General for the introduction of litigation guardians—which was the right thing to do. It was a legal obligation and I commend her, and have commended her previously on that.

The Minister has now clarified what the budget will be for those litigation guardians and that budget is indicated at \$242,000, which is the same number that was referred to last year in the debate. Last year in the debate, I posed a question which was whether or not the \$242,000 budget was to serve only to pay the litigation guardians, or at that time “guardian” singular, as there was not a multiple panel of five guardians, or whether it would include counsel because the acting question requires both the service of a litigation guardian in relation to the child (usually a social worker or someone with that sort of qualification) and an attorney who will appear for the child in court.

So, the question I would repeat, which was not answered last year is, does the \$242,000 budget include both the litigation guardian and the attorney to represent the child? And to assist with that numbering, the previous litigation guardian, Ms. Tiffanne Thomas, indicated that when she was active, she had a caseload of somewhere between 30 and 40. And just taking the middle number there, a caseload of 35, and dividing \$242,000 by 35, that is a figure of some \$6,000 which sounds awfully low to allow for a litigation guardian to manage a case and also to brief counsel for the attorney to go and represent the child in court. So, I would be grateful for clarification around that point.

I will pause all three questions on this Head that I have. I know others have other questions. My second question is this, the other Honourable Minister who was on his feet moments ago referenced a news story today and part of that story indicated that of the 29 children who were sent away, that four had not been assessed or treated before being sent abroad. I

have heard what the Honourable Minister has just said, that the story has been updated, but I would be grateful for confirmation from the Minister of Health who is holding the brief for the Attorney General whether or not that statement, which came from disclosure from the Ministry itself and from the department, is correct or is not correct.

My third question is, What does the Government plan to do to address the issues which are very evident for all to see at the Department of Child and Family Services?

Thank you.

The Chairman: I recognise the Member from constituency 19.

Hon. Jeanne J. Atherden: Thank you, Madam Chairman.

I am going to stick with Child and Family Services, but I am going to—

The Chairman: So, that is page B-10—

Hon. Jeanne J. Atherden: Page B-104. I am going to B-104, which is the performance measures. Madam Chairman, I am going there from the point of view of trying to get edification because I think too often we hear about the tail end of when something comes up but we do not hear about how it begins. So, I have been trying to understand what Child and Family Services does with respect to children. And I know that there was an indication that Child and Family Services wanted to do things with respect to helping children, and there was talk about the establishment of a safety plan and talking about people having what they call the structured plan to deal with the children.

So, I would like the Minister and, through her department, to indicate first of all . . . and this is going back to page B-104 when it says investigation and screening. It says numbers of children who are protected from ongoing child abuse and it says 100 per cent. But the difficulty with that is we need to know how many people were protected from abuse in order to know that 100 per cent of them were actually helped and it would then enable you to say from year one to the next year whether there was an increase or decrease, and so I wondered if the Minister was able to say that.

As she was talking about these numbers, I tried to write them down very quickly, but I do not remember that I saw the numbers, the actual numbers of children who were protected from ongoing child abuse.

Then, the second one was the number of children who had a repeat substantiated abuse or neglected investigation within six months of closure. The reason it is important to have that is because when the Minister talked about a system which is designed to have structured decision-making assessment tools,

a lot of emphasis were talked about that being something that was helping the children to be actually monitored. I wanted to understand how many children have actually had substantiated abuse or neglect because this tells us how well the system is working.

And then that leads me to my other question which relates to care orders. I wanted to understand how does a care order arise, because a care order (as I understand it) is because something happened and therefore there is, according to this, there is the screening, investigation and assessment. So, I wanted to understand how the care order came into being because this ties in to whether someone is actually going to be taken into care and then ultimately put under the direction of the director.

The other thing that I had related to this question of the abuse or the neglect. Who initiates the investigation and what happens if there is abuse and neglect?

My last question is, if there is a court order, I wanted to understand whether a child is able to indicate that they believe that they are subject to neglect or [if] they believe that they are not able to function in their home. And is it just the assessing, the people that do the screening, are they the only ones that can turn around . . . and it said “screening investigation and assessment.” I believe that this helps everybody understand how somebody could get to where we are in terms of what makes the paper, because what makes the paper is the end of all these other things in terms of people having some issues being assessed and then deciding that the family is not able to take care of them and therefore they need to go to other places.

And can we have confirmation that YHED [refers to] teen services? Because on page C-17 there is a grant which it says “a grant to YHED”, and it took us a long while to try and figure that out. But I think it is teen services. But it would be nice to refer to what that department is because then people could understand how children go into care.

I will—

The Chairman: Member, I just have one question, because listening I just want clarity. Your very first question, you asked about the number of children who are being protected. You wanted to know the 100 per cent, or were you asking for the figure?

Hon. Jeanne J. Atherden: I want the physical number because until you know that physical number, you do not know whether 100 per cent is 500 people or 600 people, and then you can make the comparison year on year.

The Chairman: I heard you and I was not . . . I did not understand the question so I thought I would ask you.

Hon. Jeanne J. Atherden: I am glad you asked me to refer. I will come back with anything else afterwards.

The Chairman: I recognise the Member from constituency 29.

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

Madam Chairman, I would like to speak to Head 87 and, in particular, I have a question for the Minister.

The Honourable Member Trevor Moniz got up and he spoke about Charles Richardson and the role he played and how long was he going to play this role and what that position was all about.

My question to the Minister is if Charles Richardson was white or had the last name Ambrosio, would the Honourable Member Moniz still have that same question?

Hon. Trevor G. Moniz: Point of order, Madam Chairman.

The Chairman: I recognise the Member from constituency 9.

POINT OF ORDER
[Imputing improper motive]

Hon. Trevor G. Moniz: Madam Chairman, that is unparliamentary. He is accusing me of racism. He is imputing improper motive saying it would affect me what colour the person was. That is certainly not the case, and he knows it.

The Chairman: Thank you, Member.

Hon. Zane J. S. De Silva: Madam Chairman, I did not accuse him, but if the hat fits . . . if the hat fits—

Hon. Trevor G. Moniz: Madam Chairman, that is a disgrace. That is absolutely disgraceful. He is really taking the debate—

Hon. Zane J. S. De Silva: I did not hear any point of order. So I will continue, Madam Chairman.

[Crosstalk]

POINT OF ORDER
[Imputing improper motive]

Hon. Trevor G. Moniz: It is a point of order. It is unparliamentary language. He is imputing improper motive and it should not be allowed and he should not be on his feet at the time that I am making—

Hon. Zane J. S. De Silva: I did not hear her accept your—

Hon. Trevor G. Moniz: —a point of order.

Hon. Zane J. S. De Silva: —point of order.

Hon. Trevor G. Moniz: I just said a point of order!

Hon. Zane J. S. De Silva: She did not accept it.

Hon. Trevor G. Moniz: Imputing improper motive.

The Chairman: I had not accepted it yet.

Hon. Zane J. S. De Silva: She has not accepted it yet.

The Chairman: I had not accepted it yet, but—

Hon. Zane J. S. De Silva: I will stay on my feet.

The Chairman: I will take your point of order, Member from constituency—

Hon. Trevor G. Moniz: No, no, you do not stay—

The Chairman: —9.

Hon. Trevor G. Moniz: —on your feet while I am making it. Thank you.

The Chairman: Okay.

Hon. Zane J. S. De Silva: It is amazing, Madam Chairman—

The Chairman: Member from constituency 29, yes.

Hon. Zane J. S. De Silva: Yes. It is amazing that the Honourable Trevor Moniz can get up and make that statement when, quite clearly, when Mr. Ambrosio worked in his office when he was the Attorney General there were never any questions . . . he should have questioned himself and certainly no one on this side of the House—

Hon. Trevor G. Moniz: Point of order, point of order.

The Chairman: Point of order Member from constituency 9.

POINT OF ORDER

Hon. Trevor G. Moniz: Mr. Ambrosio was simply a consultant. I am asking [about] the case of Mr. Richardson. I am not saying it is improper one way or another, I am simply asking. Is he a consultant or is he a substantive post holder. Is he a civil servant? I am asking, is he one or the other? I have already said he is a very fine defence attorney. I am complimenting

the gentleman. I am not criticising him. It is a simple question.

The Chairman: Let us hope that the Minister has the answer for you, Member.

Hon. Derrick V. Burgess, Sr.: Point of order, Madam Chairman.

The Chairman: I recognise the Member from constituency 5.

POINT OF ORDER

Hon. Derrick V. Burgess, Sr.: Yes, on Head 87. That is not an appropriate question for this debate. We have got to question the figures, not the personalities. And he [has been] up here long enough to know better.

The Chairman: Thank you, Member. I recognise the Member from—

Hon. Trevor G. Moniz: Madam Chairman, that is not correct. Point of order—

The Chairman: Are you? Point of order?

Hon. Trevor G. Moniz: It is a point of order.

The Chairman: I recognise the Member from constituency 9.

POINT OF ORDER

Hon. Trevor G. Moniz: It is very clear in the Budget Book. I referred to the line item on page B-85. It talks about Legal Aid being eight. I am asking whether the gentleman who describes himself as the Acting Senior Legal Aid Officer is one of the 8 or 10 staff members described under 97030 Legal Aid on page B-85 or whether on page B-84 he comes under Professional Services which is \$2.239 million. So, does he come under one or the other?

