



2018/19 SESSION
of the
BERMUDA HOUSE OF ASSEMBLY
OFFICIAL HANSARD REPORT

13 March 2019

Sitting number 15 of the 2018/19 Session
(pages 1049–1184)

Hon. Dennis P. Lister, Jr., JP, MP
Speaker

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BERMUDA HOUSE OF ASSEMBLY**OFFICIAL HANSARD REPORT****13 MARCH 2019****10:02 AM***Sitting Number 15 of the 2018/19 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***[Deferred]***The Speaker:** Members, the Minutes from the 8th of March, as well as the 11th of March, have been deferred.**MESSAGES FROM THE GOVERNOR****The Speaker:** There are none.**ANNOUNCEMENTS BY THE SPEAKER
OR MEMBER PRESIDING****APOLOGY****The Speaker:** This morning, we have had notice that the Honourable Member Dunkley will not be present today.**HOUSE VISITORS****The Speaker:** I would also like to use this time to acknowledge in the Chamber with us this morning is former Member of Parliament, Mr. John Barritt.

Welcome.

And I also see a Youth Parliament Page this morning, Ms. [Mia] Currin. Welcome. And we trust that you will enjoy your sitting here this morning, serving the Members as Page with the Youth Parliament.

*[Desk thumping]***MESSAGES FROM THE SENATE****The Speaker:** There are none.**PAPERS AND OTHER
COMMUNICATIONS TO THE HOUSE****The Speaker:** There are two papers this morning, the first in the name of the Minister of Finance.
Minister.**Hon. Curtis L. Dickinson:** Good morning, Mr. Speaker.**The Speaker:** Good morning.**GOVERNMENT LOANS
(SUSPENSION OF ANNUAL CONTRIBUTION
TO SINKING FUND) ORDER 2019****Hon. Curtis L. Dickinson:** Mr. Speaker, with the Governor's recommendation, and in accordance with section 36(3) of the Bermuda Constitution, I have the honour to attach and submit for consideration of the Honourable House of Assembly the Government Loans (Suspension of Annual Contribution to Sinking Fund) Order 2019, proposed to be made by the Minister for Finance under section 12AA of the Government Loans Act 1978.**The Speaker:** Thank you.The second paper or communication is from the Minister of Works.
Minister.**Lt. Col. Hon. David A. Burch:** Good morning, Mr. Speaker.**The Speaker:** Good morning.**BERMUDA HOUSING TRUST
FINANCIAL STATEMENTS FOR THE
YEAR ENDING MARCH 31ST, 2018****Lt. Col. Hon. David A. Burch:** I have the honour to attach and submit for the information of the Honourable House of Assembly the following: The Bermuda Housing Trust Financial Statements for the Year Ending March 31st, 2018.**The Speaker:** Thank you.

PETITIONS

The Speaker: There are none.

STATEMENTS BY MINISTERS AND JUNIOR MINISTERS

The Speaker: There are four Statements on the Order Paper this morning. The first is in the name of the Premier.

Premier, would you like to present your Statement?

The others are being disseminated as we speak. The Sergeant-at-Arms is disseminating the Premier's Statement at this moment.

BERMUDA AND THE EUROPEAN UNION— BERMUDA MEETS THE REQUIRED STANDARD

Hon. E. David Burt: Thank you very much, Mr. Speaker, and good morning to you.

Mr. Speaker, by now Honourable Members and the public will be aware of the decision by the European Council of Finance Ministers (Economic and Financial Affairs Council, known as ECOFIN) to add Bermuda to the list of non-cooperative tax jurisdictions.

Mr. Speaker, let me say from the outset that this is a setback for Bermuda, and it is for this reason that I, as the Premier and Leader of this Government, precede my colleague, the Honourable Minister of Finance, in making this Statement to this Honourable House and the public.

Honourable Members will know that for almost two years the Government and a host of technical officers have been devoted to addressing external threats to our jurisdictional operations in the area of financial services. During my tenure as Minister of Finance and since then, we have been forced to sacrifice many domestic priorities to meet the requirements of first an assessment by the Caribbean Financial Action Task Force [CFATF] and, most recently, the EU's requirements on economic substance.

Mr. Speaker, Honourable Members will recall that the legislature has been tasked with considering and passing almost 50 pieces of legislation or other statutory instruments in support of both of these efforts. This has taxed the operations of several ministries and departments within government and has incurred numerous late nights and long weekends of detailed drafting and policy review.

Unfortunately, Mr. Speaker, at the end of this process on economic substance, a minor technical omission in our regulations, essentially what appeared as a duplication in almost identical language in our drafts, was unintentionally omitted. Once the omission was discovered, it was immediately addressed. Despite the good faith shown over the last year and our

immediate action, the reinsertion of the omitted line appears not to have been good enough for the [European Union](#).

Mr. Speaker, there is no value in recriminations or attempts to cast blame. Section 57(2) of our Constitution states the following: "The Cabinet shall be collectively responsible to the Legislature for any advice given to the Governor by or under the general authority of the Cabinet and for all things done by or under the authority of any Minister in the execution of his office." Mr. Speaker, this issue is one for which we must take responsibility and, as the leader of this Government, in the legislature to whom the Government I lead is collectively responsible, I have no difficulty in saying *the buck stops at my desk*.

Mr. Speaker, Bermuda's inclusion on the EU's list of non-cooperative tax jurisdictions is only temporary. I wish to make it clear that, as at today, the 13th of March, and in fact, Mr. Speaker, even when this recommendation was made to Ministers on the 6th of March, Bermuda was compliant then and remains so now. This is a technical issue which has already been remedied.

Mr. Speaker, I would invite Honourable Members and the public to take note that, in just eight weeks or thereabouts, Bermuda will have the opportunity to be removed from the list. And I have every expectation that this will be done, as our existing laws meet the standard required by the European Union. This is a view shared by Her Majesty's Treasury in London, who have also expressed to the Commission and publicly that they too expect Bermuda to be removed from this list on the basis of our clear compliance with the required standard.

Mr. Speaker, this will be a short, but challenging, period for Bermuda. But I am confident that the bedrock of our decades-old reputation for sound regulation and conducting first-rate business here will survive this latest threat. When this Honourable House became aware of the recent report of the Foreign Affairs Committee and the recommendations regarding Bermuda, there was significant force in the unanimity of our political approach to that threat.

Mr. Speaker, this is another one of those moments. We cannot let our partisan interests yield to any attempt to divide us as a jurisdiction. This is a "together" moment, and I look forward to the support of Members opposite as we engage with the EU and continue to press Bermuda's case for demonstrated compliance.

Mr. Speaker, let me close by saying that this is clearly not where we want to be, it is not where we intended to be, and we are determined to secure our removal from the list of non-cooperative tax jurisdictions. Bermuda remains a jurisdiction of choice for the best of business to operate, and this Government will do all that is required to preserve that position.

Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Premier.

The next Statement this morning is in the name of the Minister of Finance.

Minister, would you like to present your Statement? Good morning, Minister. You can proceed.

EUROPEAN UNION TAX LISTING

Hon. Curtis L. Dickinson: Mr. Speaker, I rise to provide further background information on the action by the [European Union](#) (EU) Committee of Finance Ministers, known as the Economic and Financial Affairs Council (ECOFIN), to include Bermuda along with several other countries on its list of non-cooperative jurisdictions for tax purposes.

Mr. Speaker, Bermuda is a cooperative jurisdiction with the EU for tax purposes. In the spirit of continued cooperation that has been a hallmark of and has underpinned Bermuda's international tax cooperation framework over many years, the Government has legislated to address all technical requirements and has communicated these changes through our written submissions to the EU's Code of Conduct Group on December 28, 2018, again on February 22 and on March 4, 2019. And as it stands today, we believe that Bermuda has addressed all issues identified and is now fully compliant.

Mr. Speaker, I can report that the UK Government, a member of the ECOFIN, issued a public statement yesterday affirming its position that Bermuda's March 4th, 2019, amending submission to the EU met the EU Commission's one remaining concern. Additionally, the UK published an online note yesterday morning stating, and I quote: "The UK agreement to the Council Conclusions on the revised EU list of non-cooperative jurisdictions for tax purposes is on the basis that as set out in the Conclusions, jurisdictions should be removed as soon as possible after they have demonstrated they are compliant."

The UK notes that Bermuda has legislated to address the issue identified. In light of this we expect Bermuda, and other compliant jurisdictions, to be removed from the list at the next available opportunity."

Mr. Speaker, the next meeting of ECOFIN is in May 2019, and in the interim period we will continue to make sure that Member States are clear in that Bermuda is compliant and that our legislation is fully in force and is being implemented. Mr. Speaker, Bermuda is a well-regulated jurisdiction that has met every international standard over many years, and in the coming days and weeks we will continue to work diligently with our industry partners in order to be removed from this list at the earliest opportunity.

Mr. Speaker, contrary to press reports, Bermuda did not, in our submissions filed with the EU Commission prior to the cut-off date, add any loopholes. And we totally reject any notion that Bermuda was "playing games," as alleged in some press re-

ports. For the record, Mr. Speaker, Bermuda is currently a party to 41 Tax Information Exchange Agreements (TIEAs) on a bilateral basis with various countries. And currently, Bermuda has over 125 multilateral TIEA partners from our participation in the Multilateral Convention on Mutual Assistance in Tax Matters.

It should be noted that our exchange of information network includes all members of the G20, all European Union Member States and all OECD countries. Also, in keeping with transparency and exchange of information principles, and as part of our efforts to combat tax evasion, the Government has implemented U.S. FATCA and, through Bermuda's participation in the convention, we exchange the OECD Common Reporting Standard (CRS) and the OECD country-by-country (CbC) information with every country around the world that joined the OECD administered convention (which includes all EU member states). Mr. Speaker, does this sound like a country that is playing games?

Mr. Speaker, during this process, Bermuda proactively reviewed our 22 February 2019 submission. We noted a technical omission, which was flagged, and as a result we sent a revision on 4 March 2019 to address any possible lingering concerns. This was circulated by the Commission to the EU member states in good time prior to the member states tax envoys meeting of 8 March 2019. This was confirmed to Bermuda.

Mr. Speaker, if at the end of this extended process on economic substance, a minor technical omission in our regulations was addressed too late for it to be considered to Bermuda's benefit, it is very disappointing, given that the ECOFIN meeting was on the 12th of March 2019 and our amending submission was made on the 4th of March 2019.

Mr. Speaker, Bermuda has moved swiftly to request an official response from the Commission to provide its feedback on our March 4, 2019 submission. Once this response is received, we will work through the EU protocols to be removed from the list as soon as possible.

Mr. Speaker, meanwhile, Bermuda is in close consultation with the UK Government to assist us with the delisting process at the next meeting of ECOFIN. Additionally, Bermuda officials will visit key EU ministers or their officials in Brussels, Paris and Berlin to reinforce Bermuda's position. We are working closely with our industry stakeholders.

As the Premier indicated, the last few months have been a trying time, and I want to thank all of the stakeholders from industry who have assisted the Ministry of Finance during this process with their time and ideas. It is not lost on us that Bermuda's substance regulations are regarded as the strictest, yet we find ourselves alone on this list.

Mr. Speaker, earlier this week I met with many of the stakeholders and the Leader of the Opposition

to apprise them of the possibility of yesterday's result. My message yesterday and today is the same. We must be united to work to ensure that Bermuda is removed from the list, and I am confident that this unwarranted inclusion will be reversed at the earliest opportunity.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The next Statement on the Order Paper is in the name of Minister Caines.

Minister.

Hon. Wayne Caines: If it pleases you, Mr. Speaker.

The Speaker: Yes. Continue.

BERMUDA POLICE SERVICE 2019 RECRUITMENT

Hon. Wayne Caines: Mr. Speaker, I rise this morning to inform this Honourable House that the [Bermuda Police Service](#) is in the midst of a dynamic recruitment campaign.

The campaign commenced on March 8th. Suitable candidates are invited to apply by no later than the 8th of April for 16 police constable positions. The Bermuda Police Service is actively looking for Bermudians who are reasonably fit, with a high school diploma or equivalency, who are of sound character and willing to make a difference in their community.

Mr. Speaker, in addition to the nationality and education requirements, the candidates must also be between 19 and 49 years of age and must pass the following:

- Police Service initial recruitment test;
- Security checks;
- Physical examination;
- Psychological test;
- Medical examination;
- Eye examination;
- Home visit; and
- Assessment Board.

By all accounts, the recruitment process is intensive and necessarily lengthy. It is anticipated that, after the pre-checks and assessments, the successful candidates will begin their Recruit Foundation Course in September 2019, with a starting salary of just under \$73,000.

Mr. Speaker, the Bermuda Police Service has undertaken a change programme and has developed "7 Ambitions" for the Bermuda Police Service. The first ambition is, *A New Vision and Set of Values*, for the Bermuda Police Service. As a part of their new vision and values, they will focus on victims, provide a first-class service, and be empowered to do the right thing. The newly empowered Bermuda Police Service is striving to serve the community with professionalism, integrity and compassion.

Mr. Speaker, the second of the 7 Ambitions is, *Create the right organisational structure to be able to respond to current and future policing needs*. The third ambition is to, *Effectively coordinate resources to manage demand and risk*. More information will be shared about the 7 Ambitions as the BPS continues to roll it out; however, it is with this backdrop that the Bermuda Police Service seeks its latest qualified Bermudian candidates.

Mr. Speaker, the Bermuda Police Service budget enables the allocation of 422 constable posts. There are currently 410. Through retirement, resignations and natural attrition, the ranks of the Bermuda Police Service stand to fall below 400 by May if the ranks are not bolstered through recruitment. In keeping with this Government's mandate, we believe that it is important to seek qualified Bermudians to police their own community. There is no better gift to the people of Bermuda than having their very own serve as community stewards.

Mr. Speaker, employment with the Bermuda Police Service is more than just a job. The Bermuda Police Service is career oriented and provides vast roles. There is potential for officers to move across the service from marine or roads policing, to financial or forensic investigations. Arguably, there is something within the BPS for everyone who cares about the social fabric of Bermuda.

Mr. Speaker, others who have passed through the recruit foundation course have spoken of the benefits of the course to their career and to their personal lives. Chief Inspector Robert Cardwell stated, "The recruit foundation course matured me, gave me focus and solidified my duty and service to my country."

Newly promoted Superintendent Nai'mah Astwood stated, "The recruit foundation course helped me to develop leadership skills. It also gave me a true understanding of teamwork and pushed me beyond my natural boundaries. Through the course, I also developed lifelong friendships."

Mr. Speaker, as the Minister of National Security, I believe that we have the opportunity to bolster the ranks of the Bermuda Police Service with Bermudians who are capable, competent and prepared. Anyone who meets the criteria and is up for the challenge should apply to be a part of the solution.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

The next Statement on the Order Paper this morning is in the name of the Minister of Works.

Minister.

Lt. Col. Hon. David A. Burch: Good morning, Mr. Speaker.

The Speaker: Good morning.

THE BERMUDA HOUSING TRUST AUDITED FINANCIAL STATEMENTS

Lt. Col. Hon. David A. Burch: I am pleased to table [the Bermuda Housing Trust \[BHT\] Audited Financial Statements](#) for the year 2017/18 and to report that not only are they up to date in their annual audits, but are also in a healthy financial position.

Mr. Speaker, this is no accident, but can be attributed to the stellar work of the trustees ably led by their Chairman, former member of this House, the Honourable John Barritt JP, and the Deputy Chairman, Senator Vance Campbell JP, both of whom are in the Chamber this morning.

Mr. Speaker, the trust owns five developments—Elizabeth Hills, with 22 units and 21 residents; Heydon Park, with 19 units and 23 residents; Purvis Park, with 23 units and 25 residents; Ferguson Park, with 19 units and 19 residents; and Dr. Cann Park, with 100 units and 104 residents—for a total of 183 units and 192 residents. The focus of the trustees in recent years has been on strengthening the financial position of the trust so that its commitment to its tenants, our seniors, of never raising rents on sitting tenants can be achieved. Whatever else happens, those seniors have been able to count on no increase in rents for the duration of their tenancy.

Mr. Speaker, notwithstanding the aforementioned commitment, the BHT nonetheless faces increased costs, particularly when it comes to the maintenance of its properties. Provision has to be made each year not only for ongoing regular maintenance, but for the extraordinary and the unexpected, which occur regularly with an ageing housing stock. Some of the units date back to the early 1970s. BHT also continues to carry an outstanding loan taken out in 2006 to help fund the construction of its most recent development, Dr. Cann Park. It was a 10-year construction loan in the amount of \$12.5 million. The loan has since been renegotiated, with the amount now owing of \$6 million.

Mr. Speaker, the trustees have consistently paid the loan down and in recent years have made principal payments of up to \$200,000 per annum, over and above the monthly payments required under the loan. Incidentally, one of the terms of the loan is that BHT set aside \$20,000 a month to build up a maintenance reserve for both the expected and unexpected at Dr. Cann Park, and that account currently stands at \$800,000.

Mr. Speaker, as stated, BHT currently provides rental homes to close to 200 seniors, but has a consistent waiting list of between 45 and 55 persons. The trustees are therefore acutely aware of the need to develop another property to provide more homes for seniors in need.

The mandate of the BHT under its 1965 Act is “to initiate and administer one or more schemes for the relief of poverty, suffering and misfortune among

elderly persons in Bermuda by the provision of accommodation for such persons on favourable terms.” This mandate has been interpreted over the years to mean that the trust makes accommodation available to those seniors in need who are capable of independent living, i.e., on their own and, where appropriate, for so long as possible, by linking them to supportive community services.

Mr. Speaker, with this mandate in mind, the trustees have therefore also been quietly, but prudently, saving in order to develop a sixth property. The aim in the current and coming years is to launch a major fundraising effort to help realise this goal and to meet this most pressing need, affordable accommodation for Bermuda’s largest growing demographic—seniors.

To this end, the next project which BHT has initiated is the remediation and renovation of a cottage in Southside, St. David’s, which is to be converted into two apartments. The house is located on Westcott Lane next to Ferguson Park. This project is a start, a welcome start, to what the trust has in mind. It is the model of a government/trust partnership, a public/private partnership with the Bermuda Housing Corporation, who will provide technical and oversight support for the project at no cost to the trust. Mr. Speaker, this will help to keep costs down, as the trust looks to provide the necessary funding for the actual work. The plan is to continue to use this model on future projects, particularly for the sixth development that the trust is about to undertake.

Mr. Speaker, it is an ambitious agenda for an organisation as small as the BHT, which has one full-time office administrator and three part-time staff providing assistance in various capacities, but who together collectively oversee the trust properties and their resident population. The 10 trustees are all volunteers, who have demonstrated their unwavering commitment to our seniors. They are a hard-working and committed group, whom I would like to publicly thank and commend for their tireless efforts. The Ministry looks forward to developing and expanding this partnership in support of our senior population.

Thank you, Mr. Speaker.

The Speaker: Thank you, Minister.

That brings us to a close of Statements.

REPORTS OF COMMITTEES

The Speaker: There are none.

QUESTION PERIOD

The Speaker: We are in the Question Period.

Members, have indicated that they would like to put questions to the Ministers in reference to the Statements this morning. And the first Statement that questions have been indicated for is the Statement from the Premier.

The Honourable Member from constituency 23 would like to put a question to you.

Honourable Member Gordon-Pamplin.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker. Good morning, and good morning to the Premier.

QUESTION 1: BERMUDA AND THE EUROPEAN UNION—BERMUDA MEETS THE REQUIRED STANDARD

Hon. Patricia J. Gordon-Pamplin: Mr. Premier, on page 1 of your Statement, in the penultimate paragraph could you indicate by whom the omission was discovered?

Hon. E. David Burt: Mr. Speaker, I thank the Honourable Member for her question.

I am going to refer the Honourable Member back to my Statement, which states, “The Cabinet shall be collectively responsible to the Legislature for any advice given to the Governor by or under the general authority of the Cabinet and for all things done by or under the authority of any Minister in the execution of his office.”

I am not going to stand at this dispatch box right now, Mr. Speaker, and throw any member of the public service under the bus. It is my responsibility. I accept the responsibility on behalf of the Government. And that is the way, Mr. Speaker, that I hope this House will understand.

There are hard-working public officers who have done this particular work. And in that, I am not going to disparage any of their efforts in this particular situation. We fell short, and I accept the responsibility here today, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Mr. Premier.
Second question or supplementary?

Hon. Patricia J. Gordon-Pamplin: Second question.

The Speaker: Okay.

QUESTION 2: BERMUDA AND THE EUROPEAN UNION—BERMUDA MEETS THE REQUIRED STANDARD

Hon. Patricia J. Gordon-Pamplin: Could the Honourable Premier advise this Honourable House what the vetting process was? [I am] not asking for the individual names; I am just asking for the process.

The Speaker: Thank you.
Premier.

Hon. E. David Burt: Mr. Speaker, there was significant process that was gone through, with the Attorney General’s Chambers, along with private sector partners in the Insurance Advisory Council. And numerous drafts and different things were shared with them back and forth. On this particular issue—and I will make it clear again—there was an editing matter where there was a line, two lines, that appeared almost exactly identical. And the editor managed to not realise that the two lines were similar. And this was an issue where people, Mr. Speaker . . . as I said and indicated, it was an error. It was a technical mischief.

I am just going to read the two lines so that Honourable Members can understand. These were the two lines from the particular legislation. One said, “Taking the strategic decisions and managing and bearing the principal risk related to the development and subsequent exploitation of IP assets.” The second line said, “Taking the strategic decisions and managing and bearing the principal risk related to any third-party acquisition and subsequent exploitation of IP assets.” Those were the two lines that, one of those lines was omitted. And as one of those lines was omitted, as the editor had thought that they were the same line and had the same intent, this led to this decision, Mr. Speaker.

When this was picked up, it was immediately reinserted, and that is where we find ourselves now, Mr. Speaker.

The Speaker: Thank you.

Supplementary or further question? Supplementary?

Hon. L. Craig Cannonier: Yes. Supplementary.

The Speaker: Yes.

SUPPLEMENTARY

Hon. L. Craig Cannonier: Bearing that in mind, I just want to get from the Premier an understanding of how this has all taken place. We want to be clear that we picked it up as opposed to the EU picking it up. That is really what we are looking for. Was it us who picked it up? Or was it the EU who picked up the . . . it sounds as if you are saying it was us. But it is not clear.