The Chairman: But your question has been noted and I believe that the Minister is looking for your answer.

I recognise the Member from constituency 20.

Ms. Susan E. Jackson: Thank you, Madam Chairman. Now, hopefully we can get back to the care of our community.

So, my question is—

Hon. Zane J. S. De Silva: Point of order, point of order, Madam Chairman.

The Chairman: Yes, Member from constituency 29.

POINT OF ORDER

Hon. Zane J. S. De Silva: I was not finished! I was just yielding to a point of order and the Honourable Member is like going off asking questions. I am not finished.

The Chairman: Okay. My apologies. I thought you were finished.

Hon. Zane J. S. De Silva: No!

The Chairman: I will recognise the Member from constituency 29.

Hon. Zane J. S. De Silva: Thank you. Thank you, Madam Chairman.

Madam Chairman, under Head 23, Child and Family Services. I thought that I would take this opportunity to thank all that work in that particular section of this Ministry, because as a former Minister I know what stress and duress every member of that section of the Ministry is under. And I would just like to take this opportunity to thank all of them for the work that they have done and continue to do, and especially in light of the assault—whether it be by the OBA or the *Royal Gazette*—that they have had to put up with over the last two and a half years.

Mr. Scott Pearman: Point of order. Madam Chairman—

The Chairman: I recognise the Member—

POINT OF ORDER

[Misleading]

Mr. Scott Pearman: The Minister is misleading the House. There has been no assault on the DCFS by the Opposition and it is simply improper to describe it as such.

Thank you.

[Crosstalk]

Hon. Zane J. S. De Silva: Thank you, Madam Chairman.

The Honourable Member Pat Gordon-Pamplin asked if I am running time out. Speaking of time out, the Honourable Member Pearman who got on his feet and said that he did not have enough time.

Let me remind that Honourable Member—who is new to this House—I have seen the OBA Ministers, not only one or two but three, read for the entire time that was allotted to debate a Ministry. The entire time. The entire time! And in particular, the Member .. one of the Members is sitting right here. Mr. Sylvan Richards read for four hours direct straight. He did not

leave us one second to debate. And let me hear a point of order on that!

POINT OF INFORMATION

Mr. Scott Pearman: Point of information—

Mr. Sylvan D. Richards, Jr.: Point of order—

Mr. Scott Pearman: I will defer.

POINT OF ORDER

Mr. Sylvan D. Richards, Jr.: That Honourable Member has a problem keeping my name out of . . . I do not know why he keeps . . . he has to keep my name in his mouth for some reason.

The Chairman: Is that the point of order?

Mr. Sylvan D. Richards, Jr.: That is the point of order—and haters are admirers in disguise.

[Laughter]

Hon. Zane J. S. De Silva: Well, I will tell you what, I tell you what, Madam Chairman, Members—

The Chairman: Hold on, just to say Member from [constituency] 29, we are running out of time and unless you have a question, right, and you give us the place in the book, we will proceed with moving on to someone else because I have a Member—

Hon. Zane J. S. De Silva: Okay.

The Chairman: —who is waiting.

Hon. Zane J. S. De Silva: Under Head 23, let me ask the Minister, let me ask the Minister of Health this, or the Minister acting for Legal Affairs tonight, if she feels that the staff who work for Child and Family Services have been given a fair deal, a fair shake of the stick, in terms of criticism from the OBA and the *Royal Gazette* in this country.

The Chairman: Okay. Thank you, Member.
I recognise the Member from constituency 20.

Ms. Susan E. Jackson: Thank you, Madam Chairman.

Again, I believe I am speaking to page C-17, line 6920, Grant to YHED. I am not sure, but my question, Madam Chairman, is what financial obligation is being made to assist the young people who are ageing out of the system and are requiring that additional bit of help in order to get themselves into independent living?

And my real concern is that there are a number of young people—predominantly black males—who have gone through the system. Unfortunately, they have not necessarily been through foster care or had intervention services with their families and so they are ageing out of the system without the life skills to be able to hold down a job, find a place to live and sustain themselves independently.

So, there has been a good bit of talk about the potential that this year we would be able to maybe create some supervised housing where young people who were ageing out of the system, in particular the males, could have a place to stay and hopefully some support, some supervision, some case management, just to help them to gain the life skills to become independent and successful in our community.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

Madam Chairman, I have a question for the Minister on page B-101, and this is Head 23, and this is line item 33100 in respect of the Psycho-Educational programme.

You will note, Madam Chairman, that the 2019/20 budget was \$1,876,000 and that it has been revised up to \$2,092,000, and now it is being dropped down for 2020/21 to \$1,599,000. And while we have a \$277,000 drop in relation to the original budget, we have a far more significant drop—an almost \$500,000 drop—in relation to the revised 2019/20 as against the 2020/21.

So, the question that I have is, Is this diminution in the total amount that is being assigned to this as a result of people ageing out of the system, or is there some particular reason why, you know, we have that differential? Also, while I am on that line, is it possible for the Minister to let us know what the process is in terms of sending children into the Psycho-Ed programmes that exist for them for their health and development in the overseas facilities? What is the process?

And one other question—

The Chairman: Proceed.

Hon. Patricia J. Gordon-Pamplin: In the Budget Statement, there was a reference to \$750,000 of the increase in funds which will be allocated to programmes within the Department of Child and Family Services. I wonder if the Minister would be able to be helpful in letting us know exactly where that \$750,000 has been subsumed. It would be appreciated. Thank you.

The Chairman: Would any other Member wish . . . sorry, I recognise the Member from constituency 5.

Hon. Derrick V. Burgess, Sr.: Yes, Madam Chairman, I have a few questions for the Minister.

One is, What right do social workers have to remove children from their parents? Two, What support do parents receive in order to prevent the removal of children?

[Crosstalk]

Hon. Derrick V. Burgess, Sr.: Yes, I said "prevent." Yes, prevent.

And three, What are the main reasons children are taken from their parents?

The Chairman: Thank you, Member.
Does any other Member wish to speak?

I recognise the Member from constituency 36.

Hon. Michael J. Scott: Thank you.

I have to address some of the queries raised about the substantiated and unsubstantiated numbers raised by the Member, Mrs. Atherden.

The Chairman: Just a time check; it is now 8:33, and this debate is scheduled to conclude at 8:46.

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

The Investigations Team referred 167 cases (to Mrs. Atherden's question) for transfer for ongoing services to the DCFS. Upon completion of those investigations 557 cases were closed, 181 were substantiated, 274 were unsubstantiated, 76 were suspected and 26 were inconclusive.

So those add flesh in terms of actual numbers to the percentages that are contained in the output measures. And then the classes of concerns referred for investigation related to some 705 children in our country, or 589 families. That was from [2019]. Some 206 children had multiple referrals for either the same or multiple abuse types. And the abuse types have been indicated as sexual abuse, sexualised behaviour, sexual abuse, lack of supervision.

So that begins to give to Mrs. Atherden, the Honourable Member, some of the statistical numbers on what has been substantiated, to her question, if I may say so.

The Chairman: Member, the Minister actually has the answers so I think you should give her the time to answer.

Hon. Kim N. Wilson: Thank you, Madam Chairman, I will try to address the questions as quickly as possible. And it may not necessarily be in the order they were asked.

Why HED does represent teen services? There was a question about the senior legal aid counsel. Mr. Richardson is a consultant at Legal Aid. His contract expires on March 31st. However, his salary is coming out of the professional services budget. So he

does represent one of those eight, but it is coming out of the professional services budget.

With respect to the question concerning court order, a care order, those orders are made by the court. So the court would listen to the circumstances as presented by the . . . there was a question about the procedures with respect to care orders. Those care orders are made by the court so there would be an application, there would be a hearing, the court would hear submissions from DCFS and other interested parties. And, depending on the age of the child, the court would hear from the child as well, for them to be able to indicate whether there is abuse or neglect. And they the court would make the order. So the care orders are made pursuant to the Children Act, I think. But it is a court order.

There was a question asked about what are the main reasons children are taken from their parents. Physical abuse, sexual abuse, serious neglect, and, of course, the Department of Child and Family Services works diligently to ensure that wherever possible children who have been moved from a parent are placed with extended family as a resource if identified with respect to the child.

There was another question concerning the . . . this is important. I am saying it is important because the Honourable and Learned Attorney General has spoken about this and lobbied heavily for this because one of her deepest concerns is what happens to children that age out of DCFS. And, as I indicated in the brief, she is looking to . . . her budget was increased to include for the establishment of a transitioned living regime for children ageing out of the care of DCFS who do not have any kind of reunification plan.

The objective of this regime is to ensure that children ageing out receive the same level of support as their peers, what would have been expected to be received if they were living with a reasonable parent. This includes, but is not limited to, continuing education, finding a job, setting up a home, and having support for opportunities which would help them to progress to be productive citizens of the community.

There was another question concerning the litigation guardians. The budget of \$240,000 is not inclusive of legal counsel; that is for the litigation guardians.

How much time?

The Chairman: You have approximately eight minutes left.

Hon. Kim N. Wilson: Okay.