The Speaker: Thank you.
Premier.

Hon. E. David Burt: Mr. Speaker, I am happy to get back to the Minister with specific clarifications on that particular issue.

The Speaker: Okay. Thank you.
No further questions?
Third question or supplementary?

Hon. Patricia J. Gordon-Pamplin: I have a third question, Mr. Speaker.

The Speaker: Third question.

QUESTION 3: BERMUDA AND THE EUROPEAN UNION—BERMUDA MEETS THE REQUIRED STANDARD

Hon. Patricia J. Gordon-Pamplin: Could the Honourable Premier advise what the initial stated deadline for the submission was?

Hon. E. David Burt: The initial deadline was the end of December. Countries submitted their legislation by the end of December.

The Code of Conduct Group met in January, went back to jurisdictions with different things and said to come back by February 24th. Our items were submitted in good time. As I indicated to Members yesterday in my press conference, and today, there was a minor technical omission. That minor technical omission was picked up, and we resubmitted those particular issues.

Let us be very clear, Mr. Speaker. The only thing which we are dealing with is that particular line which I read out.

The Speaker: Thank you.
Supplementary?

SUPPLEMENTARIES

Hon. Patricia J. Gordon-Pamplin: Yes, I have a supplementary, Mr. Speaker.

Mr. Speaker, the resubmission was on the 4th of March, I believe, which was well outside the 24th of February deadline that the Member just indicated. So, my supplementary question is, In the interim, between the 24th and the 4th of March, did we have an internal recap in terms of vetting what was submitted in order to ensure that we were compliant with what was expected, notwithstanding the technical glitch? I understand that. I just want to know, what backdrop support did we have to ensure that what had been submitted on the 24th of February was accurate, given that it is of no consequence when the EU meeting occurred if we failed to meet the deadline.

The Speaker: Premier.

Hon. E. David Burt: Mr. Speaker, I am not entirely certain how many more times I can say it, but I am going to try and say it again.

What took place in this particular process were multiple reviews that took place by multiple persons and individuals. That is what took place. There were numerous working groups between the Insurance Advisory Council, the private sector, the public

sector, Attorney General's Chambers, back and forth. The fact of the matter, Mr. Speaker, is that this particular line was missed.

When that was done, there are numerous reviews. So, a simple answer to the Honourable Member's question is yes. But let us be clear. What took place, what has been stated by members, the United Kingdom, et cetera, is that the regulations which are in front of the European Union right now are compliant with what was necessary. The only issue of compliance—and there has been numerous back and forth with the European Commission—was this one line, Mr. Speaker.

I am not entirely certain how many more times that I can say that. And I am not certain how many more times I can stand up here to this Honourable Member and say that I am not going to throw any civil servants or others under the bus. And I accept responsibility for this on behalf of the Government, Mr. Speaker.

The Speaker: Thank you.
Second supplementary?

Hon. Patricia J. Gordon-Pamplin: Yes, second and final on this matter, because I realise it is very testy for the country.

The final overview of the documentation, notwithstanding we had various people responsible, various organisations responsible, is there a process for future lessons that a final overview is conducted? And if so, by whom?

[Inaudible interjections]

The Speaker: Members, Members. Members.

Hon. E. David Burt: The Honourable Member asks, Is there a process? The answer is yes.

The Speaker: Thank you.

That brings us to a close of the questions for the first Statement.

The second Statement that Members have indicated that they would like to put questions regarding is the Statement from the Minister of Finance.

And, Minister, the Member who would like to ask you questions is the Member from constituency 12.

Opposition Leader, you have the floor.

QUESTION 1: EUROPEAN UNION TAX LISTING

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

On page 4, it says, Mr. Speaker, "Bermuda has moved swiftly to request an official response from the Commission." I was hoping just to make a suggestion as a question. If we could ask them why they

could not have just left us on the grey list, understanding that we had made the submission before they actually did meet? It would suggest that they did not see the submission, potentially, by putting us on the list by March 12th when they met.

I would like to ask you if you would ask them why could they not have just left us on the grey list as opposed to this threat of a blacklist?

The Speaker: Minister.

Hon. Curtis L. Dickinson: Mr. Speaker, I think the short answer to that is that I can ask that question. We are still waiting to receive formal communications from the EU with respect to our listing, which we have not received yet. We learned this information through the press and through our contacts at HMT [Her Majesty's Treasury] yesterday.

The Speaker: Thank you.
Supplementary?

Hon. Patricia J. Gordon-Pamplin: Yes, just a supplementary.

The Speaker: Supplementary.

SUPPLEMENTARIES

Hon. Patricia J. Gordon-Pamplin: Yes. The Minister indicated having learned this information through the press. What is the expected exchange of information, that the press would have gotten it before we did?

The Speaker: Minister.

Hon. Curtis L. Dickinson: Thanks, Mr. Speaker.

The Honourable Member . . . let her know that throughout the course of the last 10 days, there have been various press reports around Bermuda's listing, inclusion, not inclusion, all, I suspect, the result of leaks coming out of Europe. I cannot speak to their process. I would have expected to have received official communications with respect to our listing. We have not as of yet, or as of this morning, at this point (and I can check with my office) received anything formal yet. But we have relied upon what we have seen in the press, because there was a published list. There was a streaming of the meeting yesterday on the Web. And then, we have had direct contact with our UK representatives.

The Speaker: Second supplementary?

Hon. Patricia J. Gordon-Pamplin: Second supplementary.

The Minister indicated that he had direct contact with our UK representatives. But have you had any direct contact, perhaps through our Brussels of-

fice, directly with the ECOFIN individuals? Or are you just still waiting for the written confirmation of what they have made, the determination?

The Speaker: Minister.

Hon. Curtis L. Dickinson: We are awaiting formal written communications from Brussels.

The Speaker: Thank you.

No further supplementaries.

That brings us to a close of the Question Period, because there are no questions for the other Statements that were made this morning.

ANNOUNCEMENT BY THE SPEAKER

HOUSE VISITOR

The Speaker: But before we move on, let me just acknowledge, even though it was mentioned, let me officially acknowledge that Senator Campbell is in the Gallery with us this morning.

And we welcome you.

APOLOGY

The Speaker: And also, it was omitted when I made announcements earlier that the Deputy Opposition Leader will be absent today and Friday. So, I would just like to have that officially noted, as well.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The Speaker: Would any Member wish to speak to that?

We recognise the Honourable Minister De Silva.

Minister, you have the floor.

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

Mr. Speaker, I would like the House to send condolences to the family of Mr. Bernard "Bernie" Woods, who passed away yesterday. Mr. Woods, as you may know, Mr. Speaker, worked as a bus driver—

The Speaker: For many years, for many years.

Hon. Zane. J. S. De Silva: Yes, for several decades.

The Speaker: Yes.

Hon. Zane. J. S. De Silva: And of course, he was, some may say, "the mayor." And we have several mayors up in Sunnyside Park at Southampton. So, I certainly hope that the House will send condolences

to the family, in particular to his wife, Josie, and children, Bernie and [Laquita].

Thank you very much.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other Honourable Member is speaking this morning? That brings us to a close of congratulations and obituary speeches.

MATTERS OF PRIVILEGE

The Speaker: There are none.

PERSONAL EXPLANATIONS

The Speaker: There are none.

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

The Speaker: There are none.

INTRODUCTION OF BILLS

GOVERNMENT BILLS

The Speaker: There are three Government Bills to be introduced this morning.

The first is in the name of the Honourable Minister of Finance.

Minister.

FIRST READING

CUSTOMS TARIFF AMENDMENT (NO. 2) ACT 2019

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: The Customs Tariff Amendment (No. 2) Act 2019.

The Speaker: Thank you. Thank you, Minister.

The next two are in the name of Minister Wilson.

Minister, would you like to do yours?

FIRST READINGS

LIQUOR LICENCE AMENDMENT ACT 2019

DENTAL PRACTITIONERS AMENDMENT ACT 2019

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

I am introducing the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, namely, the Liquor Licence Amendment Act 2019.

And I am also introducing, Mr. Speaker, the following Bill for its first reading so that it may be placed on the Order Paper for the next day of meeting, namely, the Dental Practitioners Amendment Act 2019.

The Speaker: Thank you, Minister.

ORDERS OF THE DAY

The Speaker: Orders of the Day.

And again, for the listening public, we are today resuming the continued debate on the Budget and for the consideration of the expenditures and revenues. This morning, the first Ministry up for debate is that of Legal Affairs. There are some four hours set aside for that. And then, after that, we will continue with the debate that will be for the Ministry of Labour and Sport.

At this time, Finance, Minister, would you like to move us?

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 2019/20.

The Speaker: Are there any objections to that?

No objections.

So moved.

Hon. Curtis L. Dickinson: Head 87, Ministry of Legal Affairs Headquarters; Head 3, Judicial Department; Head 23, Child and Family Services; and Head 4, Attorney General's Chambers.

The Speaker: Thank you, Minister.

The Chairman for this morning's session can come forward now.

House in Committee at 10:44 am

[Mr. N. H. Cole Simons, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

[Continuation thereof]

The Chairman: Good morning. We are in the Committee of Supply. And we are resuming the debate. Today we will be debating Legal Affairs, Heads 87, 3, 23 and 4. Four hours will be dedicated to this Ministry. And the debate will be led by the Junior Minister [*sic*] of Legal Affairs, the Honourable Kim Wilson.

Hon. Kim N. Wilson: Spokesperson.

The Chairman: Spokesperson; my apologies.

MINISTRY OF LEGAL AFFAIRS

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

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

Mr. Chairman, I am, actually, as you can see, holding this matter on behalf of the Honourable and Learned Attorney General, who does sit in another Chamber.

HEAD 87—MINISTRY OF LEGAL AFFAIRS HEADQUARTERS

Hon. Kim N. Wilson: The Ministry of Legal Affairs, under the direction of the Attorney General and Minister of Legal Affairs, Senator the Honourable Kathy Lynn Simmons, 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 can be located at page B-80 of the Budget Book. Its mission 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.*

The department objectives, Mr. Chairman, are as follows for Headquarters: 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 as follows:

- Legal Affairs Headquarters;
- Judiciary;
- 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: With respect to the current expenditure, Mr. Chairman, that can be found commencing at page B-79 of the Approved Estimates of Revenue and Expenditure for the [fiscal] year 2019/20.

Mr. Chairman, the budget ceiling of \$49,071,000 was allocated to the entire Ministry for the 2019/20 fiscal year. This amount represents \$1,167,000, or 2 per cent, increase from the current 2018/19 fiscal year. A comprehensive analysis of the Ministry's expenditure was undertaken to strike a balance between optimising spending limits without compromising the efficient delivery of services.

Of the \$49,071,000 allocated to the Ministry, particular allocations are as follows:

- Ministry Headquarters, \$6,627,000;
- Judicial Department, \$8,723,000;
- Attorney General's Chambers, \$5,308,000;
- Department of Court Services, \$4,658,000;
- Department of Public Prosecutions, \$3,329,000;
- Department of Child and Family Services, \$15,915,000; and
- Department of National Drug Control, \$4,511,000.

Revenue

Hon. Kim N. Wilson: With respect to revenue, Mr. Chairman, 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 to be \$10,403,000. This amounts to \$1,405,000 more than the 2018/19 original estimates.

Current Account Expenditure

Hon. Kim N. Wilson: Mr. Chairman, the Current Account Expenditure estimates for Head 87, with respect to the Ministry of Legal Affairs Headquarters, begins at page B-80 of the Budget Book. A total of \$6,627,000 has been allocated to the Ministry Headquarters. This represents an increase of \$909,000, or 16 per cent, from the 2018/19 original estimates. The increase is mainly due to the budget allocation of \$906,000 for the Mirrors Programme. It will be transferred to the Ministry commencing the 1st of April 2019 and is not reflected in the original estimates for 2018/19.

In addition, resources were diverted to increase funding for services that will be performed by the Litigation Guardians, net of a small decrease in the funds allocated to other overhead costs within the Ministry. Legal services costs also have also decreased due to the effects of the reform of the Legal Aid Model.

Salaries

Hon. Kim N. Wilson: Mr. Chairman, of the \$6,627,000 allocated to the Ministry Headquarters, \$2,355,000, or 36 per cent, of the budgeted amount represents the allocation for salaries. This includes salaries for Ministry Headquarters, the Legal Aid Office, the Financial Sanctions Implementation Unit and the Mirrors Programme. And the specific details of these figures are as follows—

Mr. Scott Pearman: Mr. Chairman. Point of information.

The Chairman: Yes.

Mr. Scott Pearman: I am afraid I have not been provided with a copy of the Minister's brief. So, I would be grateful if she could bear in mind that I am trying to take a note.

The Chairman: Thank you.

An Hon. Member: It is not a requirement.

Mr. Scott Pearman: I appreciate that it is not a requirement, but I would be grateful. She is galloping through this, and I would be grateful. I am trying to take a note.

The Chairman: Thank you, sir.
Minister.

Hon. Kim N. Wilson: Specific details of these figures are as follows:

- \$724,000, Ministry Headquarters;
- \$829,000, Legal Aid Office;
- \$324,000, Financial Sanctions Implementation Unit; and
- \$478,000, Mirrors Programme.

Professional Services

Hon. Kim N. Wilson: Mr. Chairman, \$1,866,000, or 28 per cent of 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 \$554,000 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 officer on behalf of the Ministry. Funding in the

amount of \$143,000 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:

- cost centre 97000, Administration;
- cost centre 97010, Financial Intelligence Agency [a Grantee];
- cost centre 97030, Legal Aid;
- cost centre 97070, Justice Protection;
- cost centre 97080, Financial Sanctions Implementation Unit; and
- cost centre 97090, Mirrors Programme.

I will proceed to address them individually, as follows:

Administration—97000

Hon. Kim N. Wilson: This programme provides for the administrative costs associated with the Ministry Headquarters, to which \$1,338,000 has been allocated. This represents an increase in the sum of \$389,000, or 41 per cent from the 2018/19 original estimates. The increase is mainly due to funding allocated for Litigation Guardian fees and one communications officer. Included in the Administration cost centre are salaries and related costs for Ministry Headquarters. Administrative support for the Minister and Permanent Secretary is provided by one seconded executive assistant and one administrative assistant. Policy formulation for Ministry legislative initiatives and project management is provided by a policy analyst. Fiscal and financial control is provided by a ministry comptroller.

Mr. Chairman, Ministry Headquarters intends to continue to focus on the codification and efficient delivery of Throne Speech initiatives. Our Ministry's most recent commitments include the vital role to be played in realising the medicinal and economic benefits of medical cannabis, modernising Bermuda's liquor licensing regime to meet the challenges confronting us, and needed court reform to address the pressing social challenges of settling family law disputes.

Moving from limited decriminalisation of cannabis to laying the framework of a medical cannabis industry entails overcoming many hurdles. Our Government is responsive to the increasing numbers of medical professionals embracing the science surrounding cannabis, and its positive impact on pain relief and the management of chronic medical conditions. The Ministry is progressing with advancing the regime whereby licensed medical practitioners are permitted to prescribe medicinal cannabis to aid in the treatment of such conditions.

In its 2017 platform, the Government promised to "allow licensed practitioners to prescribe their patients medicinal cannabis to address legitimate health issues and establish a regime for domestic medicinal cannabis production." Mr. Chairman, the

Government has already delivered on a platform promise that targeted removing the criminal offence for simple possession by any person who held seven grams or less of cannabis. In this 2019/20 budget year, the Ministry intends to advance from limited decriminalisation of cannabis to also establish a robust licensing regime that will create a comprehensive framework that embraces the science of cannabis use for medicinal purposes.

Legal Aid reform has moved into the implementation phase where we are already experiencing projected cost-savings results, to be enhanced with further implementation. This is the outcome of our commitment to minimising outsourcing legal services where feasible. And we reap the benefits of handling matters in-house with added staff; that pays dividends as compared to the considerably costlier option of outsourcing, as was blindly committed to in the past.

Liquor licensing reform is well underway to strike the right balance between the commercial benefits of selling alcohol and responsible consumption. Our current liquor licensing regime is as cumbersome and dated as should be expected for having been originally fashioned in 1974. Accordingly, in keeping with Government's commitment, legislation is well underway to modernise the mechanism and the process by which liquor licences are granted. This will also expand classes of licences, enhance enforcement and provide a balanced approach that promotes health and safety to the community while supporting businesses and our tourism product.

In the 2019/20 budget year, the Ministry of Legal Affairs will further introduce amendments that are designed to improve and modernise the functioning of the Liquor Licensing Authority under the [Liquor Licence Act 1974](#). It remains the duty of a responsible government to ensure that adequate protections exist in law in order to administer the sale and consumption of alcohol in the best interests of the whole society. The gaps identified in the liquor licensing regime are preventing businesses from legally serving alcohol at certain events. And it is anticipated that amendments to the law will decrease the practice of serving alcohol without the proper authorisation.

Having passed sex offender legislation to protect society, and especially our children, work continues apace to coordinate stakeholders and to implement the sex offender registration and notification system. The work of the Joint Select Committee was carefully considered to ensure a bipartisan approach to the measures ultimately implemented. As a result, we now have a comprehensive registration, rehabilitation, monitoring and reporting system under the auspices of an Offender Risk Management Team with this primary mandate. The aim is to ensure that all necessary steps are taken for offenders to be reformed, once incarcerated, and appropriately monitored and supervised upon release. Appropriate notices will also be provided to victims and the public to prevent re-

offending, with particular regard to the safety of our children.

Mr. Chairman, the Ministry's commitment to providing opportunities to train Bermuda's next generation of lawyers continues apace. Our pupillage programme provides pupils with an opportunity to work under the supervision of a designated barrister known as a "pupil master." The pupil is thereby provided training and experience within a number of different areas within the Ministry. This includes the Department of Public Prosecutions and Legal Aid Department, where they gain criminal law experience; the Civil Advisory section of the Attorney General's Chambers, where they gain experience in civil litigation and advice; and the Drafting Section of the Attorney General's Chambers, where they are taught the process of how the law is made.

In 2018, four pupils were selected to participate in the programme, and it is anticipated that each will be given the opportunity to become proficient in an array of legal disciplines. The pupils have been placed on a rotation schedule and have been given the opportunity to assist with files, attend court and gain experience with the type of work for which the pupil master has responsibility, in addition to working with any other persons within the Ministry whom the pupil master may assign the pupil to.

Throughout the pupillage period, the pupils work under close monitoring and supervision of their pupil masters. They are provided with required assistance and the opportunity to discuss complex legal matters in order to ensure that their pupillage is progressing appropriately and to meet, if not exceed, the requirements of the Bermuda Bar Association Pupillage Guidelines. These guidelines require that a number of practice areas are covered during the pupillage, such as legal research, problem analysis and fact investigation, planning and conduct of a matter, and file and practice management.

The programme is proceeding efficiently, and it is anticipated that a positive pupillage experience will continue to endear pupils to recommend others to pursue a legal career within the Ministry, thereby offering preferential opportunity to recruit new talent.

Finally, Mr. Chairman, child support arrears enforcement remains a challenging priority related to unifying the Family Court to fully marshal mediation and case management to resolving family law disputes. Resources will be deployed to implement a Unified Family Court and Mediation Centre [UFCMC] to better assist families in crisis and decrease dependency on an adversarial system. The stress of litigation will be further offset by streamlined case management to further minimise protracted disputes in family matters. The intended single registry office promotes better trained professionals at every level. This restorative justice approach is long overdue to assist children and families faced with the daunting

challenges of resolving disputes without damaging the social bonds that they depend upon.

In 2019/20, the Ministry of Legal Affairs, as described in the 2018 Throne Speech, will progress the Unified Family Court and Mediation Centre to provide coordinated services to those who have family-related matters within the judicial system. Restorative justice will be fully integrated to progress cases involving children and families in a fair, efficient and cost-effective manner. It is anticipated that this platform will assist to empower families through appropriate skills development activities and sound case management practices, to resolve disputes.

Legal Aid—97030

Hon. Kim N. Wilson: Turning now to line item 97030, the Legal Aid Office. Mr. Chairman, the purpose of the Legal Aid Office 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 mission statement of the Legal Aid Office 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.

Mr. Chairman, the Legal Aid scheme, which is administered by the Legal Aid Committee under the authority of the Legal Aid Act 1980, under the 2019/20 budget is allocated \$1,684,000, which is a 19 per cent, or \$389,000, decrease from the 2018/19 original estimate allocation. The decrease in the budgetary needs from 2018/19 is primarily attributable to less funding being allocated to Legal Services. This results from in-house Legal Aid counsel taking conduct of many cases that would otherwise have been allocated to outside counsel at a higher cost per case. The private bar still retains a role in the operation of the Legal Aid scheme, but the implementation of public policy-based cost controls has reduced this area of expenditure.

Of the 2019/20 allocation, \$829,000, or 49 per cent, represents salaries for the administrative and management staff. Of the budget, \$660,000, or 39 per cent, represents costs allocated for legal services. The remaining \$195,000, or 12 per cent, represents administrative expenses, other than salaries, for the Legal Aid Office.

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.

Mr. Chairman, the largest area of expenditure within the Legal Aid budget remains legal fees, which is in keeping with historical trends. The office was able

to contain spending within its budget in 2018/19 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 June 1st, 2018, to December 31st, 2018, legal fees paid to external counsel amounted to \$996,000. This compares to the annual average cost, for the immediately preceding two-year period, of \$1,020,500. It is anticipated that costs will continue to trend downward in tandem with full implementation of the reformed model.

Legal Services

Hon. Kim N. Wilson: Mr. Chairman, with respect to Legal Services, between the period 1st of April 2018 and 31st of August 2018, the Legal Aid Office managed a combined total of 105 new matters: 13 domestic matters, 7 matrimonial matters, 30 civil matters, and 55 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 1st of April 2018 to January 31st of this year, 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

1. increase sustainability;
2. provide employment and training opportunities for Bermudian counsel;
3. improve succession planning and, finally;
4. significantly reduce expenditure on legal fees, which has historically been an area of budget overspend.

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 Legal Aid 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 last year. This provides a useful reference guide to counsel who currently participate in those courts and to 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, 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 application. 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.

With respect to staffing, Mr. Chairman, at present the Legal Aid Office comprises three administrative posts and three legal posts. The three administrative posts are the office manager, accounts assistant, 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 counsel, which will bring 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 by using this model.