There was a question about referrals, with respect to the output measures and of that 100 per cent. I can advise that the number of referrals is based on all of the cases combined to the department. So it could be for neglect, it could be for abuse, it could be psychological. It is whatever cases are re-

ferred. And I did speak about it in the brief insofar as if there is a specific defined breakdown, if there were 20 for neglect . . . it is all referred to the department. So those referrals represent the 100 per cent, and the performance measures represent those types of areas I just spoke about.

I think that is it, but I am certain that somebody will repeat a question if I missed something.

The Chairman: Yes.

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman.

I did not hear a response to the question with respect to 33100 and how we have a revised estimate from 2019/20 of \$2.092 million but we are budgeting almost \$500,000 less, as to \$1.599 million for 2020/21. And the question was, Were we anticipating that there would be somebody ageing out of the system, therefore it would not require the money? Can we just have some indication as to what that drop is for?

The Budget Book is showing \$277,000 decrease. But if we look at it as against the revised budget for 2019/20 it is \$492,000.

The Chairman: Also, Member, you had an additional question. You asked for the process to send the children into Psycho-Ed, which . . . you answered that one? Okay; good.

[Crosstalk]

Mr. Scott Pearman: Thank you, Madam Chairman. Steady hand. There was my additional question, which is whether or not it is correct that of the 29 children who were sent abroad that 4 of them were not assessed or treated before being sent.

Hon. Kim N. Wilson: Thank you, Madam Chairman. May I proceed?

The Chairman: Yes.

Hon. Kim N. Wilson: With respect to the last question that was asked, and as we have already heard, the information was corrected on the, I guess the website. However, the question was whether or not these children received mental health assessments. And I am advised by the director that mental health assessments are conducted on children where it is deemed appropriate. In this particular case, those four children did not have mental health assessments because it was not deemed a necessity with respect to their diagnoses and their clinical plan.

Also the question that the Honourable Member asked about the reduction, apparently, for the

Psycho-Ed . . . it is because there are some children that will be ageing out of the system.

The Chairman: I recognise Member from constituency [20].

Ms. Susan E. Jackson: Thank you, Madam Chairman.

My question to the Minister is, I read or heard somewhere that the director at one point at [the Department of] Child and Family Services under Head 23, was just mentioning that there are an increase of non-traditional referrals that are more inclined to be around behavioural/violent, maybe a touch of gang activity. And I am just wondering whether we are considering additional programmes to address these issues, versus, or in addition to, some of our more traditional [programmes] around neglect and others.

The Chairman: Thank you, Member.

Does any other Member wish . . . are you waiting for the questions?

I recognise the Member for constituency 22.

Mr. Scott Pearman: Thank you.

Madam Chairman, as we are running out of time, let me quickly jump over to Head 3, Judicial Department, and at page B-90 we see that there is a fall in the revenue generator here in the judiciary, and that the actual for 2018/19 was \$1.1 million-odd, and then there was a projected estimate of \$6.8 million which, in fact, has now been revised down to \$1.5 [million], leaving a \$5.3 million shortfall (I am on page B-90), which is a pretty big hole. So, could the Minister please explain what happened there?

The Chairman: Minister.

Hon. Kim N. Wilson: I believe that was in the brief that there was a (I am looking at the Attorney General) multi-million dollar estate that was probated which increased the . . . as the Honourable Member would probably know, depending on the value of the estate, that is how the stamp duty is calculated. And last year there was a very high net worth estate that attracted a higher amount of stamp duty. And it is not anticipated that . . . I think it was \$43 million. It is not anticipated that a \$43 million estate will be probated in that regard. Most of them are in trusts, are they not?

But in any event, that is for that. And I did say that in the brief. So, Honourable and Learned Member, it is because of the amount. It was an estate. I cannot run it right now, but there was an estate that I read that was probated that was a high value which attracted a high value of stamp duty and it is not anticipated that in this calendar year there will be that value of an estate that will attract that type of stamp duty.

Hon. Patricia J. Gordon-Pamplin: Point of clarification, please, Madam Chairman.

POINT OF CLARIFICATION

Hon. Patricia J. Gordon-Pamplin: In reference to the Minister's response, that does not tie in with the numbers that are in the book, because what we are speaking to is that the original *budgeted* number for 2019/20 was \$6.8 million. But the *revised budgeted* number is \$1.5 million. We take the \$2 million; you will not get a large estate. But what happened so that the \$6.8 [million] was not realised, that this number was revised down to \$1.5 [million]? That was the question.

The Chairman: Minister, are you going to take a minute to . . . there are two minutes left in the debate.
Minister.

Hon. Kim N. Wilson: I understand this is an error, an entry error. But I am certain that the Honourable and Learned Attorney General, when she takes this debate in another place, will be able to clarify and provide what the actual figure should have been in this particular line item, 8059.

The Chairman: Thank you, Minister.
I recognise the Member for constituency 22. You have one minute.

Mr. Scott Pearman: Thank you. Well, it just falls upon me to thank the Honourable and Learned Minister. When she was allowed to answer questions by her party, she did an excellent job. Thank you, it was very helpful.

It is regrettable that others sought to intervene.

[Desk thumping]

Mr. Scott Pearman: That is what I mean; it is regrettable that others sought to intervene.

Last point is this, Honourable and Learned Member, last time we spoke about how the court system could generate revenue—

The Chairman: Member, your one minute is up, sorry,—

Mr. Scott Pearman: —by increasing court fees. I hope that will be reconsidered this year.

The Chairman: —but you can definitely take it offline. Minister, you can move your Heads.

Hon. Kim N. Wilson: Madam Chairman, I move that Heads 87, 3, 23, 4 and 74 be approved as printed.

The Chairman: It has been moved that Heads 87, 3, 23, 4 and 74 be approved.

Are there any objections to that motion?

No objections.

Agreed to.

[Motion carried: The Ministry of Legal Affairs, Heads 87, 3, 23, 4 and 74, were approved and stand part of the Estimates of Revenue and Expenditure for the year 2020/21.]

Hon. Kim N. Wilson: I move that the Committee rise, report progress and ask for leave to sit again.

The Chairman: It has been moved that the Committee rise, report progress and ask for leave to sit again.

Are there any objections to that motion?

No objections.

Thank you.

[Motion carried: The Committee of Supply agreed to rise and report progress, and sought leave to sit again.]

House resumed at 8:49 pm

[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]

REPORT OF COMMITTEE

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2020/21

The Speaker: Good evening Members, are there any objections to the Committee of Supply rising and reporting progress until sitting again on Friday?

No objections to that?

Good. We will move on.

The next item this evening is the second reading of the Criminal Injuries (Compensation) Amendment Act 2019 . . . should it be 2020?

Hon. Kim N. Wilson: Actually we will—

The Speaker: It has to be amended, right.

Hon. Kim N. Wilson: Yes.

The Speaker: In the name of the Minister of Health?

Hon. Kim N. Wilson: Thank you.

Mr. Speaker, I move that the Bill entitled the Criminal Injuries (Compensation) Amendment Act 2020 be now read the second time.

The Speaker: Are there any objections to that?

None.

Continue on.

BILL**SECOND READING****CRIMINAL INJURIES (COMPENSATION)
AMENDMENT ACT 2019 [2020]**

Hon. Kim N. Wilson: Mr. Speaker, I am pleased to present to this Honourable House the Bill entitled the Criminal Injuries (Compensation) Amendment Act 2020.

This Bill seeks to amend the Criminal Injuries (Compensation) Act 1973 (hereinafter I refer to that as “the Act”) for the purposes of making new arrangements for the appointment of board members and the reconstitution of the Criminal Injuries Compensation Board [CICB].

Mr. Speaker, there have been historic challenges with the administration of the CICB, including prolonged delays in handling applications for compensation awards. Corresponding complaints have been widely publicised by local media outlets and beyond. A review of the CICB’s operations by the Ministry of Legal Affairs revealed that the task of chairing the CICB is unduly burdensome amongst the judiciary. However, the Act presently requires the chairperson of the CICB to be a judge of the Supreme Court of Bermuda, exclusively.

Mr. Speaker, unsurprisingly, there is no discernible policy reason for justification for continuing with the status quo of limiting the appointment of the chair to a member of the judiciary. Rather, the countervailing reasons to redefine the eligibility requirement for the chair of the CICB will allow for its more consistent administration. This is because a non-judicial chairman can be appointed who has latitude to devote sufficient focused energy to the CICB.

Mr. Speaker, it is becoming increasingly necessary as there are growing numbers of applicants requiring compensation from the scheme. The change will alleviate pressures upon the already overtaxed justices of the Supreme Court allowing them to direct their judicial attention on their primary responsibilities of fairly administering justice from the Supreme Court bench.

Mr. Speaker, reviewing the 1973 Act revealed another vestige from times past. The law habitually required the Governor, subsequent to Ministerial advice, to make appointments, such as the members of the CICB. In this instance it is done on the advice of the Minister responsible for Justice. This arrangement is unduly cumbersome and archaic, given our modern democracy. There is simply no continuing need for the Governor to make appointments to the CICB.