Training and development. 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. This is necessary to support the litigation that will now be carried on 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 Supreme Court, such as murders and firearms 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 two junior counsel who will work under the guidance of the senior Legal Aid counsel. 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 Files system is the database that we use to track client information, case disposition, classification and cost of each case that we have conduct of.

The diversity of legal work in the Legal Aid Office makes it an attractive option for pupils, two of whom, I understand, are joining us here in the Gallery now, 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.

Mr. Chairman, other initiatives are as follows: Legislative Amendments—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, those 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.

CLE (Continuing Legal Education) requirements for counsel participating in the Legal Aid scheme—an agreement has been reached between the Bermuda Bar Association and the Legal Aid Office to ensure that counsel participating in the 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 be retained 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 their practicing certificates.

Justice Protection Programme—97070

Hon. Kim N. Wilson: Mr. Chairman, the Justice Protection Programme, line item 97070, has been allocated a budget of \$554,000 for fiscal year 2019/20. This represents \$3,000 more than the prior year, 2018/19.

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: Mr. Chairman, this is cost centre 97080. The Financial Sanctions Implementation Unit (FSIU) is a new unit, and it was established subsequent to the transfer of the Office of NAMLC to the Ministry of Finance. Of the 2019/20 allocation, \$324,000, or 95 per cent, represents salaries for administration. The remaining \$16,000, or 5 per cent, represents overhead costs for setting up the new office.

The FSIU was formally established in September 2018. The history of this unit dates back quite some time. The current and previous administrations have discussed the importance of the establishment of this unit, as the country was preparing for the onsite Mutual Evaluation by the Caribbean Financial Action Task Force, which is a regional body that is linked with the Financial Action Task Force. The unit oversees the implementation and the close monitoring of financial sanctions in Bermuda, and also advises the Minister of Legal Affairs of wider matters relating to anti-money laundering and 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, as well as the International Sanctions Regulations 2013. The Governor, by way of the International Sanctions (Delegation of Governor's Powers) Notice 2018, transferred certain functions to the Attorney General and Minister of Legal Affairs, which took effect on the 25th of September 2018.

Mr. Chairman, it must be noted that 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 under section 62 of the Constitution of Bermuda is in no way affected by the delegation of these powers which I just spoke about. In particular, under the said Orders, the Minister of Legal Affairs has the power to do the following:

- (a) obtain evidence and information by taking such steps as considered appropriate to cooperate 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 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 the 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 the government's anti-money laundering initiatives.

Output Measures

Hon. Kim N. Wilson: With respect to the output measures, Mr. Chairman, the FSIU ensures that the sanctions measures webpage of the government portal is updated with regard to adding or de-listing for the various sanction regimes. Thus, upon notification from HM Treasury's Office, FSIU updates the webpage 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 keeping a watching brief on Brexit and, should the need arise, will work with UK authorities and operational partners to that ensure Bermuda's sanctions regime is functioning efficiently and effectively.

With respect to the staff of the FSIU, currently it comprises a responsible head, and recruitment is underway 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 the following: bringing relevant Overseas Territories Orders in Council into force in Bermuda; reviewing licence applications in respect of the various sanction regimes; liaising with Government House and UK authorities on sanction matters; and assisting Headquarters with Bermuda's mutual evaluation process. During the period, the head has been assisted by legal counsel who was seconded to the legal counsel post from the Attorney General's Chambers.

Mr. Chairman, Training and Development. The FSIU benefited from training from Her Majesty's Treasury Office of Financial Sanctions Implementation [OFSI] in July of last year. The OFSI team members conducted a two-day training session on financial sanctions implementation that provided instructive

information and practical exercises on dealing with financial sanctions implementation.

Further, the head attended meetings at the OFSI in January 2019 and met with OFSI's director and heads of the various units in order to gain more insight into the effective implementation of targeted financial sanctions. In addition, OFSI will be conducting meetings with the UK's Overseas Territories in Miami in March 2019, and the FSU will attend and lead a session on the implementation of targeted financial sanctions and share Bermuda's experience in respect of having certain functions delegated from the Governor to the Minister.

Mirrors Programme—97090

Hon. Kim N. Wilson: Turning now to cost centre 97090, which is the Mirrors Programme. The Mirrors Programme is newly transferred to the Ministry of Legal Affairs as a result of the Cabinet shuffle. Of this 2019/20 budget, \$906,000 has been allocated. Of this, \$478,000, or 53 per cent, represents salaries for administration. The remaining \$428,000, or 47 per cent, represents overhead costs.

This programme is focused on socio-emotional skills development, performance coaching and personal transformation for middle and senior school students, with an emphasis on innovative learning strategies and leadership skills. Mirrors Programmes are based on creating a deep and lasting transformation in the lives of participants so that they can reach their fullest potential. The long-term objective is to make better learners and build a resilient community of young adults who have positive life outcomes in education, employment, and lawfulness.

There will be a reduction in the number of students served, from 36 senior school students to 22 for the 2019/20 fiscal year, and the shift in traveling overseas to a university setting for the camp services versus hosting the residential camp locally. This change is a more cost-effective way of providing services whilst building students' leadership skills, allowing them to interact with overseas students and have a college campus life experience. The limited venues locally and the rising cost for conference and housing services would not be sustainable in the long term.

Mr. Chairman, the Mirrors Alumni and Friends Association will support the Mirrors Programme to launch the PeerForward, [formerly known as] College Summit programme, for fiscal year 2019/20, with a grant from Skyport. PeerForward mobilises students to create a college-going culture in their high school. The PeerForward method guides more students to college by tapping the peer resources in high schools. It is informed and validated by research on the key actions essential for postsecondary degree attainment. PeerForward trains, deploys and coaches a team of Peer Leaders, who are charged with boosting college preparation and enrolment across their entire

school. They mobilise friends and classmates to realise their true college and career potential.

Grants—Mr. Chairman, the budget allocation for grants for fiscal 2019/20 can be found at page C-16 of the Budget Book. For fiscal 2019/20, a grant will be provided to the Financial Intelligence Agency [FIA].

In continuation 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 to Foreign Intelligence Authorities.

Mr. Chairman, \$1,805,000 was allocated for fiscal 2019/20, which represents an amount that was retained from the previous fiscal year 2018/19. 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.

Capital Expenditure Estimates

Hon. Kim N. Wilson: The budget allocation for Capital Expenditures is found at page C-9 of the Budget Book. The Ministry has been allocated a total of \$260,000 for fiscal year 2019/20. Of this, \$249,000 is allocated for video conferencing. The remaining \$11,000 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 2019/20, as detailed, will enable the Ministry to successfully fulfil its mandate, with careful monitoring and the continuing exercise of financial prudence.

This completes Head 87, Mr. Chairman.

The Chairman: Thank you.

You may proceed.

Hon. Kim N. Wilson: Thank you.

Mr. Chairman, turning now to Head 3, the Judiciary. That can be located, Mr. Chairman, in the Budget Book at . . .

The Chairman: Page B-85.

Hon. Kim N. Wilson: Thank you.

HEAD 3—JUDICIARY

Hon. Kim N. Wilson: The Judiciary is established by the Constitution 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 of the Judiciary is *to carry out its tasks fairly, justly and expeditiously, and to abide by the requirement of the judicial oath "to do right by all manner of people, without fear or favour, affection or ill-will."* Mr. Chairman, the mission of the Administrative Section of the Judiciary 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 has the criminal, civil, commercial, appellate, family and matrimonial courts, as well as probate registry; and the Magistrates' Court, which has the criminal, civil and family courts. Ancillary activities involve bailiff services and administrative support for judicial chairs of statutory boards such as liquor and betting licences, and criminal injuries compensation.

The Honourable Chief Justice is the head of the Judiciary. 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 53, or 76 per cent, substantive posts filled; nine, or 13 per cent, posts are filled by temporary relief employees; and eight, or 11 per cent, posts are vacant. The goal is to be at full complement by the end of 2019. This is quite a turnaround from last year, when a severe shortage in staff resulted in partial closure of the courts and registries. I am pleased to say that all courts and registries are once again operating under normal hours. The major shift in the increase in staffing numbers was due to the push to obtain temporary relief staff.

The budget for this department in the upcoming year is approximately \$8,723,000. Revenues are projected at \$10,211,000.

Some of the highlights from the 2018/19 year, 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 the vacant posts.

The court accommodation being placed under one roof would increase service efficiency. The closure of the 113 Front Street location has had an impact on service delivery of the courts. It is a priority to find suitable relocation space for administrative staff, such as the Judge's Chambers, as well as suitable, secure and separate jury space and court operations.

The staff of the Judicial Department are to be commended for continuing to provide services to the public.

Video Conference

Hon. Kim N. Wilson: Mr. Chairman, the Evidence (Audio Visual Link) Act 2018 was passed, and now capital funding for the 2019/20 fiscal year has been

allocated to the department to move forward with the installation of the required technology. This initiative would not only enable significant cost savings, but also provide vulnerable witnesses more protection in sensitive cases. Furthermore, the ability for expert witnesses to attend via an audio visual link would also decrease the cost to Legal Aid in instances where overseas experts are needed to be flown in to Bermuda to provide evidence. The implementation of this technology will provide an immense benefit towards the modernisation of the Judiciary. The department would like to thank the Minister for assisting in this initiative.

Further Education

Hon. Kim N. Wilson: While we continue to encourage staff to challenge themselves and to grow in knowledge and expertise, the staff shortages greatly reduced opportunity for additional training, as all hands were needed on deck. Now that the staffing complement has increased dramatically, in the upcoming year we look forward to once again ensuring that staff explore opportunities for growth and learning that could lead them to qualify as future lawyers or such other recognised positions in this community.

It is further envisioned 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 relevant and applicable training in order to further increase the quality and efficiency of the Judiciary.

The Premises

Hon. Kim N. Wilson: Commercial Court in the Government Administration Building. Mr. Chairman, the Commercial Court has now completed its ninth year (it seems like that was just yesterday) of operation and continues to be well received by practitioners, both here and overseas.

The Dame Lois Browne-Evans Building, housing the Magistrates' Courts, 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. Since late 2016, the premises are now shared with Supreme Court Family/Matrimonial Division; IT; and Probate Division, which were displaced from the previous 113 Front Street location.

The 113 Front Street location was partially reopened to house the Court of Appeal, and unfortunately, that location in April or May 2018 was deemed unfit. The administrative staff were also relocated to this location.

This facility, as a whole, provides a safe and secure environment for the public, judicial officers, lawyers and defendants. There continues to be seam-

less transition of prisoners from Corrections vehicles through the ground floor sally port to the elevators, and straight to the holding cells located to the rear of the courtrooms.

The majority of the Judicial Department's increase is due to funding of salaries due to the rise in pay scales approved by the Joint Grading Panel over the last year. The estimates also are attributed to the need for adequate security to protect our courts and all using them. The Request for Proposal (RFP) process began in late 2018, and it is intended to be completed by the 31st of March 2019 when a new two-year contract will be drafted. In addition, our audio recording system, CourtSmart, which is the official record for the Supreme Court and Court of Appeal, requires updating. Additional IT equipment must also be maintained to support the needs of the justice system.

With respect to the Supreme Court, Mr. Chairman, and please note that the statistics that have been provided are those that were available at the time of preparation of the performance measures and reflect the actual statistics for the period January to September 2018.

The Chairman: So, are we on [cost centre] 13010, Minister?

Hon. Kim N. Wilson: I was getting to that. I was just . . . (I am a little parched.)

So, line item 13000, Criminal Injuries Compensation. This cost centre provides for payments to victims of criminal acts, as decided by the board. Awards in the amount of \$325,000 were paid out, which was the extent of our budget allocation for that year. The increase of \$55,000 represents funding for an administrative post to support the Chairperson of the Criminal Injuries Compensation and the Liquor Licensing Board.

Line item 13010, Supreme Court. 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 expense decrease is due to a movement in salaries for vacant posts being funded at the lowest post pay grade. There were 335 new civil matters filed. There were 102 divorces filed in 2018.

Line item 13015, Courtrooms and Chambers. This cost centre provides for the salaries and operational expenses for the courtrooms and Chambers of the Supreme Court (criminal, civil and commercial and family/matrimonial). There are 19 posts including the Chief Justice, Puisne Judges and the Registrar's post. The expense increase is due to a combination of a movement in salaries due to vacant posts being funded at the lower end of the post pay scale, salary increments and funding for an Assistant Puisne Judge.

There were 42 indictments filed and 59 civil and criminal appeals filed from the Magistrates' Court.

Line item 13020, Court of Appeal. This cost centre provides the sitting and retainer fees of the President of the Court of Appeal and four justices of appeal, and the salaries of two posts, an administrative officer and an administrative assistant. The expense increase is due to a combination of a movement in salaries due to vacant posts being funded at the lower end of the post pay scale, and salary increments. The Court of Appeal meets three times a year; sessions are three weeks long. The number of appeal cases filed in 2018 was 35.

Line item 13025, Court Technology Office. This cost centre provides for the salaries for the Information Technology Section, for which 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), court reporting system (CourtSmart) and telephone system. Equipment and software applications must be maintained and 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. Thorough research will be conducted this year 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.

Turning now to line item 13040, the Magistrates' Court. This cost centre provides funding for the Senior Magistrate, four magistrates, and acting appointments where necessary. The magistrates adjudicate upon civil, criminal, traffic and family matters. There are also the Mental Health, Drug Treatment and the pilot Driving Under the Influence (DUI) Courts, which continue to seek to reduce recidivism by addressing the drug, alcohol and mental health challenges of offenders.

In late 2016, Court #4, located in the Dame Lois Browne-Evans Building, was redesigned as a supreme court due to the health and safety issues at 113 Front Street. This reduced the number of courts from six to five. All five courts continue to experience heavy caseloads, and as such, the court calendars remain full to the extent that court dates are being issued starting at three months in advance. Plea courts are often standing room only. 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.

Line item 13050, Civil Records. The Civil Section is overseen by the office manager and is administered by one senior court associate, who has general supervision over 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 20 years. Legislative amendments are required to increase fees for the preparation of these files. The process has begun and has been submitted to the Attorney's General's Chambers for a review. There were 1,924 new civil cases filed in 2018. It is to be noted that this is the lowest number of civil cases heard in the Magistrates' Court for over the last five years. As was noted in 2017, this may be as a result of the improvement of the economy, which allowed potential litigants to meet their financial obligations.

There has been an intention to increase the civil jurisdiction of the Magistrates' Court to \$50,000. If this occurs, then this will invariably increase the number of cases filed and the overall number of cases dealt with in the Magistrates' Court. This will require additional staff to process the relevant court documents. The Civil Section of the Magistrates' Court has endured a number of staffing changes over the past five years. However, this section is now fully staffed, albeit some of these staff members are temporary relief staff. This section had a salary increase for each post, based on the Job Description Review, and thus the reason for the 10 per cent increase.

Cost centre 13060, Family and Child Support. The Family Court was established by Section 13 of the Children Act 1998 to exercise the jurisdiction conferred upon the court by that Act. There are two Family Courts, each comprising a magistrate and two panel members [male and female], pursuant to Section 12 of the Magistrates' Act 1948. The Family Court is a specialised 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 and maintenance, as well as violations against the law on the part of juvenile offenders.

The Family Support Office serves the public and the Magistrates' Court by providing customer services, 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 2018 was 2,014 cases, which represents a nominal decline of 4 per cent over 2017. The Family Court had an additional 151 new cases filed in 2018. The number of juvenile cases saw a 33 per cent decline when comparing 2018 to 2017, and there was also a 20 per cent decline in the number of Domestic Violence Protection Orders (DVPOs) as of the 31st of December 2018.

The total amount of child support payments received in [2018] is \$4,288,809, which is marginally lower than the 2017 figure of [\$4,582,552]. This repre-

sents a 6.4 per cent decrease, or equivalent to \$293,743.

In 2018, the number of cases heard under the Children's Act 1998 (which would include care orders, access, maintenance, and care and control) increased by 7 per cent, or 41 cases, in comparison to 2017. By year end (31st of December 2018), the total number of these cases declined by 4 per cent, or 49 cases. The \$63,000, or 16 per cent increase, in this cost centre comprises the regrading of posts from the Job Description Review, which was approved by the Joint Grading Panel in late February 2018, as well as the inclusion of funding for a substantive administrative assistant post, which was erroneously excluded from last year's budget.

Line item 13070, Administration. Administration provides overall control of the personnel, facilities and financial resources of Magistrates' Court. There are six staff, which include the court manager, office manager, administrative assistant, accounts officer, and two court associates who perform all cashier services for Magistrates' Court.

We continue to accommodate the needs of the public by opening the cashier's office during lunch hours. Over the past year, there were 1,824 customers served during the lunch period from 11:45 am to 2:15 pm. This is an indication that this service is being heavily utilised; therefore, we will continue to remain open during these periods.

The total amount collected by Magistrates' Court for all categories, including child support, equals the sum of \$8,814,823 in 2018. The 3 per cent increase in this cost centre comprises the pay scale uplift from the job description review.

I would like to pause for a moment and acknowledge the presence of the Learned and Honourable Attorney General, Kathy Lynn Simmons, who has joined the Chamber, along with her Permanent Secretary, Marva O'Brien, and the Controller of the Ministry.

Line item 13080, Criminal/Traffic Records. For five consecutive years, between 2014 and 2018, the total number of outstanding warrants has steadily increased. In 2018, there were 11,684 outstanding warrants within Magistrates' Court, which is an increase over the 2017 figure. The total amount of unpaid fines that have accrued as a result of warrants not being executed has escalated to \$2,395,312.32, as of the 31st of December 2018.

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 1,934 record requests as of the 31st of December

2018. This represents an additional 606 requests, or a 45 per cent increase, when compared to 2017.

In July 2018, the Police Criminal Records Office in Prospect closed their operations indefinitely. Subsequently, the public were referred to the Magistrates' Court for security vetting, and this resulted in an increase in the number of applications received. The \$69,000 uplift in this cost centre encompasses the approved pay scale increases from the Job Description Review and funding of an unfunded post that will be abolished. In its place, a new administrative assistant post will be created to provide dedicated administrative and clerical support for two independent boards.

Turning now to line item 13090, the Bailiff's Office. This office provides for the service and execution of court papers inclusive of the Civil, Family and Supreme Courts, and Foreign Service. There is one Head Bailiff/Deputy Provost Marshal General, one administrative assistant, and five bailiffs, who travel throughout the Island serving court processes. During the past year, the bailiffs were assigned 2,207 documents for service. There were also 37 Writs of Execution Orders executed in 2018, which was more than double the number of orders executed in the previous year. As at the 31st of December 2018, the Bailiff Team were successful in executing 87 per cent of their assigned documents, which was a significant increase over the previous year. The success was primarily due to a decrease in documents issued by the courts. The 2019/20 estimated budget for this cost centre has declined largely in part to an overstatement of \$53,610, being the erroneous inclusion of an administrative assistant (temporary relief) salary in the 2018/19 budget.

Revenue

Hon. Kim N. Wilson: With respect to Revenue, Mr. Chairman, revenue reported in this section is up to the calendar year ending December 31, 2018.

Traffic and Parking Fines. The major components of revenue are traffic and criminal fines. The total amount recorded for traffic fines was \$2,247,845. Of this amount, \$443,625 was for parking fines and \$258,584 was for criminal fines. These amounts tend to fluctuate in line with the volume of offences prosecuted, 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 [TOPA] was implemented in law. The amendment to this Act increased the parking fines from \$50 to \$75 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 the 1st of July 2017 to the 31st of December 2018, over \$617,000 has been collected by the Magistrates' Court cashiers from parking ticket fines. However, the Financial Controller for the Ministry of Legal Affairs has disclosed that the Bermuda Government paid out a total of \$420,200 in parking ticket fines in 2018 to the Corporation of Hamilton. There are concerns that the Magistrates' Court Cashiers' Section provides all of the resources to collect parking ticket fines on behalf of the Corporation of Hamilton, and these resources are funded by the Government of Bermuda. There is no financial reimbursement by the Corporation of Hamilton to cover the costs of collecting their fines. And, as 100 per cent of the fines collected are transferred directly to the Corporation of Hamilton, it results in a loss of revenue to the Bermuda Government.

Court Fees for the Supreme Court. Mr. Chairman, regrettably, the fees collected for Supreme Court matters has not been a revenue that has historically been recorded. The majority of Supreme Court fees are paid by way of revenue stamps that counsel and parties purchase through the Accountant General. This uncaptured revenue needs to be recorded to show the true revenue of the Judiciary. The Registrar has submitted amendments to the relevant legislation to the Minister of Legal Affairs, with recommendations for increases to the Supreme Court and Court of Appeal fees. These fees have not been increased since the implementation of the relevant legislation, which is a period of over 20 years. This clearly does not fall in line with the true value of the services provided by the department and is seriously outdated.

Court Fees for the Magistrates' Court. The revenue received to date for civil fees for 2018 is \$158,990. As stated previously, 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. Mr. Chairman, \$552,188 in revenue was collected during 2018. While the number of liquor licences granted declined when compared to 2017, the amount of revenue collected was in line with 2017 due to the introduction of the issuance of night club licences. Still, the increase surpassed our expectations, as 2017's increase was as a result of the America's Cup activities. Proposals have been presented by the department to the Ministry in relation to the increase in liquor licence fees, which has the potential of producing an additional \$400,000 in revenue per annum, based on the sums received in 2018.

Stamp Duty on Deceased's Estates. The value of a deceased's gross estate is reduced by various statutory deductions and exemptions (such as the value of primary family homestead and the spousal

benefit) to determine the taxable value, or the net estate. A severe shortage of staff available to review probate applications resulted in a sizeable reduction in the number of probates processed and grants issued in this last year. For the period April 2018 to January 2019 (representing 10 months), 105 grants were issued, resulting in a total tax assessment of \$1,094,233. For the period April 2017 to March 2018, there were 152 grants issued, resulting in a total tax assessment of \$6,779,659.

It is to be noted that this figure includes an assessment on a single estate in the amount of \$4,521,441. It is to be further noted that an assessment of this size on a single estate is not the norm. For the period April 2018 to January 2019, revenue collected was \$5,357,790. For the period April 2017 to March 2018, revenue collected was \$6,779,893.