Mr. Speaker, transferring the power of appointments from the Governor to a Minister is not unusual. In fact, the Honourable House will recall passing similar amendments to the Liquor Licence Act during this session of the House. Curiously, the Liquor

Licence Act was also enacted in 1974, only a year subsequent to the enactment of the Criminal Injuries (Compensation) Act 1973. It follows that for the sake of consistency both Acts are further updated in tandem.

Mr. Speaker, under new provisions of this Bill, the chair of the CICB will be a barrister and attorney with at least 10 years’ experience. The deputy chair will be a barrister and attorney with at least 8 years’ experience, having a senior lawyer as chair and another as deputy chair will ensure that awards by the newly constituted CICB will be fair and just. This is also keeping with the original intent of the Act that the ultimate person overseeing the operation of this scheme and deciding whether or not an award ought to be granted has the requisite legal experience. The goal is to increase efficiency and operation without compromising the quality of decisions.

Mr. Speaker, before closing, on behalf of the Minister of Legal Affairs, I wish to take this opportunity to thank the 2019 board members for their invaluable service. I am delighted to report that the CICB ended the 2019 year having cleared its backlogged cases, Madam Honourable Justice Nicole Stoneham deserves special thanks for shouldering the responsibility of chairing the board since inheriting that portfolio upon being sworn in in 2016. We appreciate her continued support to successfully transition to the new board structure.

And finally, Mr. Speaker, the collective measures in this Bill demonstrates Government’s commitment to steadily renew all of our laws to meet the needs of our modern democratic society. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?

I recognise the Honourable Member for constituency 22. Honourable Member Pearman, you have the floor.

Mr. Scott Pearman: Thank you, Mr. Speaker, just three points, really, on this Bill.

The first is, we understand that there is an amendment of some sort that is going to be moved from the floor. I am not sure we know what that amendment is.

[Inaudible interjection]

Mr. Scott Pearman: Okay. Then that is easily resolved.

The second question involved the fact that we are in effect taking the chairmanship of this [board] from a judicial post. And we are having a non-judicial person who is a barrister; he or she will now sit.

Now, the CICB was chaired by Justice Stoneham, presumably as part of her salary as a judge. Therefore, my second question is, To what extent will

this new chair need to be in a paid role to chair the Criminal Injuries (Compensation) Board?

And my third point, really, comes out of the clearing of the backlog which the Minister just referenced. This is a rather timely Bill, because it comes on the heels of the Judicial and Legal Affairs debate. I just note in the Budget Book at [page] B-92 that we know exactly how many claims were filed and how many claims were heard. I would just draw the Minister's attention to B-92 which suggests the number of active applications, including new applications, was 51, of which 10 were held in 2018. And in 2019 the number of applications was 44, of which 6 were dealt with. And looking a little further up you can actually see the number of times the board met. In 2018 it was one; and in 2019 it was two.

Based upon the numbers on that page I just ask the Minister to clarify whether in fact what has been cleared by a backlog . . . if backlog means something other than "backlog" I suppose. Are we to understand that all of the claims have been cleared? I would very much doubt it.

The Speaker: Thank you.

Does any other Member wish to speak?

I recognise the Member for constituency 36. Honourable Member Scott, you have the floor.

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

So, Mr. Speaker, first I declare an interest. I was the deputy chair of the most recently constituted board for criminal injuries compensation. I too wish to join the Minister of Health and the Madam Attorney thanking Madam Justice Nicole Stoneham for her leadership in clearing the backlog. And the backlog was cleared without any shadow of a doubt. I presided over it as deputy chair and we cleared the backlog. And there should be no dispute about that.

Payments have been awarded, proper judicial decision-making was brought to bear on all decisions on all applications. Those that met the criteria were constituted as having awards, those that did not were denied. We steered very closely to the Court of Appeals decision which came down recently referring to the requirements that this board conduct itself as a judicial body, to conduct itself with fairness to right decisions.

So the work of Madam Justice Stoneham and her board, can I say, Mr. Speaker, has been effective in responding to persons with compensation application for violence of various kinds in our country.

Mr. Speaker, the word "judicial" (to the point raised by the Shadow spokesman, Mr. Pearman), has a couple of meanings. One is in relation to a person discharging a judicial function who is a judicial officer. But there is another. That is that any person, including the contemplated chairs of these days under this Bill, a barrister with 10 years' experience or exceeding 8 years' experience, those chairs, if they are conducting

the chairmanship of these boards and are engaged in deliberations in respect of which it is necessary for them to bring to bear a judicial mind, Mr. Speaker, their judicial mind, that is a mind to determine what is fair and just in respect of the matters under consideration, namely, the determination of an award for applications for persons who have suffered violence. This is a judicial function.

So those are the matters that I wish to rise and support [with regard to] this particular Bill which makes the changes that have been so aptly and clearly presented by the Minister piloting the Bill, the Minister of Health. Thanks, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak?

No other?

Minister, would you like to reply?

Hon. Kim N. Wilson: Thank you, yes, Mr. Speaker.

With respect to the question that was asked concerning the compensation for the chairman and deputy chairman, who, as indicated are attorneys of 10 years' and 8 years' experience respectively, their compensation would be as per the Government Fees Act. So whatever . . . \$25.00 per meeting, whatever is outlined in the Government Fees Act would be the compensation that they would receive.

The issue concerning the application, notwithstanding that the Budget Book, as the honourable and learned friend pointed out with respect to the number of meetings, they have caught up and they are working on current applications at this time. So, there are still applications pending, but those are current and being worked on as we speak.

I think that was the three . . . oh, and I did answer the question about what amendment we will be proposing in a few moments.

So, with that, Mr. Speaker, I would propose that the Bill now be committed.

The Speaker: Thank you.

Deputy.

House in Committee at 9:01 pm

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

CRIMINAL INJURIES (COMPENSATION) AMENDMENT ACT 2020

The Chairman: Members, we are now in Committee of the whole House for further consideration of the Bill entitled [Criminal Injuries \(Compensation\) Amendment Act 2019](#).

Minister, you have the floor.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

With your leave, I would like to move all four clauses.

The Chairman: I think you—

Hon. Kim N. Wilson: I do have to make an amendment first. I will do the amendment.

The Chairman: Yes.

AMENDMENT TO CLAUSE 1

[Title]

Hon. Kim N. Wilson: So, if I can move clause 1 first, Mr. Chairman. And I would be proposing that we amend that to substitute the year 2020 for 2019, Mr. Speaker, with your leave.

The Chairman: Yes.

Does any other Member wish to speak?

Mrs. Gordon-Pamplin. You have the floor.

Hon. Patricia J. Gordon-Pamplin: I am sorry, did the Minister say she was only moving clause 1?

Okay, then no. I do not have a question.

The Chairman: No objection to that?
Approved.

[Motion carried: Clause 1 amended.]

The Chairman: Continue, Minister.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.
I would like to move clauses 2, 3 and 4.

The Chairman: Continue.

Hon. Kim N. Wilson: Thank you.

Clause 2 amends section 2 of the principal Act to require that Criminal Injuries Compensation Board ("CICB") members are appointed by the Minister of Legal Affairs instead of by the Governor on advice of the Minister. It also amends the qualifications for the Chairman of the CICB by changing it from a judge to a barrister and attorney with at least 10 years' experience, and also amends the qualifications for the Deputy Chairman of the CICB by requiring a barrister and attorney to have at least eight years' experience.

Clause 3 amends the Schedule to the principal Act by changing references from the Governor to the Minister, to reflect the Minister now appointing the CICB.

And clause 4 provides for commencement.

The Chairman: Are there any further speakers?

The Chair recognises the Honourable Member Patricia Gordon-Pamplin. You have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Chairman.

Just for clarity on clause 2, page 1, subclause (b). We are taking out a "judge of the Supreme Court" and substituting "barrister and attorney with at least ten years' experience".

My question is, What is the thinking behind not having a judge in that capacity?

The Chairman: Any further questions? Any further speakers?

Minister, you have the floor.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

As was indicated previously, the rationale behind that is because the justices are extremely busy and the workload that they already have with respect to the administration of justice and so forth through the court, this is a particularly onerous [board]. I remember when I actually sat on this [board] at one time, and it was with then Justice Wade-Miller. We met very regularly and it was . . . unfortunately she would be forced to come outside of her Chambers to deal with CICB applications. So it really is a matter of efficiency to ensure that the justices can do what they are legislatively and constitutionally obliged to do and that a senior attorney, two seasoned senior attorneys will represent the chairperson position as well as the deputy.

So, it is a matter of efficiency in allowing the justices to continue doing the role they are seized with doing. And there are a number of statutory boards, as you will see, where lawyers are the actual chairs of these boards.

The Chairman: Any further speakers?

Mrs. Gordon-Pamplin, you have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Chairman.

Mr. Chairman, I accept and understand the reasons that the Minister has indicated in terms of eliminating the necessity for the judges, but I have to say that when the Minister indicated it was too onerous it seems as though when we look at the actual meetings of [this board], as has been indicated, there was one last year, and two the year before. It seems hardly that one or two meetings is "onerous." But I certainly accept the explanation.

The Chairman: Any further speakers?

Minister, do you want to . . . one second.

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

In addition to the thanks that I was extending to Madam Justice Nicole Stoneham, and addressing this whole question of judges and the times of meeting—

The Chairman: Member, what are you addressing? Are you against it, or are you for it? We are in Committee right now.

Hon. Michael J. Scott: I have already spoken in favour of it.

The Chairman: Right. So what are you speaking to on this?

Hon. Michael J. Scott: I would just like to add the thanks to all of the other board members.

The Chairman: We are in Committee. You did that in the general debate. You can do that in general debate; not in Committee.
Minister?

Hon. Kim N. Wilson: Mr. Chairman, I would like to move that the Preamble be approved.

The Chairman: We have to do three of the clauses first.

Hon. Kim N. Wilson: I'm sorry.
I would like to move that clauses 1 through 4 be approved as amended.

The Chairman: As amended.
Any objection to the motion that clauses 1 through 4 be approved?
No objection?
Approved.

[Motion carried: Clauses 1 through 4 passed as amended.]

Hon. Kim N. Wilson: Mr. Chairman, I would like to move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.
Are there any objections to that?
Approved.

Hon. Kim N. Wilson: Mr. Chairman, I would like to move that the Bill be reported to the House as amended.

The Chairman: It has been moved that the Bill be reported to the House as amended.
Any objections?
No objections.
The Bill will be reported to the House.

Hon. Kim N. Wilson: Thank you, Mr. Chairman.

[Motion carried: The Criminal Injuries (Compensation) Amendment Act 2020 was considered by a Committee of the whole House and passed as amended.]

House resumed at 9:06 pm

[Hon. Dennis Lister Jr., Speaker, in the Chair]

REPORT OF COMMITTEE

CRIMINAL INJURIES (COMPENSATION) AMENDMENT ACT 2020

The Speaker: Members, are there any objections to the Criminal Injuries (Compensation) Amendment Act 2020 being reported to the House with the necessary amendment?

There are none. It has been reported to the House.

I saw you rise to your feet . . . I understand that item 3 is being carried over, the Miscellaneous Taxes Amendment [Act 2020].

That now takes us to the third reading.

Hon. Zane J. S. De Silva: Mr. Speaker, I am doing the Finance Minister's Miscellaneous Taxes Amendment Act 2020.

The Speaker: I was just informed by your Whip that everything is being carried [over].

Hon. Zane J. S. De Silva: Not this one. The other Tax one by the Finance Minister is being carried, correct.

The Speaker: So which item are you referring to on the Order Paper, then?

Hon. Zane J. S. De Silva: I am . . . hang on one second, Mr. Speaker. Infrastructure Tax, yes.

[Crosstalk]

The Speaker: Item 3, the Miscellaneous Taxes Amendment [Act 2020].
Yes?

Hon. Curtis L. Dickinson: Mr. Speaker, the Bill which the Minister is proposing to do is an infrastructure tax. It is tourism related, but it would be carried by me as Minister of Finance as it is revenue.

But there is some confusion on our part, and I apologise for that.

The Speaker: Okay. On the Order Paper, which item is it?

Hon. Curtis L. Dickinson: Item 3.

The Speaker: Item 3, Miscellaneous Taxes Amendment Act [2020].

We were just informed by your Whip that we were carrying that.

Hon. Curtis L. Dickinson: Yes; and I apologise for the confusion. Because it was tourism related, it was not there on my desk. So I assumed that I was not prepared for it, and, in actual fact, the Minister had prepared for it because it is tourism related. Apologies.

The Speaker: Okay. We will accept that.
Has the Opposition—

[Crosstalk]

Hon. Patricia J. Gordon-Pamplin: This is indicating that it is under finance. And we were just told by the Whip that this is not being carried. I just need to have some clarity.

The Speaker: So, for clarity . . . let me try to help us here.

Yes, it is listed in the name of the Minister of Finance. But it is actually a matter that is coming under the Minister of Transport. So, the Minister of Transport was going to carry the—

[Inaudible interjections]

The Speaker: Okay. All right.

For clarity now, the matter is on for tonight, as we had originally been told. And Minister of Finance, you are going to carry it now.

Hon. Curtis L. Dickinson: Indeed, sir.

The Speaker: Okay.

So we will now do the second reading of the Miscellaneous Taxes Amendment Act 2020.

Hon. Curtis L. Dickinson: Thank you, Mr. Speaker.

BILL

SECOND READING

MISCELLANEOUS TAXES AMENDMENT ACT 2020

Hon. Curtis L. Dickinson: Mr. Speaker, the purpose for the Bill before the House today is to make amendments to the Miscellaneous Taxes Act 1976 and the Miscellaneous Taxes (Rates) Act 1980 to repeal the large ship infrastructure tax which was introduced in April 2019, and replace it with a Transport Infrastructure Tax.

This tax will be payable in respect of all cruise ships docked in Dockyard or at anchor with tender to

Dockyard, not just the largest cruise ships. The Bill also sets the tax rate of \$25.00 per passenger over the age of two, effective 1 May 2020.

Mr. Speaker, on May 1st, 2019, the Ministry of Tourism and Transport gave one year's notice to all cruise lines that the estimated revenue for the large ship infrastructure tax was insufficient for the transport infrastructure to handle current and future increased passenger demand. The Government found the solution and made a policy decision to provide one year's notice that the large ship infrastructure tax would be redefined and renamed "Transport Infrastructure Tax" and paid by or on behalf of all cruise ship passengers over the age of two, regardless of the size of the passenger count of the cruise ship. It would apply to all cruise ships that berth in Dockyard or anchor and tender to Dockyard between 1 April and 31 October.

Mr. Speaker, the revenue collected in 2019 for the large ship infrastructure tax was \$5,145,272, and the estimated revenue for the new transport infrastructure tax is \$11,100,000. This will go a long way to assist in the refitting and new purchase of transportation infrastructure which supports the cruise industry in Bermuda. Mr. Speaker, for clarity, there is no change to the existing passenger departure tax and cruise ship visitor fee.

Mr. Speaker, the final provision of the amendment Act pertains to consequential amendments made to the Tax Management Act of 1976 and the Tax (Accounts and Records) Regulations of 1991, due to the repeal of the large ship infrastructure tax which was set at \$22.00 per passenger and to the introduction of the transport infrastructure tax at the new rate of \$25.00 per passenger on the 1st of May 2020. Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

Does any other Member wish to speak?

I recognise the Honourable Member Gordon-Pamplin. You have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker, and I thank the Honourable Members for their indulgence because there was confusion before, because we were not going to do it, then we were doing it, and then we were not sure.

So, I understand the principle behind it because—what was determined and also hinted at or described in the Budget Statement, so obviously we understand what the Government is attempting to do. One of the things that is giving me a little bit of cause for concern is that the Minister has just indicated that the actual revenue that was received during the past year was \$5,145,000. And with this change that the Government is intending to implement, the Minister indicated that there is likely to be \$11.1 million of additional revenue. And we understand the purposes for which it is intended.

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: I am saying that we are going to get \$11.1 million of revenue in this coming year, which is the intent.

[Inaudible interjection]

Hon. Patricia J. Gordon-Pamplin: I . . . said . . . \$11.1 million . . . of . . . revenue intended to be collected . . . during 2020/21. I am just going to speak slowly to make sure the Honourable Member understands—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker! Point of order! If she wants to get rude . . . point of order!

Hon. Patricia J. Gordon-Pamplin: I am not trying to be rude.

POINT OF ORDER

[Misleading]

Hon. Zane J. S. De Silva: The Honourable Member is misleading the House.

Hansard will show that she said that this tax would give \$11.5 million *more*. It is not \$11.5 million more. I was trying to be nice; but she wants to get rude! There is a big difference between \$5 million and \$11 [million], six million between the two—

The Speaker: Thank you—

Hon. Zane J. S. De Silva: It is not eleven, it's—

The Speaker: I think she corrected herself while she was on her feet. She made a mistake, then she went and corrected herself.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker. Let me start again.

The Minister indicated that the revenue that was collected for 2019/20 was \$5,145,000. For 2020/21, the revenue is intended to be \$11,100,000. I am saying that the only concern I have, Mr. Speaker, is given the news of today and how we are panicking . . . not panicking, we are challenged in respect of instructions that are coming towards passengers who would or would not take cruises, I just want to ensure that the intent that we see with this legislation is that the Minister believes that we can actually fulfil this intent.

Now, none of us has a crystal ball. So I certainly hope that we are able to attain the level of revenues anticipated. However, we have to also be pragmatic and mindful of the realities and the vicissitudes under which we are now operating. So, given that, I support the legislation, as the Minister has indicated in

the Budget Statement that this was the intention, and we had an intense debate on it when we did the Tourism Ministry. So we certainly understand not only that the money was intended to come in, but how it was intended to be utilised.

So we support the Government in this initiative. All we can say is that together we have to hold hands to hope that the intended revenues are able to be realised for the better good and the benefit of Bermuda. Thank you, sir.

The Speaker: Thank you,
Does any other Member wish to speak?
Member Swan, you have the floor.

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

Mr. Speaker, this simple amendment is music to my ears. The infrastructure tax which has been proposed today makes eminent good sense when you consider that in 2014 we had 355,880 cruise ship visitors, and in 2019 [we had] 535,561 cruise ship passengers.