Total Revenue for 2019/20, Mr. Chairman, is as follows and can be located at page B-87 of the Budget Book. In consideration of the current economic climate, total revenues are budgeted to increase by approximately 16 per cent for the upcoming fiscal year.

Capital Expenditure

Hon. Kim N. Wilson: Capital expenditure estimates for 2019/20 are found at page C-9 of the Approved Estimates of Revenue and Expenditure (Budget Book). The Judicial Department has been allocated a total of \$281,000 for fiscal 2019/20. Mr. Chairman, \$267,000 is allocated for court reporting. The remaining \$14,000 is intended to be used to purchase computer equipment that has fully depreciated in value.

ANNOUNCEMENT BY CHAIRMAN

HOUSE VISITOR

The Chairman: Minister, I would like to recognise the presence of a former Deputy Speaker of the Honourable House, the Honourable Walter Lister.

[Desk thumping]

[Committee of Supply, continuing]

HEAD 4—ATTORNEY GENERAL'S CHAMBERS

Hon. Kim N. Wilson: Mr. Chairman, turning now to Head 4, the Attorney General's Chambers. That can be found at page B-93 of the Budget Book. The mission statement, department objectives and current account estimates for the Attorney General's Chambers are included in Head 4, and again are at page B-93.

The mission statement is as follows: *As legal advisors to Government, the Attorney General's Chambers is committed to providing high-quality legal*

advice and litigation services and to drafting sound legislation, ever mindful of the need to protect the public interest and to safeguard and preserve the fundamental rights and freedoms enshrined in our Constitution. In doing so, we also pledge to uphold the traditions of equity, fairness and justice inherent in the legal profession, whilst simultaneously remaining on the cutting edge of legal trends and technologies to ensure that we are abreast of, and in accord with, global trends.

The expenditure for the Attorney General's Chambers is \$5,308,000. That has been allocated for Chambers, and it represents a decrease in the sum of \$1,000.

Mr. Chairman, the Attorney General's Chambers' objectives are as follows:

1. to provide quality legal services to the Government of Bermuda;
2. to provide advice, to 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, line item 14010, Administration. The Attorney General's Chambers is functionally divided into six programmes. The first is Administration, which 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 (Accounts).

It also supports the purchasing of office supplies that are common to all sections of the department. The modest year over year increase is due to anticipated changes in the salary grading funds allocated for an administrative post and an increase in funding for the repair and maintenance of office equipment.

Line item 14020, Advisory. Mr. Chairman, 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, one Deputy Solicitor General, two Senior Crown Counsel, six Crown Counsel, three administrative assistants and one pupil. The increase is due to the additional costs for consultant services.

Line item 14030, Legislative Drafting. Mr. Chairman, the Legislative Drafting Section advises regarding proposals to introduce or amend legislation, drafts primary and subordinate legislation for all government departments, and provides advice and support to Ministers in the House of Assembly and Senate as their respective legislation progresses. This section also 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, a legislative database manager, a legislative editor, a legislative administrator and a legislative database administrator. The year over year budgetary decrease is due to the reallocation of funding from salaries to consultant services, which resulted in an annual savings of \$46,000.

Mr. Chairman, line item 14040, Revised Laws of Bermuda. 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 year over year decrease is due to anticipated savings from other cost centres within the Ministry to support software maintenance for the ProLaw system.

Mr. Chairman, line item 14050, Debt Collection. 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.

Line item 14060, Law Library. Mr. Chairman, this programme provides for the cost of maintaining the Law Library in the Attorney General's Chambers, which includes the purchase of books and 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: Mr. Chairman, the budget allocation for Capital Expenditures can be located at page C-9 of the Budget Book. The Attorney General's Chambers has been allocated a total of \$5,000 for fiscal 2019/20. 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 2018 calendar year, 69 Acts were enacted and 155 statutory instruments made. In addition to the annual budget legislation and amendments relating to anti-money laundering and anti-terrorist financing in preparation for the CFATF on-site assessment in September, there were a number of new and amending Acts to give effect to the Government's legislative agenda on topics including initial coin offerings, digital asset business, economic substance, family mediation, psychological practitioners, allied health professions and evidence (audio visual link).

The Bermuda Laws website, which contains all of Bermuda's current laws and subordinate legislation, is updated in real time from within Chambers, and we are continuing to make improvements to the site. Since November 2018, as part of the *e-Gazette* project, statutory instruments are now gazetted by publication on the website, which clearly indicates the operational date.

Over the past budget year, the Attorney General's Chambers received 15 mutual legal assistance requests, which is an increase of four in the number of requests received in the previous year. Notwithstanding this increase, the number of days for the Attorney General to respond has remained constant.

With respect to staffing, 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 Crown Counsel, and one administrative assistant. The vacant post for the Deputy Solicitor General will remain unfunded for the budget year 2019/20.

The current staffing levels of the Civil Advisory section are as follows: one Solicitor General, one Deputy Solicitor General, two Senior Crown Counsel, six Crown Counsel, two administrative assistants, and one paralegal to the Solicitor General. There have been no staffing changes in the Debt Enforcement Unit.

In the Drafting Section of Chambers, there are currently no vacancies. There are currently seven Parliamentary Counsel, which includes the Chief and Deputy Chief; one consultant Parliamentary Counsel; and two 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 part in the timely production, publication and consolidation of legislation.

Training and Development

Hon. Kim N. Wilson: The Attorney General's Chambers includes within its mandate the development of its professional and administrative staff. Members of the Civil Advisory and Administrative Sections 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 and the Solicitor General attended a plenary session of the Caribbean Financial Action Task Force [CFATF] in Barbados in November of last year. CFATF is an organisation of states and territories in the Caribbean that has 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 various sessions, including the observation of activities surrounding the mutual evaluation process of the Cayman Islands' current risk assessment and the level of effectiveness of the Cayman Islands' AML/CFT system. The plenary sessions provided valuable technical guidance as Bermuda prepares for an international evaluation process of its anti-money laundering/anti-terrorist financing regime.

A Crown Counsel attended the International Hague Conference on International Child Abduction in October 2018, in Kingston, Jamaica. This professional development will assist with his responsibilities on behalf of the Attorney General under the International Child Abduction Act 1998.

The Chief Parliamentary Counsel and one of the Assistant Parliamentary Counsel attended a conference of the Commonwealth Association of Legislative Counsel for Drafters from the UK, Crown Dependencies and Overseas Territories, in Jersey, in September 2018, regarding legislative challenges of Brexit. On return, the Chief Parliamentary Counsel gave a presentation to the Drafting Team to share knowledge acquired at the conference.

Members of the Drafting Section also attended training, management and personal development courses offered by the Department of Human Resources. One of the Assistant Parliamentary Counsel continues work toward obtaining a drafting diploma, offered online by the University of Athabasca in Canada. The other Assistant Parliamentary Counsel will start the course soon. Members of the Drafting Team take turns in giving in-house monthly presentations and lead roundtable discussions on drafting matters.

Initiatives for the Upcoming Year

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to the initiatives for the upcoming year. A principal focus with respect to the Advisory Section 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 post of Crown Counsel and the post of administrative assistant in the forthcoming fiscal 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, in addition, will continue to review contracts for the various ministries and departments to aid the same in making better decisions in contract negotiations. The Advisory Section will also continue to review the assignment of specific counsel to provide advisory and litigation representation to ministries and departments. They will seek to improve our case management system to reduce our demand for paper resources, as well as provide more in-house presentations by counsel on a variety of legal topics.

Turning now to the Legislative Drafting Section, Staff and Training. The principal focus will continue to be on the development of Bermudians in legislative drafting. Experienced drafters, including the Consultant Parliamentary Counsel, will continue to mentor the Assistant Parliamentary Counsel so that they will be able to draft independently.

The Legislative Information Management System, or the LIMS system. The legislation is produced quickly and accurately using LIMS, which is customised 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 is www.bermudalaws.bm, hosted locally by Fireminds [Technology Solutions]. Consolidation, which is the incorporation of amendments into existing laws, is more time-consuming, since the amendments are checked by the drafters 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 has been achieved in the [last] few years. Subject to resolving all outstanding technical and security issues, with the assistance of the Information and Digital Technology Office, it is anticipated that legislation will be introduced in 2019 to declare this electronic online version to be the official law of Bermuda.

This concludes that particular head, Head 4, Mr. Chairman.

HEAD 23—DEPARTMENT OF CHILD AND FAMILY SERVICES

Hon. Kim N. Wilson: Turning now to Head 23, the Department of Child and Family Services. Mr. Chairman, this can be located at page B-96 of the Budget Book, and there is an errata that has been handed out this morning, as well. Mr. Chairman, I would like to now present the 2019/20 estimates of expenditure for Head 23, the Department of Child and Family Services.

Mr. Chairman, the Department of Child and Family Services is responsible for promoting and protecting the best interests of children, adolescents, adults and families in order to enhance their social functioning and their quality of life. The department provides day care services; care and protection services for children; residential and home-based services for families; and assessment, intervention and counselling services for children, adolescents and families.

Mr. Chairman, the current account estimates for Head 23, the Department of Child and Family Services, begins at page B-96 and has an estimate of \$15,915,000 allocated to them, which represents an increase of \$200,000, or 1 per cent change, from the original budget for 2018/19.

The Department of Child and Family Services continues to focus on developing an integrated service that 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 that they face. These challenges include, but are not limited to, lack of parenting, social and life skills, the ability to maintain housing, secure employment, effective budgeting, the abuse of substances, involvement in antisocial behaviour, cognitive deficits, educational challenges, mental health issues and anger management. These all contribute to the diverse challenges that are now seemingly exacerbated by the challenging economic times that families are facing.

The Department of Child and Family Services is charged with the responsibility of promoting and protecting the best interest and social well-being of children, adolescents, adults and families. Mr. Chairman, in order to meet these responsibilities, the Department operates four programmes:

- Programme 2301—Services to Children and Young Persons;
- Programme 2302—Services to Individuals and Families;
- Programme 2303—Residential Treatment Services; and
- Programme 2304—Administration.

Mr. Chairman, in the fiscal year 2018/19, the Department of Child and Family Services 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 practice standards. These standards are defined by accreditation requirements in the area of human service provision.

Structured Decision-Making Tool

Hon. Kim N. Wilson: Service improvements have been achieved by the department 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 that 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. Utilisation of this tool has resulted in an improved, comprehensive service delivery system that has increased response time to initial referrals. It enhances appropriate prioritising of referrals according to risks, and it ensures that the highest risks are addressed first, resulting in better responses and positive outcomes for clients.

Mr. Chairman, the Department of Child and Family Services business units are discussed by programme, as follows:

Programme 2301—Services to Children and Young Persons

Hon. Kim N. Wilson: With regard to programme 2301 (and again, I am still on page B-96, Services to Children and Young Persons), the Happy Valley Child Care Centre is covered under this programme. The estimate for this fiscal year is \$1,038,000. The output measures for the Happy Valley Child Care programme are found at page B-99 of the estimates book.

For business unit 33010, there is a budget allocation of \$1,038,000 in this fiscal year. This represents an increase of \$120,000, or 13 per cent, from fiscal year 2018/19. This increase is a direct result of staff increments. We continue to contain expenditure within budget allocated for 2019/20, the feeding programme, the clothing programme and the enrichment programme will have been curtailed so as to minimise the impact on the wraparound services provided to high-risk children referred for care and a head start, at the Happy Valley Child Care Centre.

The 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. Most of the children are from the Pembroke, Devonshire and Warwick 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 Department of Child and Family Services, Teen Services, Financial Assistance, Department of Health, and the Child Development Programme. These agencies, along with families experiencing various challenges, account for 60 per cent of the child care centre's intake.

Happy Valley Child Care Centre's monthly fee is \$400 for all children enrolled. If a child is in the care of the Department of Child and Family Services, they do not qualify for the Child Day Care Allowance, and as such, their costs are absorbed by the department.

During the fiscal year 2017/18 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, is specifically designed to meet the comprehensive needs of young children. It 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, which is monitored and approved by the Health Department's Public Health Nutritionist; mandatory parenting classes and involvement; movement; computer activities; reading and writing, science and maths; community service; field trips; riding; gardening; tennis and swimming classes; along with other curriculum activities. These services are offered at the Happy Valley Child Care Centre to assist in the overall development of the children at the centre.

In July of 2018, a class of 16 children graduated from the programme and were well prepared for attending preschool, with two of the graduates reading at the emergent level. Happy Valley Child Care Centre consistently utilises 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 pre-schoolers 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 2018, and it will be up for their third re-accreditation in 2020. There is still an increased demand for child care placement at the

Happy Valley Child Care Centre. A full 150 applications were received for 2018/19, with the facility being able to enrol only 20 new students. During the last school year, four students withdrew, two relocated to the UK, one benefitted from the pilot preschool programme at Warwick Preschool, and one transferred to a private nursery. The inability to accommodate increasing demands, coupled with the need of care for special needs children, remain ongoing challenges facing the Happy Valley Child Care Centre.

Mr. 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 have been 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 [CDP], two-year-old assessments are conducted at the centre; intervention services and parenting classes are also provided by CDP onsite.

Happy Valley Child Care Centre 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 and historical sites across the Island; and hosting its annual "Week of The Young Child" mini fair, which invites neighbouring nurseries and preschools in celebration of young children. This event is greatly supported by the centre's alumni, parents, family and the community.

Community resources that support children's learning onsite are presentations from Sun Smart, Dental Care from the Government Health Department, as well as Fire and Police Services. Support services for speech occupational therapy and physical therapy are also provided by the Government Department of Health and the Child Development Programme.

Mr. Chairman, Happy Valley Child Care Centre is housed in an older building that is in need of constant maintenance and repair. We would like to thank the Department of Works and Engineering for their commitment and supportive services in addressing the maintenance needs of Happy Valley Child Care Centre throughout the year.

Happy Valley Child Care Centre endeavours to maintain a first-class facility, while educating children in a safe, healthy and caring environment.

Mr. Chairman, on behalf of the Minister of Legal Affairs, I would like to take this opportunity to thank 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. And our children are our future.

Programme 2302—Services to Individuals and Families

Hon. Kim N. Wilson: Turning now, Mr. Chairman, to programme 2302, Services to Individuals and Families, still maintaining on page B-96. The activities covered in programme 2302 are Intake, Assessment, Investigation, Family Preservation (formerly known as Family Services), Foster Care, and Counselling and Life Skills (formerly known as the Bermuda Youth Counselling Services). The estimate for these activities for the fiscal year 2019/20 is \$5,961,000. This represents a \$64,000, or 1 per cent, increase compared to the 2018/19 budget allocation.

Mr. Chairman, the Intake, Assessment and Investigation Unit provides first response and protective services to the children of Bermuda. This is achieved with the use of our Structured Decision-Making Tool that was referenced earlier. This tool, when used in this area, provides guidance to the worker, indicating the appropriate response time to initiate having sight of a child, begin the investigation and any related services required. The output measures for this unit can be located in the Budget Book at page B-99.

Mr. Chairman, the Intake and Assessment Team provides care and protective services to the children of Bermuda. This is achieved through three specialised units, namely, Screening, Investigations, and Assessments Team, with a total of 15 staff. The output measures for Intake and Assessments can also be located at page B-99 of the Budget Book.

Mr. Chairman, the Investigation Team received 1,139 new referrals on children. This was a slight decrease from 2017, when 1,222 new referrals were screened by the Department of Child and Family Services. The shift to one central screening system continues to have a significant impact on the number of new cases that are processed for investigative or assessment services within the department. All screenings are reviewed to ensure that workers make contact in the designated time frames, while providing immediate feedback to the referrer.

This service is reviewed quarterly to ensure that best practice standards were maintained. This team also achieved re-accreditation in October of 2018.

The Investigation Team completed 100 per cent of the screening assessments in the stipulated time frames. Of the total number of cases screened, 917 were assessed as needing investigation or assessment services. Of the cases, 222 did not meet the threshold for child protection and were therefore screened out and referred to other services within the community.

Mr. Chairman, referrals have been received for the following types of abuse:

- Neglect, 465;
- Sexual Abuse, 244;
- Physical Abuse, 200;
- Behaviour Problems, 100;
- Emotional Abuse, 84;
- Other Services, 46.

Mr. Chairman, the Investigation Team continues to see an increase in the number of children referred for child-on-child sexual abuse or sexualised behaviour. These account for 51 per cent of the total number of sexual abuse referrals. Children exposed to domestic violence have consistently accounted for the highest number of neglect referrals for the past five years. In 2018, the department received 209 referrals for children who were exposed to family violence. This accounts for 45 per cent of the neglect referrals for 2018. The vast majority of the referrals are received from the police (which represents 291) and the schools (which represents 336).

Of the 917 who were screened in for investigation and services, 528 have been closed or transferred within the department for additional supportive services. To assist with a better understanding of the investigation procedure, the process includes the following activities:

- The referral is prioritised, based on the nature of the report and can require a 24-hour, 5-day or 10-day response;
- The screening process will determine if police involvement is needed;
- Records are checked to determine if the case is already known to the department;
- An investigation plan is developed;
- The child is interviewed;
- The parent or guardian, immediate family members and other collateral resources are interviewed, when applicable;
- Witnesses are interviewed by the police;
- Medical and other assessment reports are obtained;
- The child's immediate safety is assessed for all in-home abuse cases;
- A secondary interview may be required, based on the information that is gathered;
- Determine if the report is verified (substantiated, suspected, inconclusive or unsubstantiated);
- The department conducts face-to-face contacts, based on the level of risk; and
- An outcome letter is provided to the mandated reporter and the parent or guardian.

The investigation process has two main purposes: (1) to gather as much relevant, factual information as possible; and (2) to assess to determine if there are immediate services needs of the child and the family. This may include the department providing

ongoing interventions from other teams or community partners.

Mr. Chairman, the Intake Section continues to work cooperatively with the families they are investigating and assessing. When investigations are required on new and open cases to the department, a safety assessment and plan must be completed on all persons in the home. The goal of the safety assessment is to ensure that the children are safe and that the parent or guardian has agreed on the plan.

The primary objective is for the department and the family to work together without seeking a court order. As a result, the investigation social workers completed 589 safety assessments. This form of engagement with parents allows the department to ensure that the children are safe, while promoting and preserving the integrity of the family. Risk assessments are completed before a case is transferred or closed, and the team completed 552. The number of safety assessments completed increased significantly, 432 in 2017.

Mr. Chairman, the Assessment Team is required to complete comprehensive assessments on children who are experiencing issues ranging from substance abuse to cognitive challenges. The team administered 257 assessments and completed 55 reports that provided parents, social workers and other professionals with clear recommendations for intervention and support services for each child and the family. The Assessment Team provides in-service presentations within the department and in the community.

Mr. Chairman, the Foster Care Section of the Department of Child and Family Services is responsible for providing alternative living arrangements for children under the age of 18 years old who are in need of out-of-home placement. The team was responsible for a total of 88 children, their birth parents, and foster families during the last budget year. This represents a numerical increase by eight foster children, birth families and foster families from the year prior.

During the last budget year, the Foster Care Programme has serviced a total of 11 therapeutic foster children. The children in this category have a variety of physical, cognitive, emotional and behavioural challenges. Therapeutic foster parents are compensated at a higher rate than traditional foster parents. They sign contracts that outline the levels of care expected, based on the children's needs.

At the end of 2018, a total of one child was reunited with their birth parents. Six youth reached the age of 18 and aged-out of the formal foster care system, but continued to reside with their foster families. Three foster youth were transferred to the Psycho-Educational Programme during the year.

The Foster Care Coordinator recruited four new foster parents this year. As the community changes, it has become increasingly difficult to recruit

foster parents. Despite the challenges, the foster parents who are being recruited are of a high calibre and willing to work in partnership with Foster Care. But we still remain hard-pressed to have open and suitable available placements for emergencies and hard-to-care-for children.

In May 2018, Foster Parent Awareness Month, the Foster Care Team arranged a tea to honour all foster parents. Each foster parent was presented with a mug, a certificate and a personalised picture frame by the Minister of Social Development and Sports. The keynote speaker was a former foster child, Janita Perinchief. Ms. Perinchief discussed the importance of foster parents, and her former foster parents were present for the presentation. The department received numerous positive comments about this event from foster parents.

Mr. Chairman, the department would like to acknowledge the foster parents of Bermuda, 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.

Also, the department would like to acknowledge the Foster Parent Association, who work in partnership with the foster care team to support foster parents and provide the funds to enable foster children to participate in educational trips, attend specialised recreational programmes and to resource laptops for school.

Mr. Chairman, the mission of Counselling and Life Skills Services [CLSS] is *to advance and promote the emotional wellbeing 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.

In order to best serve the needs of clients, CLSS counsellors work collaboratively with them to complete specific assessments or screening tools to measure progress, and treatment planning that is geared towards positive growth and development. CLSS continues to align services and practices with the Department of Child and Family Services' strategic plan. The aim of the restructuring of services is to offer a more client-focused and efficient mode of service delivery. The Department of Child and Family Services requires that all referrals be made through the department's Intake Section. The referrals are screened and assessed to determine the needs of the individual child and their family.

Mr. Chairman, to meet Council on Accreditation [COA] standards, quarterly Performance Quality Improvement meetings occurred during this year to review programme data and client trends; perform file

audits; collect client, staff and stakeholder feedback; and perform staff development. We continue to align services and practices so that they are consistent with the Department of Child and Family Services' strategic plan.

CLSS facilitated Substance Education Groups at CedarBridge Academy and Whitney Institute. In addition to the groups, CLSS team members provided presentations to several community organisations.

The Department of Child and Family Services' establishment of centralised intake and assessment allows for a more coordinated assessment of client needs and integrated service delivery. The total number of clients for 2018 was 187, and 105 youth and 82 parents received counselling services.

Mr. Chairman, new referrals for the year totalled 77. The highest number of male referrals was in the 15- to 18-year-old age group, totalling 17. Among females, the 10- to 14-year-old and the 15- to 18-year-old categories were the highest, with 11. It is important to note that clients/families present with multi-problem issues such as high-risk behaviours, adolescent substance misuse, parent/child relationship issues, parental relationship issues, trauma, and emotional/behavioural issues. Family and emotional/behavioural issues are the leading trend.

We continue to receive domestic violence referrals; 30 parents and 20 children were referred during 2018. Services for domestic violence involve specialised services for the batterer and the victim; hence, clients are referred to community agencies for services.