The burden on the infrastructure, particularly transportation infrastructure, is a real one. Anyone who works in the hospitality industry would know that in places like the Town of St. George's and even in places like Port Royal Golf Course, the increase of minibuses and taxis traversing around the Island are using public facilities that are far inadequate to cope with the number of people being transported around this country. That is a good problem that we have, and the increased revenue would provide an opportunity for the Government to direct these funds towards the infrastructure.

Now, where am I going with this? Well, let me say this: I know of such infrastructure that could very well benefit from this, that could assist this country around the Island. I am thinking no further than places like Gates Fort, Alexandra Battery, Martello Tower in St. George's, and also Whale Bay Battery in St. George's, fortresses that do not meet a modern purpose, but to certainly take the burden off of many areas where tourists are looking for great vantage points. Our forts provide a great vantage point because they were built in strategic areas. Bathrooms could be provided there, parking could be provided there, great vistas, vantage spots could be provided there, little boutique stores could be provided there for Mr. and Mrs. Bermuda.

I certainly am beating the drum for my community which would benefit. There is just not enough space in the Town of St. George's for all of these vehicles that are accommodating 500-plus cruise ship visitors. But I can tell you this: Utilising some of that space with these funds would go a long way, Mr. Speaker. And I am here to say that I support the Finance Minister and I am lobbying the Finance Minister on behalf of the good people of St. George's and

some fine people up near Whale Bay, and others.
Thank you.

The Speaker: Thank you, MP Swan.
Does any other Member wish to speak?
No more lobbying?
Minister, you have the floor.

[Laughter]

Hon. Curtis L. Dickinson: Thank you.
The Honourable Member for constituency 2, I believe it is . . . his lobbying is duly noted.

[Laughter]

Hon. Curtis L. Dickinson: Mr. Speaker, during the back and forth that was going on between my MP and my colleague, I thought the question was really going to be related to kind of the increase in the revenue from the \$5.1 [million] to \$11.1 [million], and I thought that was a worthy question that deserved an explanation. So let me provide an explanation as to why the numbers are close to double.

I would also caveat this by saying that the brief and the estimates of revenue were developed during the budgeting process, which, quite candidly, were not reflective of the announcements early today by the Royal Health organisation about the pandemic coronavirus. So, the five jumps to eleven point one because the tax will now apply to all ships and all passengers over [age] two, the new construct versus the old construct that applied only to larger ships that had a passenger count in excess of 4,000 people.

The Honourable Member did raise the issue of forecasts and uncertainty. I would certainly say that we are in uncharted territory with respect to the economic outlook in light of today's announcement by the Royal Health organisation. So we will take this day by day and revise our views on what the revenue generating capabilities of our economy are as time goes on.

With that being said, Mr. Speaker, I move that the Bill be committed.

The Speaker: Thank you.
Deputy.

House in Committee at 9:21 pm

[Hon. Derrick V. Burges, Sr., Chairman]

COMMITTEE ON BILL

MISCELLANEOUS TAXES AMENDMENT ACT 2020

The Chairman: Honourable Members, we are now in Committee of the whole House for further consideration of the Bill entitled [Miscellaneous Taxes Amendment Act 2020](#).

Minister, you have the floor.

Hon. Curtis L. Dickinson: Mr. Chairman, this Bill seeks to amend the Miscellaneous Taxes Act 1976 and the Miscellaneous Taxes (Rates) Act 1980 to repeal the large ship infrastructure tax, and to replace it with transport infrastructure tax payable in respect of all cruise ships docked in Dockyard, or at anchor with tender to Dockyard, not just the largest cruise ships.

Mr. Speaker, I move clauses 1 through 6.

The Chairman: Continue.

Hon. Curtis L. Dickinson: Clause 1 is self-explanatory.

Clause 2 repeals Part VC (sections 32O to 32Q) of the Taxes Act, which provided for large ship infrastructure tax.

Clause 3 inserts a new Part VD into the Taxes Act, which provides for a new transport infrastructure tax payable in respect of all passenger ships docked in Dockyard, or at anchor with tender to Dockyard. Provisions of Part VB of the Taxes Act relating to collection, exemptions, registration, liability for payment, penalty for late and non-payment, refunds and tax period, are applied with the necessary modifications to this new [tax] as they apply to passenger departure tax.

Clause 4 inserts a new section 9D into the Rates Act which sets the transport infrastructure tax at \$25.00 per passenger on cruise ships visiting Bermuda between 1 April and 31 October, coming into operation on 1 May 2020, the commencement date.

Clause 5 repeals section 9C of the Rates Act (rate of large ship infrastructure tax), and makes other amendments in consequence of the repeal of large ship infrastructure tax and the introduction of transport infrastructure tax.

Clause 6 subsection (1) provides for commencement. Subsection (2) is a transitional provision to clarify that where transport infrastructure tax is payable in respect of a passenger ship's visit to Bermuda that includes any days before the commencement day, large ship infrastructure tax shall not also be payable in respect of the same visit. Subsection (3) is a saving provision which confirms that the repeal of Part VC of the Taxes Act does not affect the liability of any person to any large ship infrastructure tax which was payable before the commencement day.

The Chairman: Thank you, Minister.

Does any other Member wish to speak?

The Chair recognises the Honourable Member Pat Gordon-Pamplin. You have the floor.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Chairman.

I do not have any questions in terms of the intent, as we have already discussed, but I do have

one quick question. I believe when we did the debate, and I am not necessarily reflecting, but there was a number there that I believe to be appropriate. And this is in respect of clause 4 [new section] 9D(b). And this is on page 2 of the Bill.

This is in respect of where the ships' visit to Bermuda does not include any of the dates between April 1 and October 31. I know that historically there has been a reason for not taxing ships on that off . . . if we can call it the "shoulder months," but I am wondering whether we need to rethink that and perhaps start to look at the possibility of extracting any kind of revenue given, as the Minister indicated, what we are having to deal with.

If the Minister could perhaps give us an idea, maybe even the Transport Minister may be able to assist, I believe he did mention the number a week or so ago. But I am not certain how many visits we actually had between—

The Chairman: We are dealing with 9D(b)—

Hon. Patricia J. Gordon-Pamplin: Right—9D(b).

The Chairman: —your question needs to be—

Hon. Patricia J. Gordon-Pamplin: Right, and so if the ship visit does not include any of the days between these dates.

The Chairman: Right. You want to get it right

Hon. Patricia J. Gordon-Pamplin: So I am just asking how many visits did we have on those shoulder months last year, just so I can get some clarity in my mind in terms of what revenue we are actually giving up in order to stick with our stated policy of not having taxes appended to those ships that visit during that period of time. Thank you.

The Chairman: Thank you.

Does any other Member wish to speak?

Minister, do you want to respond?

The Chair recognises the Honourable Member, Minister De Silva.

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

The first question that the Honourable Member asked was about the possibility of tax during the period of October to April. I do not like to use that word "shoulder" because I think we are going to try to move away from that going forward, in that we are going to be a year-round destination

But the Honourable Member asked a good question because we have had that conversation. What we thought we would do . . . and I would like to thank the cruise lines whilst I am on my feet for agreeing to the increase in the, and the change of the name to the "infrastructure tax," which, as we know, is going

to . . . well, we will see what happens with world events. But that was to be quite substantial indeed, which would help go a long way to helping with transportation challenges which we have in the country.

That is something that we discussed, but we thought we would take baby steps because this was a big one. The good news for everyone here and the people of Bermuda is that they did agree to it. They did not really give any pushback to it. But they know the situation we are in. They are very aware of the transportation issues we have in the country and the infrastructure as well. So we did get very good support.

With regard to the numbers between October and April, Honourable Member [Gordon-]Pamplin, I have that here. I can dissect that and give that to you.

The Chairman: Are there any further questions?

There appear to be none, Minister.

Hon. Curtis L. Dickinson: Mr. Chairman, I move that clauses 1 through 6 be approved.

The Chairman: It has been moved that clauses 1 through 6 be approved.

Are there any objections?

There are none.

Approved.

[Motion carried: Clauses 1 through 6 passed.]

Hon. Curtis L. Dickinson: Mr. Chairman, I move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved.

Are there any objections to that?

There are none.

Approved.

Hon. Curtis L. Dickinson: Mr. Chairman, I move that the Bill be reported to the House as printed.

The Chairman: It has been moved that the Bill be reported to the House as printed.

Are there any objections?

There are none.

Approved. The Bill will be reported to the House.

[Motion carried: The Miscellaneous Taxes Amendment Act 2020 was considered by a Committee of the whole House and passed without amendment.]

House resumed at 9:29 pm

[Hon. Dennis P. Lister, Speaker, in the Chair]

REPORT OF COMMITTEE

MISCELLANEOUS TAXES AMENDMENT ACT 2020

The Speaker: Members, are there any objections to the Miscellaneous Taxes Amendment Act 2020 being reported to the House as printed?

There are none. It has been reported as printed.

Now, is our understanding correct, that is the last item on the Order Paper for today?

An Hon. Member: I think so, Mr. Speaker.

The Speaker: Thank you.

Would the Ministers like to do their third readings?

SUSPENSION OF STANDING ORDER 21

Hon. E. David Burt: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Criminal Injuries (Compensation) Amendment Act 2020 be now read the third time by its title only.

The Speaker: Are there any objections?
No objections.