CLSS provided counselling to some children who witnessed domestic violence, but this has highlighted a continued training need for this section and other sections working with children who witness domestic violence. CLSS also provides assistance with co-parenting services and support to children of divorce.

Mr. Chairman, I am getting ready to move into another line item. Would you like for me to continue, or would you like for me to move that we break for lunch?

The Chairman: Thank you, Minister.

I would prefer that we break for lunch and resume after lunch at two o'clock.

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

I move that we now rise for lunch and return at 2:00 pm.

Proceedings suspended at 12:28 pm

Proceedings resumed at 2:03 pm

[Mr. Rolfe Commissiong, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

MINISTRY OF LEGAL AFFAIRS

Programme 2302—Services to Individuals and Families

[Continuation thereof]

The Chairman: Good afternoon, Members.

We are now resuming in the Committee of Supply in consideration of the Government's Budget and now we are still on the matter of Legal Affairs, and those respective Heads are 87, 3, 23, and 4.

The Chair will now recognise the Minister Ms. Kim Wilson.

You have the floor, Minister.

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

Before we broke for the lunch break I was debating Head 23 and I was referring to [programme] 2303, Residential Treatment Services, which can be located at page B-96 of the Budget Book.

The Chairman: Thank you.

Hon. Kim N. Wilson: 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 \$7,173,000 and this represents a 2 per cent, or \$170,000 decrease, from the 2018/19 budget allocation.

Residential Treatment Services provides a continuum of intervention services to children between the ages of 12 and 18 years. These are adolescents who are deemed to be at risk in the community and requiring care and protection in a safe and structured environment. All children placed in this service are on Care Orders and as such become the responsibility of the Director of Child and Family Services.

Residential Treatment Services programme provides 24 hour services. The young ladies are located at the Brangman Home while the young men are receiving temporary services at Oleander Cottage.

The Youth Development Centre is currently closed due to extensive renovations and it is being fully upgraded to meet the needs of the children and safety standards as outlined by our accrediting body. This has been an extensive process as the building was found to be in need of more renovation than initially thought. As a result, the decision was made to do complete and major renovation to the building, replacing the windows with shatterproof glass, new air

conditioning systems to replace any window units, new security and fire alarm systems, which will include upgrades to the camera systems to protect both children and staff and assist in any investigations should the need arise. When operational, it is utilised to provide one to 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.

Brangman Home has also had renovations recently, however, recent rains have exposed some weaknesses in the roof and this is being addressed, and has caused us to have to replace furnishings inside that were water damaged by the leaks. The repairs will also bring two of the bedrooms back online as they were impacted by mould, mildew and water damage. A recent survey of the security and alarm systems has shown the need for upgrades and additional cameras, and this is also being addressed.

Mr. Chairman, the inclusion of family is a key component of the service provision, when this is not possible, alternative community-based relationships and resources are used to develop an appropriate plan.

The programme at Residential Treatment Services 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 that may include independent living, depending on age and family circumstances.

During the 2018/19 budget year, Residential Treatment Services 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 response to clients and families.

Residential Treatment Services 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.

Residential Treatment Services remained within estimated costs for the 2018/19 budget year, however, we have been faced with many challenges related to the number of children receiving services, the bed space available, and the emotional and behavioural challenges they present. As a result, we have received provisional accreditation status until we can address current state of the physical plant and bed space. The administrative responsibilities associated with accreditation dictate that we continue to maintain a four-year strategic plan and the breaking down of that plan into achievable annual goals. These annual goals are ongoing objectives and include the expected outcomes for the programme. The quality of ongoing service is evaluated by a Performance Quality Improvement system (PQI). The PQI consistently

reviews data related to the profiles of clients and the ongoing evaluation of the services provided. This process is designed to ensure that Residential Treatment Services is responding to the needs of the client and is consistent with best practice standards.

The fiscal budget for 2019/20 continues to reflect the department's commitment to ongoing quality improvement based on sound statistical data and empirical research. In 2018/19, 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 Therapeutic Crisis Intervention and Children and Residential Environments training 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.

Mr. Chairman, RTS provided in-house services for 20 adolescents in 2018. This total included 9 males and 11 females. Client services included case management of children as indicated by individual assessments and service plans. Interventions included cottage programmes, transition, family reunification, and aftercare.

Client profiles for 2018/19 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.

Mr. Chairman, with a continued focus on the best interests of the child, in [the] 2019/20 budget year RTS will engage in a restructuring exercise as we anticipate working even closer with other agencies and community resources to streamline services and to maximise the use of existing resources.

To give some statistical data of the client base we are experiencing within RTS, the data from 2018 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, 89 per cent of clients experienced neglect, 84 per cent experienced attachment difficulties that have adversely affected their ability to engage in healthy interpersonal relationships. One hundred per cent of all children at RTS have parent/child challenges. Seventy-four per cent of the client population experienced mood disturbances or disorders. Forty

seven per cent display learning challenges. Mental illness/cognitive challenges is evidenced across 63 per cent of parents of children in the RTS programme, 53 per cent are substance dependent, domestic violence among the adults has been witnessed by 40 per cent of the residents and has likely contributed to their trauma. One hundred per cent received psychiatric or psychological interventions for the year, for 37 per cent of the residents, housing difficulties represent a barrier to discharge. Eight of the 20 residents at RTS have been identified as long-term as they have no plausible family reunification plan.

Over the previous year Residential Treatment Services has successfully met the majority of the planned outputs/outcomes, which can be seen on pages B-100 and B-101 of the Budget Book. Statistical data and the performance quality improvement process have been consistently used to monitor quality and to determine changes needed to improve the service provided. The 2019/20 budget is designed to continue providing resources that allows this programme to provide a quality service to children and families.

Mr. Chairman, the Department of Child and Family Services [DCFS] Family Preservation Team operates under a sound case management and assessment model, which comprehensively assesses the family and child's needs and develops service plans with the family and child and stakeholders to maximise intervention and positive outcomes for the families. The ultimate goal is to reduce/eliminate the circumstances in the family that have been, or are causing abuse or risk of abuse (whether it is emotional and/or physical) to the child and to maintain the child or children in the home environment.

In order to achieve this goal, Family Preservation Services of Department of Child and Family Services require its social workers and social work assistants to manage cases in compliance with both Family Preservation standards and in accordance with the Policies and Procedures of the Department, Structured Decision-Making (SDM) assessment, reassessment and Service Planning processes. This report will highlight the performance of the Family Preservation Team and the client outcomes for the calendar year January through December 2018. The report will also highlight some of the objectives of the Annual Plan for 2019.

Mr. Chairman, the DCFS Family Preservation Team receives cases from the DCFS Intake Team and from DCFS Out-of-Home Services (which is Foster Care, Psycho-Ed, or Residential Treatment Services). Family Preservation is tasked with 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 for placement in out-of-home care, and to enable children in out-of-home care to return safely to their families.

Family Preservation Services are provided to clients of the Department of Child and Family Services, either via consent of the parents or under the authority of a Family Court Order. If child safety is an assessed concern by the Intake investigators, Family Preservation Services is mandated.

Mr. Chairman, upon consent, Family Preservation Services are also provided to a young person transitioning from the Care of the Director 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 the Family Preservation workers or management has improved during 2018 as case load numbers are slightly decreased. Excuse me. And as the Family Preservation workers are required by SDM protocol to increase contact with families based on the family's level of assessment risk. In simplest terms, high risk requires once weekly minimum face-to-face contact, moderate risk requires twice monthly minimum face-to-face contact, and low risk requires once monthly minimum face-to-face contact. All levels of risk also require collateral contacts.

Mr. Chairman, the approval by Cabinet of the reorganisation of the Department of Child and Family Services and the concurrent approval to recruit, has begun to show its benefits with the department beginning to allocate staffing resources accordingly. Once completed, this will allow DCFS to accommodate the increased need for Child Protection Investigation, Family Preservation and Foster Care Services through best practice standards, and reducing the impact of increasing caseload overload on staffing resources. The consequence of inadequate staffing resources in child welfare can have catastrophic consequences on the child and family. Caseload management has improved during 2018 as caseload numbers have slightly decreased; however, the complexity of cases and risk levels has been high, thus the job of the Family Preservation worker remains a very intensive and complex enterprise. Management Services' job description reviews were completed in the third quarter of 2018, thus allowing recruitment to bring DCFS staffing at 100 per cent in alignment with the approved reorganisation. It is the department's goal to have recruitment into vacant positions completed by the beginning of the second quarter 2019.

Mr. Chairman, the data below is an overview of the statistical outputs and outcomes for the Family Preservation Team for the calendar year 2018. This is also found on page B-100 of the Budget Book.

- Family Preservation currently consists of seven Social Worker/Social Work Assistant teams. In accordance with Cabinet approved reorganisation, upon completion of full recruitment in 2019, Family Preservation will consist of eight Social Worker/Social Work Assistant Teams, thus improving caseload management.

- For the calendar year January 2018 to December 2018, the Family Preservation Team has served a combined total of 151 families and 238 children. (This compared to 2017 numbers of 195 families and 214 children.) This represents a 22 per cent decrease in families over the prior year; however, the number of children within these families increased by 24. This is an indicator of larger family sizes being referred.
- During 2018, [a total of] 57 new cases were referred to Family Preservation. Throughout the year a total of 64 cases were closed. All closed cases were void of child safety or child protection issues at closure. Nine cases were transferred to out-of-home services (such as Foster Care and Psycho-Ed) due to an increased safety risk in the home.
 - 49 achieved Service Plan goals/no child protection issues at closure;
 - 5 aged out and declined further services;
 - 6 declined Services. Assessment indicated family would benefit from services; however, no safety issues at closure;
 - 4 were classified as “Other.” All relocated to the UK with parents or other family members;
 - 8 transferred to Foster Care;
 - 1 transferred to Psycho-Ed.
- During the year there were 110 new referrals of children to Intake of parent/guardian abuse/neglect on open cases to Family Preservation representing the following:
 - 1—for physical abuse;
 - 2—for sexual abuse (from a non-caregiver);
 - 12—emotional abuse;
 - 82—neglect;
 - 8—children beyond parental control;
 - 5—service request for preventative support.

We note that “neglect” remains as the highest category of referrals on open cases at 74 per cent of the referrals on open cases. Family Strengths and Needs Assessments completed on all families to guide Service Planning identified the following as top issues or areas of need affecting our families:

1. Coping Skills/Mental Health/Cognitive Functioning;
2. Resource Management or Basic Needs;
3. Parenting Skills;
4. Social Support Systems; and
5. Household Relationships/Family Violence

Mr. Chairman, in 2018, Department of Child and Family Services made concerted efforts to increase the skills of its front-line family intervention

workers in engaging and meeting the needs of the clients we serve through the introduction of the Homebuilders Core Curriculum. The training is 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 attained were as follows:

- How to engage and motivate families in the change process;
- Structuring strategies for keeping family members and themselves safe;
- To conduct a client-directed, holistic assessment of family strengths and problems;
- To organise assessment information, develop goals and evaluate outcomes;
- Strategies for helping clients identify values, strengths and goals;
- To use the assessment information to develop outcome-based goals;
- To use research-based cognitive/behavioural interventions to help children and families change;
- To plan for maintenance of changes and successful termination of services.

Additional training is planned for 2019 in the following areas:

- Motivational [Interviewing,] which is a client-centred approach to helping clients better understand and resolve their ambivalence about change;
- Relapse Prevention, which the 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;
- Improving decision-making through critical thinking;
- Working with families with domestic violence.

Mr. Chairman, at the core of Family Preservation is the understanding that if we can improve the functioning and circumstances of the parent or adult caregivers of the children, we can reduce the risk of abuse and neglect of children. As such, it is vital that we equip our staff to increase their skills at engaging and providing intervention services to our families.

Family Preservation workers attended 129 court hearings over the year. This is a slight increase of 16 hearing over 2017.

- 22—New Care Orders were granted;
- 2—Interim Care Orders were granted;
- 5—Care Order reviews;
- 25—Care Orders extended;
- 2—Care Orders petitioned, or Supervision Order granted;

- 8—Supervision Orders granted;
- 4—Supervision Order reviews;
- 20—Supervision Orders Transitioned to independent living:
 - 1—Supervision Order petitioned/Care Order granted;
 - 3—Supervision Orders discharged;
 - 6—Protective Intervention Orders were made;
 - 3—Custody Care and Control;
 - 5—Supreme Court;
 - 7—Access update;
 - 2—Child Maintenance;
 - 1—Traffic Court, Adolescent in Care;
 - 6—Domestic Violence Protection Orders;
 - 1—Recovery Order;
 - 6—Magistrates' Court for criminal matter (17-year-old).

Data indicates a high number of Care Order involvement with the Family Preservation caseload, which may seem contrary to the function of the service relative to in-home intervention. We note that Family Preservation joint case manages families with Psycho-Ed and Residential Treatment Services where the goal is reunification of children from overseas placements or local residential placement. In addition, Family Preservation was involved in three custody applications where Care Orders were anticipated to be transitioned into Custody Orders with permanency for the children with family members.

Mr. Chairman, 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 2018 has been utilised to establish Annual Plan goals and objectives for 2019, striving toward 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 2018.

Mr. Chairman, the activity covered in programme 2304, Administration, can be located on page B-96. The estimate for this programme for the fiscal year 2018/19 was \$1,557,000. The estimate for 2019/20 is \$1,743,000, which reflects a \$186,000 or 12 per cent increase.

Mr. Chairman, the Administration section of the department is responsible for the general supervision of the agencies within the department. 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.

Mr. 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 of all its resources to ensure they meet client needs.

Mr. Chairman, in this budget year the Administration section will finalise the implementation of its approved re-organisation structure and strategic plan, complete recruitment so that the department is fully staffed, and look for continued opportunities of performance quality improvement. 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 status.

The integrated database for the Department of Child and Family Services will further support the high standard established by the staff within the department.

As regards the Psycho-Educational programme during the course of [the] 2018/19 budget year a total of 20 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 that determined an individualised treatment plan and intensive interventions, according to the diagnostic categories defined by the DSM V.

Mr. Chairman, the Psycho-Ed 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 is utilised to assist the Department of Child and Family Services in obtaining a clear and comprehensive understanding of the needs of the referred Psycho-Ed 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. All children and parents involved in the Psycho-Educational programme are informed of all aspects of the programme before being placed. The court also speaks with the child and confirms with the parents that they fully understand what is involved, the

location of the programme, as well as the expected length of stay. Parents who are able to travel are assisted, in many cases by either the department or the programme their child is attending to visit for parent weekend, which includes onsite family therapy sessions.

Mr. Chairman, a total of six 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 multidisciplinary 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, CAT utilised a collaborative approach constructed by a complete multidisciplinary team consisting of child psychiatrists, paediatricians, psychologists, nurses, licensed clinical social workers, recreational therapists, art therapists, music therapists and education specialists.

Mr. Chairman, two 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 is provided to the Department of Child and Family Services, immediately upon discharge, in a book format. The recommendations provided will give options of programmes that provide the care required to meet the needs of each child. As a part of the review process every programme is reviewed both administratively as well as with a site visit, and they must be accredited by an organisation approved by the department, be approved by the Department of Homeland Security to admit international students, and have family therapy as a part of their programme. Each programme must have weekly contact with the Psycho-Ed Coordinator, and provide a monthly report of the progress or lack thereof of the child placed with them. Case reviews are conducted on a quarterly basis and any changes to treatment plans are made at that time. All children are seen every six months by a staff member of the Psycho-Ed

team and [a] once a year minimum one-on-one meeting with the Director.

The current data revealed that there are 20 children receiving treatment: 85 per cent were male and 15 per cent were female; clients presented significant problems in various DSM V multiaxial classifications.

Mr. Chairman, this data is identical to the data collected in previous budget years. Also identical was that all Psycho-Ed clients had 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.

Mr. Chairman, 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 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, psychotropic medications, frequent team meetings, psychiatric hospitalisations, family intervention programmes and therapeutic visits—all of which have increased and impacted the program's cost significantly. This Global Assessment of Functioning scoring continues to be identical to the scoring of the 2017/18 budget year, found at page B-101.

Notably, Mr. Chairman, 12 male, Psycho-Ed clients serviced overseas, who were diagnosed as conduct disorder, involved in antisocial and criminal behaviours in the community had GAF scores ranging from 48 to 51, with a mean of 50. This data correlates directly with the definitions outlined, hence demanding that the Department of Child and Family Services provide specific intensive clinical treatment for a longer period of time as well as an intensive local family support plan.

Mr. Chairman, the Ministry of Education continues to lack resources and is not equipped to service clients who have conduct disorder or high risk in the community. Consequently, applications are made to the Psycho-Ed Committee requesting an overseas placement for a young person who is not able to be serviced in a traditional school environment. A total of 22 Psycho-Ed clients, 100 per cent, received alternative education due to huge 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 [THRIT], the Department of Child and Family Services lacks an adequate response to the increase referrals for this group. Where skill sets and resources allow, family and educational assessments and school support are provided by our Assessment, Counselling and Life Skills Teams and our Residential Care Officers. Also, there has been no relief in the time spent preparing court documents to support care and supervision orders. Consequently, client contact time continues to decline due to the demands of the Family Court process, guidelines and overall expectations.

To date, there are 10 clients overseas: 8 males, 2 females; and 2 Psycho-Ed referrals pending a review by the Psycho-Ed Committee. The ranges in age are 12 to 18 years old with the median age being 15 years old. Often we are questioned on the value of the programmes to the taxpayer, and yes they are costly, but we must consider the value of our children, and if we deem them to be paramount we must continue to provide those professionals who are charged with their care and protection the resources and tools needed to do what is in their best interests.

Mr. Chairman, at this time we would like to thank the staff within the Department of Child and Family Services for their dedication to providing effective services to those families requiring the array of services which they provide.

That concludes Head 23, Mr. Chairman.

The Chairman: That concludes the Minister's presentation on Head 23.

Are there any other Members that wish to address this head?

The Chair now recognises the Member from constituency 22. You have the floor.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I thank my Honourable and Learned Minister for her detailed presentation. And I also, if I may, pause to acknowledge the presence in the Chamber . . . I know the Attorney General and I see her walking in now . . . Senator the Honourable and Learned Kathy Lynn Simmons and, indeed, I see PS O'Brien and her team here as well. So I recognise them here in the Chamber.

The Chairman: Mm-hmm.

Mr. Scott Pearman: Mr. Chairman, the very detailed presentation by the Honourable and Learned Minister focused on four specific heads of the Ministry of Legal

Affairs, not all the heads, but four specific ones, as you will be well aware.

And I have asked the Honourable and Learned Minister if it suited her, subject to your views, Mr. Chairman, but we have agreed, provided you agree, that we will deal with them in each head. That is not to prevent questions being asked at the end by anyone in the Chamber, but—

The Chairman: Mm-hmm.

Mr. Scott Pearman: —I will deal with one, she will respond. I will do the second and she will respond. And so with your leave, Mr. Chairman, that is how we have agreed to deal with this portion of the Budget Debate.

The Chairman: I have no problem with that.

Mr. Scott Pearman: Thank you.

The Chairman: You may proceed.

Mr. Scott Pearman: Starting then at Head 87, which is the Ministry of Legal Affairs Headquarters, for the benefit of those following along or those listening who may have Budget Books, the Ministry of Legal Affairs Headquarters portion of the Ministry of Legal Affairs budget under Head 87 is dealt with at pages B-79 through to page B-84.

The Honourable and Learned Minister has already read out the mission statement and department objectives in her presentation and I, therefore, just want to delve as a preliminary point into the budget numbers as a whole here at page B-79 and B-80.

We see that the numbers for 2017/18—and that is the first column—were \$42.5 million. And that was the year in which there was a transition in Government. We then see that spending has increased in the first year of the PLP 2018/19 from \$42.5 million to \$47.9 million and that is an increase of some \$5.5 million, estimate. And now we have a PLP budget for 2019/20 estimated at \$49.07 million. So we have had a further increase of over \$1 million since last year and an increase of over \$6.5 million in the budget for this Ministry in the past two years.

And I suppose the question that I would be looking for [an answer for] from the Minister after just this general Head 87, the Headquarters, the first question, would be: Given those significant increases in spending and significant projected increases in spending, is this Ministry committed to bringing down the cost of spending for this Ministry?

Looking then at the Public Sector Employees, the Ministry, as you can see at page B-79 in the last column to the left, previously in 2017/18, had 300 employees in the Ministry. This is now projected to increase in the next budget year to 315 employees.

That, if my math is correct, is a 5 per cent increase in staff, which I just calculated is the difference between 300 and 315. Now, we know from the Budget Statement by the Minister of Finance that this Government is not wanting to shrink the size of Government. Fair enough. That is their political decision.

But given those increases that I just pointed to and the projected increases for next year, I ask a similar question in respect of Public Sector, Is this Government and, particularly, this Ministry committed to maintaining the size of this Ministry? Or are we likely to see further increases in the number of employees in the next budgeted year?

Now for this head, Head 87, there is no revenue for the Ministry of Legal Affairs Headquarters and we can see that from the revenue line for Head 87, which can be seen at [page] B-79. And given that there is no revenue and given that both expenditure and headcount seem to be going up, could the Minister—and this is my third question to the Minister—could the Minister please explain briefly what the thinking is of this Government in terms of expenditure and headcount, given Bermuda's existing high levels of debt?

Turning now to page B-80 and the General Summary in respect of the Ministry of Legal Affairs Headquarters that can be seen at the bottom of the left-hand side of the page, I would like to make a few comments and pose a few questions on specific line item 97000, which is the first line item under 8701, General, in respect to the Administration. Again, it will help those who do not have a Budget Book in front of them, perhaps, to know the background numbers and they are these: In 2017/18 (the transition year of the Government) the actuals were \$847,000; in 2018/19 (and for the benefit of the listening public, whenever I deal with that intermediate year I will always use the revised numbers) the revised numbers went from \$847,000 to \$872,000 against the preceding year.

The estimate now for 2019/20 is \$1.3 million. And, Mr. Chairman, that is a substantial increase, I trust all will agree.

Now, if we pause for a moment and look at the General Summary at [page] B-80, this shows that in terms of the administrative costs the projected increase between 2018/19 and the next budgeted year of 2019/20 is a staggeringly large 41 per cent.