[Motion carried: Standing Order 21 suspended.]

BILL

THIRD READING

CRIMINAL INJURIES (COMPENSATION) AMENDMENT ACT 2020

Hon. E. David Burt: Thank you, Mr. Speaker, I move that the Bill [entitled the Criminal Injuries (Compensation) Amendment Act 2020] be now read the third time by its title only and passed.

The Speaker: It has been read a third time and passed.

[Motion carried: The Criminal Injuries (Compensation) Amendment Act 2020 was read a third time and passed.]

The Speaker: Minister of Finance.

SUSPENSION OF STANDING ORDER 21

Hon. Curtis L. Dickinson: Mr. Speaker, I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Miscellaneous Taxes

Amendment Act 2020 be now read the third time by its title only.

The Speaker: Are there any objections that?

No objections.
Continue on, Minister.

[Motion carried: Standing Order 21 suspended.]

The Speaker: Continue on, Minister.

BILL

THIRD READING

MISCELLANEOUS TAXES AMENDMENT ACT 2020

Hon. Curtis L. Dickinson: Mr. Speaker, I move that the Bill entitled Miscellaneous Taxes Amendment Act 2020 be now read the third time by its title only and passed.

The Speaker: Thank you. It has been read and passed.

[Motion carried: The Miscellaneous Taxes Amendment Act 2020 was read a third time and passed.]

The Speaker: Mr. Premier.

ADJOURNMENT

Hon. E. David Burt: Good evening, Mr. Speaker.

Before I move to adjourn, I feel duty-bound to inform you that a few of my Members wish to speak on the motion to adjourn. But, that much being said, Mr. Speaker, I move that this Honourable House do now adjourn until Friday the 13th at 10:00 am.

The Speaker: Colonel, are you on your feet to follow on from that?

Lt. Col. Hon. David A. Burch: Yes, Mr. Speaker.

The Speaker: Okay. I will put the clock on for you for your 20 minutes. I give you your 20 minutes.

Lt. Col. Hon. David A. Burch: I probably don't need the whole 20 minutes, Mr. Speaker.

The Speaker: Okay.

ACCOMMODATION FOR THE JUDICIARY

Lt. Col. Hon. David A. Burch: But you know I have a rule. I don't know where I got it from, and I don't even know whether it's mine, but I adopted it anyway. And that is, that you must say something seven times before people hear it the first time.

The Speaker: Mm-hmm.

Lt. Col. Hon. David A. Burch: Mr. Speaker, I am speaking in relation to the changes that we are making to the judiciary. So I did not think that rule applied to members of the judiciary. But I was horrified to read in the daily of March 4th, that a puisne judge of the Supreme Court, Ms. Charles-Etta Simons, had much to say about the accommodations in the court and the calendar of the court.

Let me just say, Mr. Speaker, in relation to the calendar, I vaguely recall that a new puisne judge was appointed in July 2019. I currently recall that they never took up their seat on the bench, as yet.

An Hon. Member: Oh-oh.

Lt. Col. Hon. David A. Burch: I might remind you, Mr. Speaker, just for fun (because I know you know), that we do not have any say in those matters. Your cousin's best friend who lives up on Langton Hill does those sorts of things. But I will leave that right there, Mr. Speaker.

I want to talk about the accommodation for the judiciary, because I have said in that old House and in this new House, exactly what the plan was, Mr. Speaker. And I will go back even further, Mr. Speaker, because I have a bit of a memory. I did not build the Dame Lois Browne-Evans Building, but I had a say in it before the Honourable Deputy Speaker built the Dame Lois Browne-Evans Building.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Yes, that is who built it.

And at that time, Mr. Speaker, I think it was 2006 when I first became the Minister of Public Works, I said he should have the courts in one building, and add another floor.

And, Mr. Speaker, the Chief Justice at the time and the . . . I don't know what he was, but he is the current DPP [Director of Public Prosecutions] anyhow, said *Oh no. We have another plan. We are going to build a court complex on the whole block down on the corners of Front, Court and Reid Street.* And I suggested to them that Jesus probably would be here again and gone before they would get any building down there, Mr. Speaker. And they suggested to me that naming the building after Dame Lois Browne-Evans was an insult to her, because you should have a supreme court named after her. Well, we are going to be a little late, Mr. Speaker, but we are going to have the Courts of Justice named after Dame Lois Browne-Evans, because that is the plan, Mr. Speaker.

And let me just quote, because I know that I am losing my mind because in reading the newspaper they quote—

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Yes; I read it. And I am current, fairly.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: I don't buy it. No Sir!

An Hon. Member: What's going on?

Lt. Col. Hon. David A. Burch: I do not know, I have to read it in the paper, I am an old, you know . . . I can't read it online, so . . . I need to highlight something, okay?

In any case, Mr. Speaker, if I could just quote one sentence in this . . . well, two actually. "Mrs Justice Simons warned the backlog would continue to grow unless steps were taken this year to tackle problems caused by the closure of Supreme Court . . . and the Criminal Registry because of construction and air quality concerns."

And you know my view on that, Mr. Speaker. Air quality concerns in this country could easily be addressed in many instances by opening up windows.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Of the window.

Mr. Speaker, she further goes on to say, Mrs Justice Simons said, and I quote, "there was no available space in the Dame Lois Browne-Evans Building on Hamilton's Court Street for additional criminal courtrooms, but internal changes could make space available."

When I read this I thought, *Those are my words!*, Mr. Speaker. And I didn't even have to go back that far to look. During the debate on the Ministry of Public Works this year, Mr. Speaker, in fact, this week, two days ago, in it?

An Hon. Member: Mm-hmm.

Lt. Col. Hon. David A. Burch: Two days ago I said during my presentation on the Department of Public Lands and Buildings . . .

An Hon. Member: Tell them!

Lt. Col. Hon. David A. Burch: I tried to find Hansard so I could refer to the official record, but I know that we are keeping Mr. Lamb so busy the Hansard is not quite ready. So I read it from my own statement.

And in it I said, and I quote: "Mr. Chairman, I am happy to advise that the refurbishment to the Sessions House has commenced as can be seen by the scaffolding on the exterior. The replacement of all windows and external repairs and painting are . . . underway to seal the envelope of the building. The House was moved to this temporary location at Veritas Place in September 2019 to allow the interior

works to commence. In conjunction with the Sessions Project is a supporting project to relocate the Criminal Courts to the Dame Lois Browne-Evans Building.”

Mr. Speaker, I further went on to say . . . because you could say that but unless you have some money you don't mean it. I further went on to say in the next paragraph, “Mr. Chairman, the capital budget” (I am quoting) “of \$3.2 million has been allocated for 2020/21 under cost centre 75320 for Parliament Building refurbishment and courts relocation. This is for the interior fit out of the Sessions House for the Legislature and includes the works to relocate the courts from the ground floor of the Sessions House to the Dame Lois Browne-Evans Building.”

I went further, Mr. Speaker, it's not in here because I go off script often, but I remember going off script, and I said that I wanted the Ministry of Finance to break this out so that people would not be misled into thinking that we are spending \$3.2 million on the House of Assembly only, Mr. Speaker. But I have said repeatedly in this House . . . in fact, the Minister to my right should be packing her bags now.

Are you close?

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Thank you, very much.

They are moving to the third floor of the Government Administration Building, if we ever get the damn thing finished, Mr. Speaker.

And so, Mr. Speaker, I just . . . you know, I know that she does not act alone in this. I know she does not act alone, because the investigative reporters who all their investigation consists of is asking me 2,000 questions of stuff that is already in the public domain, don't even, can't even figure . . . I do that. They can't even figure out how to google online their own damn newspaper to find the information. They can't!

They are so lazy. All they do is send an email to the Public Affairs Office. Mine are learning, though. Please do not just push “forward” to me, because you are going to get a spanking, because you—

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Oh yes he is; yes he does, because, Mr. Speaker, two minutes after reading a Statement in this House, you know what happens? This damn thing here buzzes, and it is him saying, *Please don't forget to give me your Ministerial Statement*—like I'm going to forget.

So what I am going to ask him to do is to read the damn thing so that in the future when they ask you a question you could at least say, *He said it last month, and so it is already in the public domain*. But I suspect . . . I mean, it is probably not worth them googling their own newspaper anyway, because they

don't write anything that I say. They just like writing bad things, like they think that means something.

[Laughter]

Lt. Col. Hon. David A. Burch: But they [should] google Hansard and find out that the Government actually has a plan. And that plan is to move everybody out of that building that is not court related.

And I think I am saying it for the tenth time now, so . . . yes, it has to be the tenth time, Mr. Speaker. And it is not a fiction.

The Minister is packing to leave. Other people in that building are packing to leave. As soon as I can get some of my colleagues to meet on Tuesday to understand that we are all in this financial boat together, and trying to save your little patch of the Earth for the people who work for you, because you want it, that is the way it has always been, we will make quicker progress, Mr. Speaker.

But I expect that the learned puisne judge should have spoken to her boss, and any one of them. I know that he knows because the Registrar of the Supreme Court has seen the correspondence and has been irregular, in detailed conversation with the Permanent Secretary of Works on this particular matter.

And let me just say this, Mr. Speaker, and it is slightly going off this topic, but it is on the topic of us as a country and what we should expect. I, as somebody who has lived here all my life and will die here, I am just a little tired of everybody around here who sees one little speck of mould acting like their life has come to an end. And I would invite them to do just one thing, and see if they fly off the edge and move out of their own house.

When you wake up tomorrow, go to the back of the closet, in the back of the closet, okay? And those shoes that you thought were black when you put them there at the beginning of winter now look somewhat green.

[Laughter]

Lt. Col. Hon. David A. Burch: Don't panic!

Don't panic, Mr. Speaker. Take everything out of the closet. Dry it out on the first sunny day. Put it out on the wall. It will dry out.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: I don't know about any vinegar. I don't do that part. You do. But everybody has their own answer. Brush them off. Buy some Nugget shoe polish and they will be as good as new. And you will live to be old like me.

[Laughter]

T. N. TATEM MIDDLE SCHOOL

Lt. Col. Hon. David A. Burch: Mr. Speaker, it just . . . it . . . it really is just astounding. It is not who we are, Mr. Speaker.

I started this day . . . and I wish the Minister of Education was here because I haven't had a chance to talk to him, and it really is more like shout at him. But I started this day at 7:15 am with my PS and the Buildings Manager at T. N. Tatem Middle School because we have had several dates of deadlines for the teachers at T. N. Tatem, at the former school, to come and remove their personal pieces of whatever it is.

Mr. Speaker, I can tell you, even before the fire six weeks ago, or whenever it was. And this is not my first visit; I went soon after the school closed for the first time before the summer. And, Mr. Speaker, I am disappointed. Virtually every single solitary classroom in that building is in the same state as when they walked out the door and said they were not coming back.

And do you know what the worst part is, Mr. Speaker? I heard teachers talking about they had to go and buy supplies for their classroom because the government does not provide this, that and the other. Well, I am asking them to send me a list, because if it has Elmer's Glue on it, I know where they can find a supply for the entire system. If it has got Crayons on it, Mr. Speaker, I know where we can find a supply for the entire system.

I know if they are looking for (and he is not here) recycling bags . . . well, you can't find a supply for the entire system, because I acquired a case this morning, and I delivered four bundles on the Premier's desk. And I did that because the Cabinet Office is only second to the House of Assembly in its bad behaviour and lack of recycling.

I delivered a wheelie bin down there myself personally on a Tuesday. And they all saw it. And it has not been touched once. And the answer is, *We don't have any bags*. Well, you have bags now! And, Mr. Speaker, that is why we decided to make it compulsory in Government first, because we don't get the message. And if we want to preach to our people about recycling, then we must learn to do it ourselves.

Getting back to Tatem, Mr. Speaker, it is also interesting to me that out of the woodwork, from virtually every quarter in this country . . . the building is fine. They haven't been in it. But if we do not have 50 requests for everything and their momma up in that building, we don't have one. And to say to them that we cannot entertain any of those requests until we get a handle on what it is that is going on there.

I cannot remember the date, because we came to town and spoke with the PS of Education, he then gave our final deadline. But I will tell you this, Mr. Speaker, and I will take full responsibility for it from every teacher in the country, or every teacher at T. N. Tatem, they have one more shot. And what I have

asked the Ministry of Education to do is send their stores people to Tatem tomorrow and collect up all of those supplies. They can leave them out in the sun if they think that, you know, Crayons are going to have mould on them. And they are to go into their stores and be provided to the schools that currently need those sorts of supplies. And that is going to happen to everything else.

What we are also going to do, Mr. Speaker, is . . . we have identified about \$40,000 left in our budget between now and the end of the year, and ballooning the number of people in the H.U.S.T.L.E. truck who will go to Tatem starting next week, and class by class we will start sorting them out. And the aim is to . . . we are starting on the top floor and we are going to clean out every single class in the building. And we will store desks in one classroom for however many classrooms it is for what is in the school and chairs somewhere else so that there is some order. And we can get to a point where the building can be somewhat populated and put to some good use.

I will say, of the 50 requests that we have had, we are giving everybody a holding response and . . . I am not going to make the decision; I am going to take recommendations from folk. We will look at all of the recommendations that we have and come up with a means of what it is we can utilise that facility for that is going to support the people of this country in the best possible way.

And my final point, Mr. Speaker, on Tatem is that people in Warwick, and I suspect other places too have abused the system in terms of garbage. Now, I put them on notice, Mr. Speaker. I haven't said it seven times, and I probably will not get to seven times before we prosecute some people. But, Mr. Speaker, I am putting people on notice now. There are signs up. You can ignore them at your own peril. But we will not tolerate the behaviour that has been going on at Tatem all of this time. We deliberately did not take the bins away because we have people utilising the facility and they need somewhere to put their garbage.

But I can tell you, Mr. Speaker, I am putting out there so that it comes as no surprise to anybody, even though it will—because I have not said it seven times—there is video footage. I am going to put it on Blast. There is people we can identify; I am going to prosecute in the Magistrate's Court. I am going to prosecute, Mr. Speaker, because the DPP told us he does not have time to prosecute for waste management. Well, guess what. I will make time. And do you know what that will mean, Mr. Speaker? I will only have to prosecute once, because the PR of that is going to go like wildfire and it is going to confirm to the people who do not already know the bye is certifiable.

Thank you, Mr. Speaker.

[Laughter]

The Speaker: Thank you, Minister.

Deputy, are you standing to say we can go home, or would you like your 20 minutes too, Deputy?

Hon. Derrick V. Burgess, Sr.: Well, no. I do not need 20 minutes.

The Speaker: Well, I'll put the clock on for 20 for you. How's that, Deputy?

DISCRIMINATION BY GOVERNMENT HOUSE

Hon. Derrick V. Burgess, Sr.: Well, you can . . . that's kind of you, sir.

Mr. Speaker, you know, it seems like the government departments that come under Government House . . . it's different strokes for different folks.

Mr. Speaker, we have a young man who was accepted into the cadet programme and a few weeks, a week away from graduation, he is let go. And they put it down to obesity.

Mr. Speaker, if we look at the BMI, the Body Mass Index, of the policemen . . . now the acceptable level is anywhere between 18 and 24. Anything under 18 is underweight; and anything over that is overweight, Mr. Speaker. If you look at that, many of those policemen, if you are going by those criteria, probably should be fired. I am not advocating that, but you cannot treat a young man like this.

The Governor should be asking the Police Commissioner for his BMI. And if it is over 24, he needs to go.

An Hon. Member: Oh my goodness.

Hon. Derrick V. Burgess, Sr.: Because we should not be treating our young people like that, Mr. Speaker. You cannot have two sets of rules; it is discrimination, Mr. Speaker!

Why do we discriminate against just because somebody is a couple of pounds overweight? It should never happen. You should not discriminate because they are underweight either—because that would be me, Mr. Speaker.

[Laughter]

Hon. Derrick V. Burgess, Sr.: And we do not need discrimination in any form in this country, particularly when it is approved by Government House. You know Government House does not have a good record. And I do not have to go through all of the history.

I have read online (I don't buy those things either) that we are going to have a new Commander at the Regiment in a couple of weeks' time. What happened to the last one? We are told that some guns were put on the streets. Nobody has been arrested, Mr. Speaker. And it is not *sub judice* because these cases have not been charged in court. You know I know the rules.

But, Mr. Speaker, there is another person who is overseas, alleged to be involved in this here and other things, and he has not been extradited to Bermuda. Why, Mr. Speaker? Yet Government House can approve millions of dollars, and I would say probably \$10 million, to investigate Dr. Brown—and would not investigate the Regiment!

An Hon. Member: Nope!

Hon. Derrick V. Burgess, Sr.: Why?

Would not bring this fellow back home, with all of these serious alleged charges and all that they want to ask him about. But would not investigate a Member in this House, a former Attorney General, you know, when our Attorney General was elected and went to the office . . . no files! Not one!

But yet, this multi-million dollar suit against people, the Government, and there are no files.

An Hon. Member: Not a dickie bird!

Hon. Derrick V. Burgess, Sr.: None!

All this comes under Government House, Mr. Speaker.

Mr. Speaker, we need better representation from the FCO [Foreign and Commonwealth Office] and Langton Hill, because we are paying not only his salary—and I understand we are the only Overseas Territory that pays for the Governor—and he has an assistant. To do what, Mr. Speaker? A waste of money, and Ms. Smith can't even buy Corn Flakes. Butlers and maids, and they are all not Bermudians, Mr. Speaker.

Mr. Speaker, this different strokes for different folks must stop. And I would always say the chief guardian of continued racism in this country is Government House. And it has got to stop now, Mr. Speaker.

So I would ask the powers that be, I would ask my Premier to write the appropriate letter to the FCO on these matters, discrimination being practiced from Government House, based on the complexion of your skin.

Thank you, Mr. Speaker.

The Speaker: Thank you, Deputy.

Does any other Member wish to speak?

No other Member?

Oh, thank you Members!

[Laughter]

The Speaker: The clock says just before 10:00 . . . I agree that we all should go home now. I look forward to seeing you on Friday morning at 10:00 am.

[Gavel]

The Speaker: Good night Members.

*[At 9:56 pm, the House stood adjourned until
10:00 am, Friday, 13 March 2020.]*