Now, I do note that the Department of Child and Family Services was moved into the Ministry this year and so that brings with it the necessary extra cost of another department coming from the previous ministry to this Ministry. But that department—the Department of Child and Family Services—is a separate head, with separate figures, and that is Head 23. So this 41 per cent increase is not related to the move of DCFS—unless I am mistaken, it is not related to the move of DCFS into this Ministry—and it does not have any application to the increase of 41 per cent in

the Administration numbers in the General Summary for the Ministry Headquarters under Head 87.

And so, whilst I acknowledge that the Honourable and Learned Minister did comment on some of the increases to the Ministry as a whole and spoke specifically under a separate head for the Department of Child and Family Services about the increased cost of Litigation Guardians (a matter which I will deal with under that head when it properly arises) I do think it would be appropriate—and this is my fourth question—for the Minister to give a little bit more background and explain to the House the reasons for the increase in administration costs of 41 per cent in the Ministry Headquarters, at line item 97000 at page B-80. I trust the Minister will agree with me that a 41 per cent increase is considerable and that the House would benefit from a detailed explanation.

Also on that page, a few line items down, is line item 97040, this is page B-80, and that is the entry for what we in the legal profession just refer to in shorthand as NAMLC. But for the benefit of those who do not like acronyms, that is the entity responsible for the National Anti-Money Laundering and that has been moved out of the Ministry of Legal Affairs and now moved to the Ministry of Finance, as I understand it. And we can see that from line item 97040 that this occurred at the end of fiscal year 2017/18 (in the left-hand column). And for those following in the Budget Book who wish to, that move from one department to the other can be seen at page B-116, but I do not propose to go there.

The 2017/18 fiscal year cost for NAMLC (National Anti-Money Laundering entity) can be seen at line item 97040 as \$644,000. Now, I know this is a topic with which the particular Minister presenting on behalf of the Attorney General is well familiar, because she has an oversight role additional to her Ministry for NAMLC—I am sorry—

[Inaudible interjection]

Mr. Scott Pearman: —for Anti-Money Laundering, more generally. Thank you, quite right.

And so given that the Minister has those two hats, can the Minister kindly speak—and this is my fifth question—to the thinking behind the move of NAMLC? And that need only be an answer to the question at a very high level, but whether we are getting better benefit by having what one might view as a regulatory and legal body having been to the Ministry or not?

And that is not a criticism on my part, I am just asking whether this has been a good decision, whether the Bermuda Government is benefitting from this move because, on the face of it, it does seem like it might be more naturally suited here, but no doubt there were reasons for the move and, perhaps, those reasons emanated from the Opposition.

But I would invite the Minister, if she will, very briefly just to explain whether or not the public is being well served by that change to the Ministry of Finance umbrella.

At page B-81, staying with the same Head 87, still on the Ministry of Legal Affairs Headquarters, just a couple of queries arising from the numbers on this page. First of all, it shows under the line item Salaries, that Salaries under the Legal Affairs Headquarters are up 59 per cent. Now, again, to be fair, I anticipate that one reason for that will be that the Department of Child and Family Services having moved to this department has increased the number of employees in the department, possibly. But I do not know if that is the reason for the considerable increase in the salary amount or not. It may be the partial explanation, but I would be grateful for the Minister just to clarify that. Again, a long answer is not needed.

The bottom of that same box, again, we are still at page B-81, still under Head 87, Legal Affairs HQ, shows Grants and Contributions. And, as I understand it, 100 per cent of the Grants and Contributions is to the Financial Intelligence Agency and I would just be grateful for confirmation that I have correctly understood that it is 100 per cent of the Grants and Contributions and that there is not some other grant and contribution in addition to the Financial Intelligence Agency that I have missed.

Two small questions: We see on the fifth entry in the box—still in the same box on page B-181—under Transport that there is a sum of \$98,000 for Transport for the Legal Affairs HQ and we would be grateful just for a brief explanation as to what that relates to.

And moving one line item below that to Communications, we see that there is a 16 per cent increase in Communications. And during the Minister's presentation of her brief, she did make some mention of an additional PR element. I am afraid I did not have the brief and I was taking a note and I am not sure I got a full note of it. So I would be grateful if the Minister could confirm whether this 16 per cent increase in Communications is related to the new PR element at the Ministry that the Minister referenced in her brief. And if they are connected, if that is the same thing or if they are not connected, what the cost of that new PR element is separately.

Still under Head 87, I am going to tread on what has been a little bit of a sensitive topic in this House and that is the suggestion that there is now a new private consultant for this Ministry. And let me do this respectfully because it is not my purpose to be personal and I know that the Minister without Portfolio took great umbrage at the fact that his wife was being criticised, and I do not criticise his wife in any way. But I am elected here by the public as an MP, and one of the few roles that I can perform in this function is to ask questions, so let me ask them because there is a lack of clarity here.

Line item 9700, in relation to Salaries, at [page] B-81, presumably that includes this consultant. I would ask just the simple questions for now and I will leave others to ask questions if they wish, but could the Ministry and could the Honourable and Learned Minister on behalf of the Attorney General please confirm what role this consultant is filling? What the job description is for that role? And what the qualifications are of the individual who holds the role?

And I will leave, Mr. Chairman, my questions there, but I think they are all legitimate questions to be asked on behalf of the public and I would invite the Minister to answer them as best as she is able on behalf of the Attorney General.

Turning now to the Minister's presentation on this particular Head 87, there were a few matters that cropped up under her presentation in respect of Headquarters and, if I may, I will pose a few additional questions from those.

The Minister addressed the 1974 Act in respect of liquor licensing and spoke at some length in relation to changes that are afoot, perhaps, already having happened internally, but not yet having been announced in respect of the liquor licensing regime. And, again, I do not want to drill on this too deeply, but I would be grateful for . . . she said that there is a modernisation of the process, Mr. Chairman, and I would simply ask: How is the process being modernised (very briefly)? She said that there is an expansion of the classes of liquor licensing. I would be grateful to know, what is the expansion of those classes? It may well be that the Honourable and Learned Minister does not have those matters at her fingertips, but I would be grateful to pose that.

In her brief the Minister went on to speak about the Sex Offenders List. That has been the subject of a previous debate and I do not intend to return there, but I would ask the Minister this, and that is: There was considerable public outcry over the last week about the expansion of sentencing in respect of a particular case that I will not comment on, and I just ask this: Is expansion of sentencing in that particular area something that this Ministry is currently considering?

The Minister then moved on to discuss training at the Ministry and spoke about pupil masters at the Ministry. And the question I have, Mr. Chairman, is this: We heard about Legal Aid Counsel—it is a point I will come to in a moment—but we heard about the new Legal Aid Counsel and the training that they were going to be undergoing and I am just curious whether or not some of the budgeted process or, indeed, the regulations that may flow therefrom will include training for those who now will serve as, what used to be called, pupil masters and mistresses. I think pupil supervisors is now the modern term, at least in the UK. In the UK pupil supervisors—those who are training young lawyers—have to go through extensive training before they are let loose upon these young minds.

And so it would be helpful to know whether that, too, is envisaged.

The Honourable and Learned Minister then moved to speak about child support arrears and a unified court, Family Court, and mediation. So regressing just for a moment, mediation is something that could greatly . . . *is already* and could yet still greatly benefit this Island as an alternative form of dispute resolution and I encourage it to be adopted as best as it can. The Minister spoke specifically though to the unified Family Court and Mediation Service, and I note also that in the Throne Speech there was an announcement from this Government about a new Dispute Resolution Centre. I cannot find any budgeted item for that new Dispute Resolution Centre, which indeed may not fall under the budget of the Ministry at all, but I would be grateful for clarification as to whether that is still progressing. And to the extent that this unified Family Court and Mediation Centre is progressing, whether one or the other will take precedence.

The Minister then moved on—still under this same Head 87—line item 97030, which was dealing with the Legal Aid Office and the Legal Aid Roster. And she referenced a number of counsel who are on that roster and referenced the fact that two specific Queen’s Counsel are on that roster. And I am just wondering how much of this roster is, in rough terms, is Bermudian attorneys and how much of this roster is foreign attorneys? There not being many Queen’s Counsel here, I know there are a few still in Bermuda, but what is the process for the admission of Bermudian lawyers on that list?

The Minister then spoke in her brief—again, still under this same head—and she referenced page B-80, line item 97030, about enhancement in improvements in the processing of legal aid certificates. For the benefit of the listening public, legal aid certificates are certificates that entitle lawyers to be paid when they are doing government-sponsored legal aid work. And the Minister indicated that this process had been modified . . . the application process had been modified to address concerns. She then indicated that the 14-day period for turning the licences remained the same. And so I would ask for just a bit of meat on those bones to find out how the legal aid application process has been modified to address the concerns. There were many concerns, I know, at the Bar . . . but how has the process been modified? Again, I am not looking for a long answer but simply an indication of what has been done to apparently address the concerns and solve that problem.

The Minister moved on in her statement, again, still under this same head, still at [page] B-80, to discuss Legal Aid Counsel and indicated that there . . . it is intended, as I understood her, her statements were forward-looking, it is intended that there are going to be three counsel for the Legal Aid Department and that that will be a Senior Counsel and two Junior Counsel. My understanding from what she said (alt-

hough I may not have got my note correct) was that the two Junior Counsel are not yet hired. My question is whether these are to be government employees or whether these are to be independent barristers who simply assist Legal Aid as part of the panel.

The Honourable and Learned Minister then talked about line item 97070, this is still, again, under Head 87 of the Legal Affairs Headquarters, and talked about the progression of a justice project involving protection for witnesses and referenced the sum of \$554,000 and said that the protection for witnesses has led to an increase in successful prosecutions. And I do not doubt the Honourable and Learned Minister for saying that, it may well be true, but I am just curious if that was just a conclusion that had been drawn by the Ministry or whether there was, in fact, evidence for that correlation. Because if there is evidence for that correlation, then perhaps that is a project that should be enhanced.

On to the topic of sanctions, the . . . I appreciate that the issue of sanctions is probably up in the air a bit until we see what happens with Brexit and whether or not the departure of the UK from the EU—if it happens and how it happens—will impact upon the way in which sanctions find their way down to Bermuda. But presumably this is something that has been given thought to. Historically and, as my learned and honourable friend knows—the Honourable Minister—this is by way of Orders and Counsel from the UK, which take the EU sanctions, pass them through Orders and Counsel and pass them down to us. Is it anticipated that this will no longer occur, or has any thought been given to that?

Just a few more questions on this head before I sit down and allow the Minister to answer the points raised and then move on to the next head, but the Mirrors [Programme] has now been moved to the Ministry of Legal Affairs. And I was just wondering if the Minister might touch on the thinking behind that and why that has happened.

Mr. Chairman, those are my questions for now under this head. I may have some more once I have heard the Minister’s answers under this head, but I propose to sit and hear those answers before moving on to the second of the four heads covered in the debate.

Thank you.

The Chairman: Thank you, Shadow Minister.

The Chair now recognises the Minister, Ms. Kim Wilson.

You have the floor, Minister.

Hon. Kim N. Wilson: Yes, thank you, Mr. Chairman. And I thank my honourable and learned colleague for those questions.

I will attempt to answer them, not necessarily in the order in which they were asked, but more so in the order in which I have received the responses from

the Honourable Attorney General who, as I indicated, is currently in the House, but sits in another location.

With respect to the questions concerning the Legal Aid processes, there was an issue raised with respect to the post and the processes for streamlining. And I can advise this Honourable Chamber that the application processes for legal aid are currently under review and the objective obviously, as I think I indicate in my brief, is to streamline those processes and automate them to a certain extent as well. So that application process is under review and being looked at [regarding] measures to streamline.

With respect to the two current vacant posts in the Legal Aid Department, those posts will be filled by civil service members and the recruitment for those posts is currently underway.

With respect to the Mirrors Programme, also as I indicated in that [brief], it actually relates to one of the first questions concerning the increase in Administration. Part of that Administration cost does include the Mirrors Programme under Administration, line item 97000, as well as the Financial Sanctions (FSIU) that also comes under 97000, hence, the increase in the Administration head for both Mirrors and the FSIU. And the Mirrors Programme was moved to better align with the addition of the Department of Child and Family Services which now, as we have indicated, does come under the Ministry of [Legal] Affairs.

And when that previous Ministry was dissolved and certain departments were moved, they were moved in alignment with the natural progression so far as what works with what. And it was felt that the Department of Child and Family Services and Mirrors should continue to be aligned together, hence, coming within the auspices of the Ministry of Legal Affairs.

There was a question, Mr. Chairman, concerning the Unified Family Court and, at this point, there has not been any allocation to the Ministry with respect to the establishment of the legislative framework during this upcoming budget session.

The question concerning the Communications Consultant, as has been provided yesterday actually during the . . . sorry, I think it was probably Monday, previously by the Premier, the cost for the Communications Consultant does not come out of Salaries, but comes out of the Consultancy allocation for the Ministry.

The move of the Anti-Money Laundering Committee to the Ministry of Finance was, in part, to ensure better alignment with the portfolio, given the resources that come within the Ministry of Finance. And I am probably not speaking out of school by saying that that was also heavily lobbied and requested by NAMLC to be under the Ministry of Finance as opposed to Legislative Affairs.

And the FIA is the only line item pursuant to section 7 that receives a grant from the Ministry of Legislative Affairs.

Those are all the answers that I do have with respect to the questions that have been asked heretofore, Mr. Chairman.

The Chairman: Thank you, Minister.

The Chair now recognises the Shadow Minister, Mr. Scott Pearman.

Mr. Scott Pearman: I am grateful.

I would be grateful if the Learned and Honourable Minister were able to get such responses. I appreciate it is not always possible to get them while you are on your feet, but I would be grateful for an indication that the questions asked will be answered at some point if they can be.

Mr. Chairman, we have about, I think, an hour left in this debate or just—

The Chairman: Just over an hour.

Mr. Scott Pearman: So I may pick up the pace a little bit because I have got three more to get to.

The next major head of the four dealt with by my learned and honourable friend is the Judicial Department or, as we more often say in shorthand, the Judiciary. I am just turning to my notes.

That appears in the Budget Book, for those who wish to follow along and have the benefit of a Budget Book, at page B-85 to page B-92. And, I believe, the Learned and Honourable Minister read out the department objectives and mission statement, so I will not repeat those.

And at page B-86 of the Budget Book is the General Summary in respect of the Judicial Department at Head 3. And the heading 0302 deals with the Supreme Court and the Appeals Court, and line item 13015 deals with Courtroom and Chambers. And we see going across that line item, again, just to set the background for these questions, the sum of \$1.93 million was the OBA budgeted sum for 2017/18; we see then an increase in the first year of the PLP Government from \$1.93 million to \$2.29 million; and we now have in this budget the estimate for an increase in 2019/20 to \$2.33 million.

I assume that I am on the correct line item, 13015 for Courtroom and Chambers, in posing these questions, and if I am not, it is simply that I do not have sufficient information to know otherwise and if I am to be corrected, I am grateful. But I understand that there is a proposal now afoot and, indeed, this Parliament is all going to move to a different building later in this calendar year to allow for renovations to this building. And that one of those renovations, again, on my limited understanding of it, is that the courtroom beneath us in this House of Sessions is to cease and to be converted for the use of Parliament.

If that is so, and I have no reason to doubt that it is so, then will the Judicial Department under this Ministry have one fewer courtroom than it already

does? Or will this disappearing courtroom be moved elsewhere? I ask, and I will have a few further questions in addition to that question, but the Minister in her brief to the House identified that there was already staff shortages at the court service and that there was already overflow and the courtrooms were in demand, and already pointed out that one of the courts—specifically Court 4 in the Dame Lois Browne-Evans Building—has now been converted to the use of the Supreme Court. So there is even one fewer court now for the [Magistrates].

So there is a shortage of courts—at least that is what we hear. And I am just wondering if the court below is to disappear. What is the plan? And to tie that into the Budget Book, there does not appear to be any projected cost savings for a disappearing court. If you look at line item 13015, there is no apparent cost savings by losing the court. Alternatively, if there is to be a new courtroom elsewhere, then what is the cost of that refit, given that the budget estimate is only estimated to increase by some \$50,000? That does not seem to equate to the amount to build out and refit properly a new courtroom.

And if there is to be a new courtroom somewhere and that cost is not yet costed in line item 13015, can the Minister kindly explain whether this additional cost to the public has been costed out and how much any new courtroom that we may see has been assessed to cost?

If we go back to page B-79, which is under the General heading—and I am changing topic here to Revenue projections—[page] B-79 has the general heading for this Ministry. And as the Ministry of Legal Affairs Headquarters no longer has a revenue stream since 2017/18, at Head 3, the second revenue head on that page, we see that the Judicial Department does have projected revenue as well as projected costs.

And, in fact, the Judicial Department is a revenue generator for the government because it meets more money in that it costs. So, just to test that, Head 3 under Revenue, we see revenues of \$10.39 million for the Judiciary in 2017/18. That dropped to \$9.45 million in 2018/19 revised, and we now see a revenue estimate for \$10.2 million. And if we contrast this with Head 3 under Current Expenditure, we see \$7.7 million for 2017/18, and \$8.47 million for 2018/19 revised, and then an estimate for the coming year of \$8.72 million.

So the point is that the Judicial Department is a net revenue generator, Mr. Chairman, after expenses, to the tune of just under \$3 million in 2017/18. And although the net revenue is projected to fall down to \$1.7 million, these are still chunky numbers. And I would respectfully suggest to the Minister . . . and I know the Minister said that a review of Magistrates' Court fees was being carried out for the first time, I believe she said, in some 20 years. But I would respectfully suggest that there is an opportunity here for

this Ministry to harness this revenue-generating asset that is the Judicial Department.

And let me say how, because in the early 2000's I was practicing as a barrister in London and the UK court system shifted the way in which they charged fees. And I am talking about civil claims, but it could apply to any claims, but let us just speak to civil claims. And what they did was this: If a civil claim was for \$50,000, they had a basic rate fee (an entry fee) that would be commensurate with the \$50,000 claim so that you did not deny access to justice to those less able to afford it. But if the claim was worth £250,000 to £750,000 in the UK (it could be dollars here), well, why not charge a slightly larger fee? Because these are larger numbers, these are going to involve lawyers who are probably going to charge more, and it probably, realistically, will involve more court time to deal with a more complicated commercial matter.

So the court staff is going to be called up and rushed at the last minute to try to get this or that and the other and the judge is going to be running around dealing with a higher value case in that manner, [it is] perfectly reasonable, I would suggest, to charge more on a sliding scale.

And then you could have high value cases (which, again, is what they have done in England) and you charge quite a lot. From memory (and I may be wrong because I am working from memory) a claim form issued in a high value case, which I believe was above a million pounds (although it may have been £750,000), was £1,250 to issue that claim form. That is a lot of money.

There is no reason why, given that a lot of the high value claims are for clients overseas who use the Bermudian justice system because they are companies based here or because they have businesses here, there is no reason not to charge a fee that is commensurate with the level of the value of the case, in my submission.

Anyway, I would respectfully suggest that perhaps the comprehensive review that is already being carried out in respect of court fees in Magistrates' could be carried over to the Supreme Court and that could be looked at.

Let us also, while we are here, look at . . . go back to the Judicial Department and we were at page B-87 (for those following along in the bundle) which is Head 3, Judicial Department, continued, and we see under the box to the bottom of the page on the right-hand side under Revenue Summary two specifically large revenues.

The first—and the Learned and Honourable Minister spoke about this in her brief—is 8059, Deceased Estates. And we see that we have achieved in 2017/18 actuals of \$6.7 million with projected estimates for this budget period of \$6.8 million. During her brief, the Learned and Honourable Minister explained that there was a one-off occurrence of about, I be-

lieve, \$4 million that fell into one particular estate. Yes, here I have it. This was in reference to 8059 line item and it was talking about how \$4 million fell in one particular estate and that is why a particular number was particularly high. I am afraid I was not able to catch which number it was that was particularly high. If it is the \$6.7 million number that is particularly high, then maybe the budget estimate of \$6.8 for the coming year is itself high if we are not going to see that recur. But it may be that I misunderstood and the \$4 million fell elsewhere and I would be grateful for clarity on that point.

Again, I do like to try to be balanced and commend the Government when I think it is doing the right thing and let just pause just on this point in Revenue to commend the Government for its promise to make good on the effort to collect taxes that are due and owing. And I think that is a great point and I commended the Minister of Finance when he made the point in his budget speech. And just, while we are here at this page, let me make that point good. We are at page B-87, we are at the Revenue Summary box, and we are down at line item 8869, Moving Traffic Fines, and we see actuals in 2017/18 of \$2.27 million, projected for this budget year \$2.1 million. That is an incredible amount of money sloshing around for parking violations, driving violations, parking tickets, et cetera. And whether it is true or not, the perception amongst the Bermudian public is that this money goes uncollected. And if that perception is incorrect it should be clarified and if these monies are going uncollected, then they should be collected because the Government needs this money. And so I commend, again, the Government for its promise to make good on its effort to better collect taxes.

Still under Head 3 and that line item, it would be useful to know, a specific question for the Minister, why the Government thinks that the line item will go down in the projected year. I am not sure there is any discernible reason why traffic violations and human behaviour and parking tickets should go down, but it may well be that it has something to do with the Corporation of Hamilton, I do not know.

Still on Head 3, still on the Judicial Department, at the top of the same page, we see the Subjective Analysis of Current Account Estimates. Again, in respect of Salaries, we see Salaries increasing from 2017/18 where they were \$4.5 million and they are now increasing to \$5.99 million. And it may well be that there is a perfectly rational explanation for that remarkable increase and it may well be that it has something to do, as before, with people moving into the department or different departments moving in, but I would be grateful if the Minister would clarify that.

Also, the last line item in that same box of Subjective Analysis, on page B-87, we see that Other Expenses, the last category there is moving from \$219,000 to \$379,000. And I would be grateful if the Learned and Honourable Minister could confirm the

contents of that line item Other Expenses, which are not discernible simply from the Budget Book, and why it is that there is a dramatic increase in that number.

Moving now to the Criminal Injuries Compensation Authority, if we turn please to page B-89, the business unit is 1300, at the top and we see . . . excuse me, 13000, at the top, Criminal Injuries. And we see the second line down, the number of times the board met (these are actual outcomes). In 2017/18 it was five, in 2018/19 it was only once. Then, two lines down we see the number of claims that were filed and, again, for the listening audience who may not be familiar with the acronyms that we are using, the CICA is the Criminal Injuries Compensation Authority. It is the board that hears the claims of people who are victims of crimes and have suffered injuries as a result, sometimes in cases where they do not know who their assailant was. So these are people who are vulnerable and needy in society. The number of claims that were filed, it says \$21 . . . at least in my copy of the [Budget] Book unless there has been an errata page I missed, and then in the next column it says \$5, so I think there is a typo there that could be clarified.

If it assists, there was a very interesting piece in the daily a few months back now about the Criminal Injuries Compensation Authority. It was lamenting the fact that it was not doing what it should do and it observed that there was a considerable backlog—severely backlogged—as a result of undergoing significant internal transitions. And apparently the CIBC or the CIBC board said that they would be hearing from [them] shortly. We have not heard anything further about that as far as I am aware. Perhaps we have and I have missed it.

But what I can say is that delays with the Criminal Injuries Compensation Board are particularly unfortunate because the injured who are seeking aid are the victims of crime—sometimes people who suffered injuries when they tried to prevent crime. And so to hear that they are being denied compensation, perhaps much needed compensation, because of delays, is unfortunate. And to then see the actual outcome in the performance measure at B-89 of the Budget Book that it met five times in 2017/18 but only met once in 2018/19 is a bit disheartening, I would suggest, for those claimants.

As to the typo error, or which I presume is an error, it may assist that the reported figure that I found for the number of claims in 2017/18 was 16, which does not . . . which suggests it is not simply the question of somebody putting a dollar in the wrong place and I was not able to find the number of claims in 2018/19, so we would be grateful for an answer about that.

Picking up now just on a few points, still under this head, still under Head 3, there were a few points in the presentation made by the Learned and Honourable Minister under this section on Judiciaries. She highlighted the staff shortage at the courts. This is

something, as a barrister, I can speak to first-hand. Let me pause for a moment and commend the court staff because they do a remarkable job given the shortages they face. And it is very, very difficult for them to get the job done. And I know a lot of people have left the court services as a result. We understand that it should have 70 filled officers. We understand only 53 are filled, 9 temps, and that there are vacancies of 11 per cent with an assurance that a target will be filled in 2019. So I very much hope that is the case.

Additionally, the Minister spoke of the closure of what she referred to as 113 Front Street. But that, for those who do not know numbers on Front Street, is the old courthouse building down here. That has already closed and that is putting pressure on the Judiciary and so what I am wondering is . . . and I was also very surprised to learn, as the Minister was, that our “new” commercial courts are already nine years old and have had their ninth birthday, but again it goes to a point I raised earlier, what is the plan?

The Minister when referring to 113 Front Street, the old courthouse, stated that it was “deemed unfit” for the Court of Appeal . . . deemed unfit for the Court of Appeal back in April and May of 2018. She did not say why and I would just like to, perhaps, have an answer to that question if she will give it to the House. What was it about the building that was unfit? And could it be put to use as a courtroom for someone other than the Court of Appeal or were there issues . . . I know that there were issues with asbestos or something similar (perhaps it was not asbestos) downstairs, and there were problems with records, et cetera, with mould. But could, perhaps, the Minister explain what was deemed unfit in respect of that courtroom?

The CourtSmart system was front and centre in the daily paper either yesterday or the day prior where it was indicated that some long-lost CourtSmart recordings that were believed not to exist had been found. And I will say no more about that case, but it would be helpful to know that the Ministry is looking into how it could be that CourtSmart recordings could go missing and be missing for, I believe, seven-plus years and then be found. And hopefully someone at the Ministry is keeping an eye on that question, leaving aside any private law case that may be involved.

We had quite a lot of rigmarole earlier in the year about the Attorney General’s decision to appeal the case on same-sex marriage. I do not wish to make any political point on same-sex marriage, but I do wonder what the current anticipated costs are of all of this. I know that there was an indication of a brief fee for the QC for the Government. But, of course, as any lawyer knows, one lawyer brief fee is not the totality of the case because we will operate under a “loser pays” system. So if the Government loses its appeal to the Privy Council—and I make no comment about that—but if the Government loses its appeal to the Privy

Council, how much does the Government anticipate will be paid out by the Bermudian public in legal fees for this appeal and for the Court of Appeal below and for the Supreme Court of First Instance? All of which will be paid, if ordered, by the Privy Council if there is a loss. What sort of number are we looking at?

The Learned and Honourable Minister then went on . . . and I am afraid my note is incomplete, but if I could simply ask her to repeat the point, apparently there was a budget error and I think the number was 13060. I think it was due to [Family] and [Child] Support, and it was said that there was an omission last year because they forgot about an assistant and the pay was just simply left out. Again, I did not manage to get a full note of that, and I would be grateful if the Minister could just repeat that point of why there was an error. And I am not faulting the error; people make human errors all the time. But if you could just clarify that point for the House.

The line item 13070 and, again, we are still under Head 3, although I will try and move it along because we do not have much time, it was recognised under the Administration, but the court system and the payment offices, et cetera, are now being kept open for lunch and that makes perfect sense. We—and we are just as much a part of the Government as everyone else, in the larger sense—we are here to provide a service to the users of the government and it makes sense that those people who are working hard during the day may only have their lunch hour to pay and this is a sensible thing to do. And sometimes we need to be a little bit more flexible about our approaches and adopt a common-sense approach.

Again, still on the brief presented by the Learned and Honourable Minister, this was line item 13090, under this head and, again, my note may be partial or incomplete, but when the Minister was speaking to the Bailiff’s Office, I understood her to say there are 37 Writs for Execution Orders. I do not know what period that related to. I presume without knowing that she was talking retrospectively about the calendar year 2018. I would ask for that to be confirmed. Then the Honourable Minister went on to say that that was double from last year. If the number of Writs for Execution Orders really has doubled from 2017/18 to 2018/19, that is shockingly unhealthy evidence of a decline in the fabric of our society. And so I would like it if that point could be clarified so that we understand it. I hope that I did, perhaps, mishear that. But if it has doubled, year on year, that is not good news.

The Learned and Honourable Minister then spoke to Revenue. I was pleased to hear that she said that collections were up. I understood her to say that there was some difficulty on the collection of parking tickets and who might be paid for it. I am slightly less concerned about who is going to get paid for the collection of parking tickets, but that they are actually collected and that those who have been ticketed are paying to the government.

The Minister then went on to talk about Supreme Court fees and the manner in which these are dealt with. At the moment revenue stamps are placed on documents that go to court [and] they are purchased elsewhere. I understand the Minister to be saying that the Ministry, therefore, does not get the benefit of that revenue, but perhaps I misunderstood.

This was at page B-87 at 8401. But perhaps revenue stamps . . . perhaps we should move beyond that system or at least consider whether there is an alternative that might be more efficient and monitor payment in a better way.

At line item 8489, the Minister commented that liquor licences are down, but the liquor licensing fees were up. I think she was referring to the period of 2017/18. She did reference the America's Cup activities. Again, I have already posed the question on liquor licensing and the modifications that are going to be made thereto and I would be grateful for some clarification on that.

Mr. Chairman, those are my comments and questions on the second of the four heads, Head 3, the Judicial Department, concerning the Judiciary. I may have more questions once I hear the answers by the Honourable Minister or others may have questions, but I will sit at this moment and listen to what the Minister has to say in response.

The Chairman: Thank you, Member.

The Chair now recognises the Minister—

Hon. Kim N. Wilson: Thank you.

The Chairman: —the Honourable Kim Wilson.

Hon. Kim N. Wilson: Thank you and I will attempt to answer the questions, not necessarily, forgive me, in the order in which they were asked.

However, with respect to the matter that was raised concerning the liquor licence. The modernisation includes two new classes of licence and a permit for catering and special events such as wine tasting. The Liquor Licence Act membership has been streamlined from 10 persons to 7 members, which represent stakeholder groups such as hospitality and security. And the appointment to the membership of that committee will be made by the Minister as opposed to the Governor. And fines and fees will also be increased with respect to that legislation. And the Minister will also have the power to give policy directions and streamline the application process.

And if I can pause now, I think, at 4:45 pm the Honourable and Learned Attorney General will actually be giving a press conference today to provide the public with further information concerning the Bill that was tabled this morning concerning the amendments to the Liquor Licence Authority.

Also, there were a number of other points that were raised, and I will just get to my phone in just a moment, but with respect to the question concerning the writs, as I did indicate, there were 37 Writs of Execution Orders executed in 2018/19, which as the brief indicates, does represent a double of what was executed last year.

And the cost centre question that arose concerning the overstatement of a particular salaried post, it represented the sum of \$53,610, which was as a result of an overstatement of an erroneous inclusion of an administrative assistant temporary relief salaried position that was previously in the 2018/19 Budget Book.

There was also a question, Mr. Chairman, concerning [page] B-87, line item 8059, the Deceased Estates, and that there was that \$4.5 million one-off estate. That actually was in the 2017/18 actual figures of that 6768.

And . . . (let me just go through this) . . . I crave your indulgence, Mr. Chairman.

Okay, there were a number of questions concerning the Judiciary. The Department of Public Works is actually working with the Ministry to ensure that the responsible renovations and the relocation of the courts and so forth are moving as quickly as possible. So it is taking up a team approach with the Ministry of Works and Engineering who, obviously, would be the ones that would be the charged Ministry as it relates to completing the works.

With respect to the issues that the Honourable and Learned Shadow Minister raised concerning the increase in fees, I have to say I smiled because when we got to that point and when you were actually speaking of that, I think, had the Honourable Minister of Finance been sitting here and heard us speak about stamp duties that had not been increased in 20 years—I think he would have been like *start drafting now!* So, I take that point. I know the Attorney General has indicated that she will also take that point up and that this is part of the process which she is looking at to streamline not only Chambers, but to create an efficient Ministry which she has charge of, as well as to seek areas of additional revenue streams.

There was another question that arose concerning the salary increases and there were a number of job descriptions that were conducted as well as the . . . and this increased the pay scales of a number of employees, hence, the uptick in the salaries for many of the members of the civil service because of the refinement of their job descriptions.

Just further to the questions concerning the relocation of the courts and the costs associated, the technical staff are in consultation with the Registrar to ensure that the needs of the Judiciary are being addressed and that, of course, is working in tandem with the Ministry of Public Works.

Yes, regrettably, the issues surrounding 113 Front Street, the former Registrar. The Health and

Safety Coordinator has indicated that the building was deemed unfit, mostly due to toxic mould throughout the building.

Oh, service of writs . . . to the Honourable and Learned Shadow Minister, those were writs regarding the Supreme Court. The total documents assigned were 2,207 of which 87 per cent were executed. So that represented the service of writs just regarding the Supreme Court.

And the final question that was asked just before the Honourable Member took his seat, concerning the cost with respect to the ongoing litigation, the estimated cost for counsel to Government to date is likely between \$120,000 and \$150,000 . . . I am assuming, or pounds? Dollars. And the court . . . the cost to appeal to Privy Council and the cost of responding to the appeal has not been finalised at the moment and it may be subject to taxation and, as a result, we will defer the answer with respect to further details concerning that cost until such time, if it is taxed.

And there were a number of questions that were raised with respect to the Criminal Injuries Compensation Board. And as my honourable colleague would know, that as a statutory board those types of questions should, perhaps, be best put to the Chair with respect to the questions you asked insofar as how often they are meeting and the like.

And I hope that I have satisfactorily answered the questions, however, I am certain that the Learned and Honourable Attorney General will be able to address these questions in another place during the Budget Debate.

Thank you.

The Chairman: Thank you, Minister.

The Shadow Minister has the floor again.

Mr. Scott Pearman: Thank you, Mr. Chairman.

Mr. Chairman, I do not know if your clock is more precise, are we about 30 minutes left, is that where we are?

The Chairman: We have 40 minutes left.

Mr. Scott Pearman: Forty minutes left.

Just on that last answer concerning the Criminal Injuries Compensation Board, I accept that it is a statutory board, but my understanding is that it is also an appointed statutory board and, therefore, there is an oversight function. And sometimes if people are not meeting, people need to ask them why they are not meeting, Mr. Chairman.

One other question arising from questions, and you kindly took me . . . this was in relation to the Administration number at page B-80, this was Head 87, General Summary, line item 9700, and I queried the 41 per cent increase. The answer that I understood you to have given on behalf of the Attorney

General and the Ministry was that that can be explained by the Mirrors increase and by FISU (the Financial Sanctions Unit). I just would like to clarify. If you look at this box, the Mirrors Programme is a separate line item under 97090. So respectfully I do not think the Mirrors is an adequate explanation for the 41 per cent increase. I cannot speak to FISU. I do not know if that is related to line item 97010, which is the second line item, or if those are separate . . . I think they are separate.

[Inaudible interjection]

Mr. Scott Pearman: Yes, yes, yes, right. Oh, it is. Well, I am grateful for your point.

So, respectfully, Mr. Chairman, I think the answer that was given probably was not correct. I do not fault the Minister, but if a further answer could be sought on that point as to why we have a 41 per cent increase, because it would appear and, indeed, the Honourable Minister has quite rightly agreed and pointed it out as well that those have separate line items—the two things that were mentioned.

Mr. Chairman, moving then . . . and I am afraid I will have to pick up the pace a little bit, but this is now the third of the four heads and this head deals with the Attorney General's Chambers. For those following along in the Budget Book it is Head 4, which can be found at pages B-93 to B-96. And if I could just pick it up at a quick point at page B-93, General Summary, line item in relation to the fourth line item down, 14050, which relates to Debt Collection, and the questions . . . Mr. Chairman, I will pause just for a minute because there are specific questions to be posed.

[Inaudible interjection]

Mr. Scott Pearman: Head 4, page B-93, and line item . . . it is the fifth line item down, 04050 Debt Collection. Thank you.

And just a couple of specific questions regarding Debt Collection and if these numbers are not available in the room, then I would be grateful for an indication that they will be answered in due course.

Firstly, how many cases of debt collection are outstanding?

Secondly, how many of those claims have been actioned?

And thirdly, how much has been collected?

And if those are actual per calendar year, I am happy to have the 2018 numbers, or if you only have pro rata numbers for 2019, I would be happy to have those numbers [also].

Turning then to the presentation, let me just turn up my notes. This is under Head 4, Attorney General's Chambers, again, at [page] B-93.

The question that I posed earlier is also relevant here and an answer has been given and that is

about the cost of the appeal. And now the Honourable and Learned Minister has helpfully given the view that the costs of counsel for the Government in that appeal are likely to be \$120,000 to \$150,000. And the suggested answer is that we will have to wait for taxation to know what the cost of all other parties are. I would have anticipated that the other parties involved would have had to give cost estimates to the court as part of the process and, therefore, one would expect the Attorney General's Ministry to be in a position to say roughly, at least on an estimated basis, how much this cost bill is going to be if the Government loses. I take the point we will know what it actually is when it is taxed. It is a very fair point. But I would hope that the Ministry would have at least some sort of idea of what the estimated number is or may be.

The Honourable and Learned Minister spoke to the Bermuda Laws website and the line items that are relevant here, I think, are 14040, Revised Laws of Bermuda, and 14060, Law Library at the Attorney General's Chambers. Let me just say as a practitioner that the automation or the computerisation of our legal frame of reference is extremely useful. It is useful not only for lawyers who need to have access to decided Bermuda authority, but it is useful to parliamentarians who wish to have access and immediate access to statutes, and it is useful for members of the public who interact in legal situations, who want to do their own research as to law or want to know what the laws of Bermuda are.

And I have personally been very impressed by the ease of use of these systems by this website and by the ability to find legislation, proposed legislation, up-to-date legislation very, very quickly. I think I heard the Honourable and Learned Minister saying that these are updated in real time by the Attorney General's Chambers. That was my note. If that is so, and I accept what she says, you know, that is remarkable and something that is to be commended. And I would firmly thank whoever it is who is sitting somewhere plugging this data into the system because it is of great benefit to the public.

The Honourable and Learned Minister also mentioned that requests for mutual legal assistance which, again, for the benefit of those less familiar, is when another jurisdiction asks us to do something for them or asks the court system in Bermuda to do something for them. It has increased and I believe, again, my note may not be accurate or full, that she said there were 15 requests and I am assuming, again, without knowing that that is the calendar year 2018. If so, that is quite a burden and I wonder, without knowing, whether any fee for service is charged by Bermuda to other jurisdictions or if this is just done as a courtesy and, perhaps, there is statute that relates to that.

But if it is permissible for small fees to be charged as part of the court service process, you know, there are many countries around the world who

might be willing to pay that or there are many parties, because often, as my learned and honourable friend knows, the request is being made on behalf of a litigant in a foreign court and sometimes those litigants, if they are driven, will pay what is necessary in certain jurisdictions [and] they can recover those costs from the other side if they win. So, again, something just to be given some thought. I do not require an answer on the point, but if that is something that can be looked at . . . and no doubt my honourable and learned friend will tell me that it will not work for some reason I have not thought of.

The budget is a budget of \$5.3 million for the Attorney General's Chambers and in terms of the salary increase I believe, again, it is my note which may not be perfect, but I [wrote down] *a modest year over year increase in salaries*. Respectfully, in looking at the numbers I am not sure that this is correct. I would say it is not very modest for salaries of \$3.6 million in 2017/18 to increase to \$4.29 million in 2018/19. That is not to fault the people who receive those salaries who, no doubt, work very hard and, indeed, I have commended whoever it is who is putting that data in at the Attorney General's Chambers, and I have commended the Court Service who work very hard. But, respectfully, I am not sure that it is appropriate to describe that as a modest increase in salaries . . . a jump of such a high level.

That, Mr. Chairman, concludes my questions on the third head, which is Head 4, Attorney General's Chambers. The specific questions that were posed related to debt collection. I will sit . . . I may have further questions once I have heard the answers, but I will sit and wait for those answers and then if there are any further questions, then move on to the final of the four heads, which is Head 23, Department of Child and Family Services.

Thank you, Mr. Chairman.

The Chairman: You are welcome.

Minister, are you prepared to take the floor?

Hon. Kim N. Wilson: Yes, Mr. Chairman.

The Chairman: You may proceed.

Hon. Kim N. Wilson: With respect to the questions that were asked concerning the Debt Enforcement Unit, the total number of outstanding debt owed to the Government . . . the Attorney General's Chambers is not charged with actually recording that total information. That is information that would lie within the Ministry of Finance.

However, the Debt Enforcement Unit assists in various departments under the Ministry of Finance in recovering many of the outstanding debts. So I think the particular details insofar as payment plans and the like would be obtained from the Ministry of Finance because, oftentimes, they are the ones that

will enter into the payment plans with the debtors as opposed to initiating civil proceedings against them.

The other issue concerning Administration . . . I do not have the page in front of me, but the question that you raised concerning Administration, my honourable and learned colleague and Shadow Minister is correct. That 41 per cent at line item 97000—

[Inaudible interjection]

Hon. Kim N. Wilson: Beg your pardon? Yes, line item 97000, thank you, the \$389,000 increase of 41 per cent is due to \$242,000 representing fees for the Litigation Guardian, and the Communications Officer [with a] fee of \$105,000.

That is all that I have, Mr. Chairman.

The Chairman: Thank you, Minister.

The Chair now recognises the Member from [constituency] 23.

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

Mr. Chairman, just very briefly and if the Minister has time to respond, if she is able to get the information at the end of the debate, I am just curious how many actual cases were actually undertaken by the Debt Collection Unit? Not the amount, how many cases were undertaken during the course of the past year?

The Chairman: Thank you, Member.

Are there any other Members who would care to pose any questions while the Minister is getting some of her answers?

Mr. Scott Pearman: Thank you, Mr. Chairman, just to clarify an answer that was just given. I had pointed out a 41 per cent increase and we had looked at [page] B-80 and it was line item 97000, and the answer as I believe was just given is the increase in cost of 41 per cent is the Litigation Guardian cost and the consultancy fee, and I did not get that, was it \$185,000? I did not get the number.

The Chairman: Minister?

Hon. Kim N. Wilson: The increase of the \$389,000, or 41 per cent, represents \$242,000 for the Litigation Guardians and the Communications Officer of \$105,000.

The Chairman: Thank you, Minister, for that clarification.

The Shadow Minister, you may resume.

Mr. Scott Pearman: Thank you.

I know that there are still some questions outstanding of the three previous heads, but let me now

move on very quickly to the fourth and final head, which is, again, for those following along, Head 23 in relation to the Department of Child and Family Services.

Let me start again as I did with some of the previous heads and just give a bit of grounding. If we turn . . . the pages for this head can be found in the Budget Book at [pages] B-96 to B-102. And for those who were not present in the House, we have been provided with two errata pages so that the Budget Book, the original page B-96, is now substantially corrected. Likewise, the Budget Book at page B-97 is now substantially corrected.

I am doing the best I can to compare, Mr. Chairman, the errata corrections with the originals. What appears to be . . . and I will deal first with [page] B-96. If anyone is looking at it, on [page] B-96 you see the tabulations against the line item numbers, you see the actuals for 2017/18, you see the originals and the revised for 2018/19, and you see the 2019/20 estimates. Those appear all to be the same, both on the original document in the [Budget] Book and the errata. Where all the numbers change is on the differential, in the final doublewide column on the right-hand side, where it compares 2018/19 with 2019/20. And these numbers actually are substantially different and, again, I appreciate human error and I am guilty of it often. I can only imagine that perhaps someone left the old column from the original last year or something, but they are substantially different. So anyone who is listening or following along will wish to obtain a copy of the errata.

Likewise, the next page B-97, again, doing the best I can, it would appear that the various fiscal year periods, including the original and revised for 2018/19 are the same, and, again, that the difference arises in the double column with the comparison. But the numbers are substantially different and anyone who was trying to look at the original Budget Book would have difficulty I suggest.

Before going on to some specific points and questions, I think it is helpful just to ground the budget and then compare it with the 2017/18 period when it was a budget of \$13.36 million and now it is projected in 2019/20 to go up to \$15.91 million.

Now, we have heard just now in an answer from the Minister in respect of the Administration costs in the Headquarters, and specific line item 97000, that the 41 per cent increase there was owing to the Litigation Guardians, in part. And logically one would conclude that the circa \$2.5 million increase here in the Department of Child and Family Services is, therefore, not relating to the Litigation Guardians. But I am happy to be corrected on that point, but it seems that it cannot be in both places at the same time, it is either in one or the other. I am not being critical, I, for one, have called out for the benefit of Litigation Guardians on numerous occasions.

It is interesting (and I say no more than the word “interesting”) that the presentation today by the Minister, which included a presentation of the Department of Child and Family Services, did not mention at all, unless I missed it, anything about the recent, and I will use the word “scandal” that has happened at DCFS. It is interesting, and here I am on line items 2301 and 2302 the operations cost in respect to their dealings with children, that there have been abject failures in relation to DCFS and that we have . . . still have very little understanding about the ongoing allegations and their investigations into the neglect and abuse. That is an argument for another place and another day. But the argument for today’s purposes is this (still at [page] B-96) what plans are now in place to make sure this never happens again?

And that is the question that I pose in relation to DCFS together with the preliminary question, which is why the budget is going up from \$13.36 million to \$15.9 million if, as I understand it from the previous answer to the question, Litigation Guardians are budgeted for somewhere else?

And I have a few more questions on Child and Family Services, but I think the general public would benefit greatly from those two answers before I pose them.

Thank you, Mr. Chairman.

The Chairman: Thank you, Shadow Minister.

Are there any other Members that wish to contribute or raise questions with respect to Head 23, Ministry of Legal Affairs [Department of Child and Family Services]?

The Chair now recognises the Honourable and Learned Minister, Kim Wilson.

Hon. Kim N. Wilson: Thank you, Mr. Chairman, and I appreciate the Honourable Shadow Minister’s question.

Notwithstanding that it is not directly related to Head 23, I think that it is safe for me to say that the Honourable Attorney General has indicated in public the actions that were taken, her addressing . . . she has made public statements concerning the particular case and matter to which the Honourable Shadow Minister is referring. So I think it is a matter for public record what statements have previously been made by the Attorney General with respect to the subject matter.

The Chairman: Thank you, Minister.

Any other Members . . . okay, the Chair now recognises the Shadow Minister, the Honourable Member Scott Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I was very careful in the question that I posed and I will repeat it because I think it deserves to be repeated. I was not asking about the case, whether

that be the investigation or any of the three investigations or whether that be the claim by the Litigation Guardian against the Attorney General, I am not asking about that.

I am asking about how the Minister and the Ministry proposes to put in place things to make sure that the allegations, if true, are not repeated. That was my question, and I hope I have made it clear this second time around if I did not the first time.

The Chairman: Thank you, Honourable and Learned Member, Shadow Minister.

The Chair now recognises the Minister.

Hon. Kim N. Wilson: Yes, Mr. Chairman, I am not sure that there is anything else that I can add further to this.

As I have indicated, I am holding this matter on behalf of a Member who sits in another place. I know that there have been a number of public pronouncements made by the Attorney General Ms. Kathy Lynn Simmons concerning how this matter has been addressed and the steps by which she will ensure that that takes place. She has made it abundantly clear that safeguarding our children is our number-one priority and I know from her first-hand, personally, that that certainly is her commitment. And that the statements that she has made publicly addressing this issue stand for themselves.

The Chairman: Thank you, Minister.

Are there any other Members that wish to address any of these heads, I might add, or pose questions?

The Chair now recognises the Opposition Leader Mr. Craig Cannonier.

Hon. L. Craig Cannonier: Thank you, Mr. Chairman. Good afternoon to everyone.

Over on Performance Measures, [page] B-99, at the top, number two, number three, (A) and (B). With number two it says minimum of 70 per cent of parents to engage and complete parenting classes. There are some good numbers here, actually, and I want the public to know that these are some good numbers that we are seeing [in] the actual outcomes and then, of course, to see those numbers increasing, it will be interesting to see the actual outcome for 2018/19. But I suspect that it will be high as well.

So I guess what I am curious about is how many parents does this actually represent? How many parents are we actually talking about here? Because [it says] the minimum of 70 per cent, and then it says we are accomplishing 90 per cent—what does that physical number actually represent?

If we move down to 3(A) it says, “satisfaction with services” and, you know, this is a particularly emotive and emotional head involving families. And we have all heard where families have been con-

cerned or complaining, it could be legitimate, it may not . . . some of those concerns may be unwarranted in some instances, but there is a lot of frustration from many families out there who find themselves in this particular position in working with the department. So it says here “satisfaction with services.” You know, in light of what has been taking place here lately I am just curious as to what is the measurement tool that we are using to assess this satisfaction? What is the tool, the survey, or the questionnaire that is used?

It would be good for the public to understand that this particular department head is doing all that it can do and more, maybe, in some instances. I find that sometimes when people do not get answers they make up answers. And so it would be good to be able to get some details as to the kind of tool and questionnaire is being used so that the public can know that the satisfaction tool that is being . . . that the department is performing or being assessed by makes sense and that it is diligent.

And that goes also for three as well, 3(B), satisfaction with services—referral sources. I am making an assumption here, obviously, they need to be referred to, many families with different, other areas that are being used, and what are the tools that we are using to even assess when we have to send some kids away in measuring whether or not we are being . . . that the outcomes are being satisfactory? If they are not being satisfactory, then what is then the next course? If we are referring our kids away for help, what then do we do after that case?

And then, also, further on down under business unit 33020, I may come back to this here, it says, measures discontinued, see measures and targeted outcomes below. And so I see this here where it actually gives numbers and that is good, but number of referrals screened using structural design, number four, making tools to determine if they meet the threshold to be screened in or out of the department, can we get a little more information because this is a new measure, as they are saying. Can we hear maybe a little more about what that is and how it is meted out? It would be good to get an understanding of that so that the public is aware of what the department is doing.

And I say that only because, Mr. Chairman, we want to ensure and we believe that this head is doing all that it can to be successful and so we want to dispel some of those rumours that might be out there by giving the public more information.

The Chairman: Thank you.

I just want to caution Members that we have approximately 11 minutes remaining, in total.

The Chair now recognises the Honourable Member from constituency 23.

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

Mr. Chairman, I just very briefly would like to ask, in respect of page B-100, under business unit 33070, the Brangman Home, the average cost per resident at the home per day, we had a revised forecast . . . well, we had an initial forecast in 2018/19 of \$600 a day, a revised forecast in 2018/19 of \$416.67 and a targeted outcome of \$340. That is nearly a 50 per cent decrease . . . well, it is a 40 per cent decrease between the original forecast of 2018/19 and the targeted outcome for 2019/20 and I am just wondering where these savings are coming from.

And similarly, in respect of the Observatory Cottage—that was Brangman Home, I had for the Observatory Cottage—and that is business unit 33090, on page B-101, the average cost per resident at the cottage per day was . . . the actual outcome was \$502 in 2017/18, it was budgeted at \$650 for the original forecast and then that forecast was revised downward to \$595. We do not have a measure for 2019/20 and I am just wondering what it is intended that that cost is likely to be revealed at.

Thank you.

The Chairman: Thank you. Thank you, Member.

The Chair now recognises the Shadow Minister, the Honourable and Learned Member, Mr. Scott Pearman.

Mr. Scott Pearman: Thank you, Mr. Chairman.

I just a few follow-up questions that were still live for Head 23 and I will just go through those in sequence.

We were under Head 23, and I noted [on page] B-99, under business unit 33020, and it says investigations screening the number of children who are protected from ongoing child abuse and it is 100 per cent. This is a department whose very purpose is to protect those who need protecting.

During her brief, Mr. Chairman, the Learned and Honourable Minister mentioned when she was discussing the number victims of domestic violence, I believe in reference to calendar 2018, although that was not clear, that there were 30 parents who were victims of domestic violence and 20 children coming to DCFS. And that is a staggering number, I think, for the listening public to know that in one calendar year 20 children are victims of violence like that and that is probably just those we know about because that is those who engage with the department.

The other thing that was said, again, on this theme, is talking about percentage numbers of abuse and neglect. And I believe (this is my note, so it may not be right, but) there is apparently neglect in 74 per cent of open cases, I think, is what my Learned and Honourable Minister said—74 per cent. And that too is a very disheartening number.

The Minister then discussed Family Care Officers and their attendance at court hearings and referenced the number of 129 court hearings over the

course of a year. Again, I assume that that year is the 2018 calendar year and not a fiscal year, I could not find reference to that in the budget. But it was not clear to me whether those will all be, those 129 attendances, are all child related or if they are child and family related. So I would be grateful for clarification.

And the reason is that this goes—to the allocated number we now understand—is going to be the budget allocation for the next fiscal year for Litigation Guardians, namely—and I did ask twice, so I think I have the number right now—\$242,000. It is difficult to see how that will be anything more than a Band-Aid.

If it is this House's intent to have proper Litigation Guardians and I remind the listener and those present that a Litigation Guardian is supposed to work with the child, he or she is supposed to be a social worker, he or she is not the lawyer on their feet in the courtroom, it is that person (the Litigation Guardian) giving instructions to the lawyer on their feet in the courtroom.

So in each particular case there are going to be two individuals involved and these individuals . . . I see some shaking of heads. But no doubt the Minister can clarify how I am wrong on this point. It was intended, at least under the Children Act [1998] as it currently stands, subject to amendment, that there would be two people—a Litigation Guardian and an attorney. And obviously those costs, even at Legal Aid rates for the attorneys—and I declare an interest in [being an] attorney—are unlikely to be \$242,000 in a fiscal year.

So, I would be grateful for answers to those particular questions. And the outstanding question as to whether or not the litigation costs were going into the previous head in the 41 per cent on the Headquarters or whether they are going in the head . . . the increase in Child and Family Services head between \$13 million and \$15 million, roughly. So, those two questions are outstanding.

I am grateful, Mr. Chairman. Those are my questions unless something else arises from the questions answered.

The Chairman: Thank you, sir.

Are there any other Members that wish to pose any questions with respect to the heads in question?

The Chair now recognises the Minister, the Honourable and Learned Member, Kim Wilson.

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

Yes, with respect to the questions, I think, with respect to the pages B-96 and B-97, the 2017/18 numbers reflect the actual spending, and the amount budgeted was higher, but the amount actually spent was less due to staff vacancies.

If you could stand by . . . I am trying to move quickly, I apologise.

The Chairman: Mm-hmm.

Hon. Kim N. Wilson: With respect . . . I believe there was a question concerning the children placed overseas, there were a total of six Psycho-Ed clients that were approved for an overseas placement at the university in America, and that was following a comprehensive assessment and treatment programme at the university's neuropsychiatric institute in Utah. And four out of the six . . . they were offered a four- to six-week comprehensive clinical evaluations in a safe and secure environment. And those individuals that I referred to and that are sent overseas is because they are deemed to have exhausted all local therapeutic options here in Bermuda and it is determined in a consultative process between the child and adolescent services, Department of Education and the Department of Child and Family Services.

Again, I understand that the Litigation Guardian costs are all under Head 47.

And the tool that is being used is a parent/child satisfaction survey. Children are being serviced overseas and assessed by psychologists, psychiatrists, as well as social workers.

And the department utilises the evidence-based Structured Decision-Making [SDM] assessment tool system that has been customised for Bermuda to comprehensively guide all case management decisions, from determining the cases and to make sure that they meet the threshold of abuse and neglect to be screened into DCFS for services. And to determine the response time to investigate an allegation based on severity, the assessment system also guides identification of areas of needs to be addressed, and services and treatment plans with the families. And families are reassessed every three months to determine progress of the service plan goals, and suitability for case closure.

Sorry . . .

Mr. Scott Pearman: Mr. Chairman, just two final follow-ups from that. I am not sure we got an answer as to whether or not the budgeted figure that had been indicated of \$242,000 was going to include attorneys or not and if it does not, where [are] those costs included?

But just on this idea of children being sent away and we spoke about the CAT programme in Utah and we have seen a lot in the press about people themselves who have been sent away, it is right that going forward no Bermudian child will be sent away for treatment unless that child has a Litigation Guardian? Is that to be the position going forward?

Thank you, Mr. Chairman.

The Chairman: Members, we have about 50 seconds left in this debate.

The Chair now recognises the Minister.

Hon. Kim N. Wilson: That is not correct in that the Litigation Guardian actually is the voice of the child in the court proceedings, as you said, and they are not involved in the day-to-day case management of the child. Counsel under the current legislation can be appointed for children who are able to give instructions if the court deems it necessary to do so.

The Chairman: Mm-hmm.

The Chair recognises the Shadow Minister.

Mr. Scott Pearman: So the answer to my question was no?

Hon. Kim N. Wilson: Yes, Mr. Chairman, thank you. You are absolutely correct.

The Chairman: Mm-hmm, good.

Mr. Scott Pearman: Mr. Chairman, with the last seconds remaining I would just like to thank the Learned and Honourable Minister, thank the Attorney General who is present in the Chambers, her PS O'Brien, and the team. I see the Director is over there as well, I think, and thank you, Mr. Chairman.

The Chairman: You are welcome.

Members, that brings to an end the debate on the Ministry of Legal Affairs and the respective heads in question.

Minister, are you prepared to move the heads that we have been debating?

Hon. Kim N. Wilson: Yes, Mr. Chairman.

I would like to move that Heads 87, 3, 23 and 4 be approved as printed.

The Chairman: The Minister has asked that Heads 87, 3, 23, and 4 be approved as printed.

Are there any objections?

No objections.

[Gavel]

The Chairman: The heads are approved.

[Motion carried: The Ministry of Legal Affairs, Heads 87, 3, 23, and 4 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: Honourable Members, we are, of course, still now in the Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2019/20.

We will now spend the next period considering the heads that are being moved by the Minister for Labour, Community Affairs and Sport. Those are Heads 20, 60 and 52.

Honourable Minister, you have the floor.

MINISTRY OF LABOUR, COMMUNITY AFFAIRS AND SPORT

Hon. Lovitta F. Foggo: Thank you, Mr. Chairman, and good afternoon to the House.

Mr. Chairman, I am pleased to present the financial year 2019/20 Estimates of Revenue and Expenditure for 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, the Ministry of Labour, Community Affairs and Sport is the former Ministry of Social Development and Sports. A restructuring of the Ministry in November 2018 moved the departments of Child and Family Services, Financial Assistance, and National Drug Control, as well as the Mirrors Programme to other ministries. As part of this reorganisation, the Department of Workforce Development and the Labour section were added to the renamed Ministry of Labour, Community Affairs and Sports.

Mr. Chairman, as can be seen on page B-245 the budget for the Ministry for the financial year 2019/20 is \$18,865,000; which includes the heads for debate as follows:

- Head 20—Youth, Sport and Recreation for \$10,109,000 for the year 2019/20;
- Head 52—Community and Cultural Affairs, is the same as the previous year, which is \$2.242 million; and
- Head 60—Workforce Development is a slight increase, taking it up to \$4.296 million for the year 2019/20.

Mr. Chairman, the Summary shows the various amounts, as I just indicated, for Heads 20, 60, and 52 and I will discuss each when I speak to each head.

[Hon. Patricia J. Gordon-Pamplin, Chairman]

Hon. Lovitta F. Foggo: Sorry, Madam Chairman.

Madam Chairman, it is worth noting at this point, as can be seen on page C-19, that the department's budget includes some \$5,552,000 in Grants and Contributions. This is an increase of \$492,000, or 10 per cent, when compared to the original estimate for 2018/19. Grants and Contributions represent almost 30 per cent of the Ministry's budget. This is a reflection of the support the Ministry gives to the community.

This includes some \$1,903,000 for scholarships, apprenticeships and workforce training; \$3,225,000 for sports development, national sporting bodies and youth organisations; and \$346,000 for community and cultural activities.

Madam Chairman, the Ministry's overall vision is to strengthen the social fabric of our community and

supports the mission of collaborative stewardship to provide a qualified and motivated workforce in a social environment that engages in sports and treasures our heritage for the benefit of the community as a whole.

Madam Chairman, I will now present the financial year 2019/20 Estimates of Expenditure and Revenue of those three debates that were chosen for debate, beginning with Head 20, the Department of Youth, Sport and Recreation.

HEAD 20—DEPARTMENT OF YOUTH, SPORT AND RECREATION

Hon. Lovitta F. Foggo: The mission statement, Madam Chairman, of the Department of Youth, Sport and Recreation is *to advance amateur sport, recreation and youth development for all—from leisure activity to athletic excellence, and to strengthen the significant contribution that these initiatives make towards the enhancement of the quality of life for the total community.*

The department's objectives are:

- To increase “whole family” sport and recreational programming by 25 per cent in support of the social development action within our communities;
- To ensure that 100 per cent of the National Sports Governing Bodies are aligned with governance standards as set out in the National Sports Governing Bodies Certification Policy by December 2019;
- To have 80 per cent of the Groundsmen and Caretakers certified in Level 1 Basic Horticulture by March 2020; and
- To increase by 10 per cent Youth, Sport, and Recreation's social media presence to customers by 31st March 2020.

Madam Chairman, the Department of Youth, Sport and Recreation administers 9 programmes and 22 business units for which a general summary is contained on pages B-250 and B-251 of the Estimates of Expenditure and Revenue for financial year 2019/20.

The budget allocation for the Department of Youth, Sport and Recreation in financial year 2019/20, is \$10,109,000 as seen on page B-245. This is an increase of \$455,000, or 5 per cent, in comparison to the original budget estimate of \$9,654,000 for financial year 2018/19. This increase is for two purposes:

1. An increase in the grant of \$400,000 to the National Sports Centre; and
2. An increase in salaries required for a staff member transferred to the department who holds a higher grade than the existing post.

Programme 2001—Administration and Sports

Hon. Lovitta F. Foggo: Madam Chairman, I will now discuss the individual programmes under Head 20.

Page B-250 shows that the budget allocation for business unit 30045, General Administration, for financial year 2019/20 is \$1,606,000. This represents an increase of \$93,000, or 6 per cent, over the original budget of \$1,513,000 in financial year 2018/19. (And let me just remind Members that errata were handed out today that corrects what was in the Budget Book.) This increase reflects the salary uplift as well as an additional salary required for the Department of Youth, Sport and Recreation to pay an employee transferred to the department from another Ministry as just mentioned earlier.

Madam Chairman, the allocated funds provide for the administration and operations of the Department of Youth, Sport and Recreation Headquarters, which is located in the Craig Appin House, situated at 8 Wesley Street, Hamilton. In addition, the Administration Section provides administrative support for the additional 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

Hon. Lovitta F. Foggo: Madam Chairman, the department provides for its Sport Development Programme through business unit 30055, Sports Programmes. The financial year 2019/20 budget allocation for business unit 30055 is \$1,801,000, an increase of \$3,000 compared to the original budget of \$1,798,000 for year 2018/19, as seen on page B-250. This allocation includes grant funding for the National Sports Governing Bodies and operational cost involved with facilitating major events during the fiscal year, such as the Sports Hall of Fame ceremony and the Annual Sports Awards.

Madam Chairman, included in business unit 30055 is a grant of \$650,000 to the Bermuda Sport Anti-Doping Authority (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.

Madam 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 for Bermuda for our senior and junior athletes.

Business unit 30055 also provides for a grant to the Bermuda Football Association [BFA] for

\$300,000 and \$25,000 for the department's Summer Swimming programme. An additional \$173,000 in operating costs is covered under this business unit.

Madam Chairman, during the financial year 2019/2020, the Department of Youth, Sport and Recreation intends to continue focusing on all aspects of sporting development. The development of athletes at senior and junior levels, in addition to providing education to local coaches through a partnership with overseas agency, Positive Coaching Alliance, are key aspects of business unit 30055. An increase of \$58,000 in grant funding is provided to National Sports Governing Bodies. This is vital for the continued development of sport 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 that fall under the department's remit.

Madam Chairman, in November 2017, the department in conjunction with the Association of National Sports Governing Bodies held a mini-conference to keep National Sports Governing Bodies informed on upcoming department initiatives and policies. The Association of National Sports Governing Bodies was formed to act as a unified voice for issues that relate to National Sports Governing Bodies collectively and to advocate for sports [which] has had a positive impact on a broader level and provides input and strategic direction on the National Sports Recognition Policy.

Additionally, the National Sports Governing Bodies have provided leadership and support to all local sport partners and has advocated on behalf of all National Sports Governing Bodies on matters relating to Government, sponsorship and the community. To that extent, Government has re-established a Sports Recognition Policy that will have all National Sports Governing Bodies recertified. This will ensure that all National Sports Governing Bodies are in compliance with the department's policies and practices as laid out in the Sports Recognition Policy.

Programme 2003—Sports Incentives and Awards

Hon. Lovitta F. Foggo: Madam Chairman, there is an increase in the budget allocation for business unit 30030, Athletic Awards, which will now be \$200,000 (see page B-250) in support of the Elite Athletes Assistance Fund and the National Junior Sponsorship Fund. The National Junior Sponsorship Fund has been increased by \$50,000.

This increase will assist with two young athletes, a male and a female, from each National Sports Governing Body who will benefit from the programme. In the past only one person was supported. The plan is to further assist with the development of all in sport regardless of gender. These funds will continue to support, encourage and provide incentives to our sen-

ior and junior athletes to strive for excellence in their personal development.

Madam Chairman, the Elite Athletes Assistance Fund of \$100,000, as shown on page C-19, 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

Hon. Lovitta F. Foggo: Madam Chairman, the department carries out sports facilities management across five business units, with allocations for financial year 2019/20 totalling \$1,920,000 as shown on page B-250. This represents an increase of \$392,000 from the original budget of \$1,528,000 for financial year 2018/19. This increase is mainly made up of the additional grant for the National Sports Centre and some savings in the programme.

Madam Chairman, the budget estimate for business unit 30060, Sports Facilities, Administration of \$1,284,000 for financial year 2019/20 is an increase of \$401,000, or 45 per cent, over the original budget for financial year 2018/2019. This reflects the increased grant to the National Sports Stadium from the 2018/2019 grant of \$800,000 to \$1,200,000 for this fiscal year coming up. This will revert the grant to its 2014/15 levels before it was reduced from \$1,100,000 to \$850,000 and then to \$800,000 in 2016/17. The reduction in the grant coupled with the increased costs of running the facility, particularly with the addition of the swimming pool, has resulted in maintenance and repair works suffering, and this cannot continue without further serious adverse effects.

Madam Chairman, business unit 30060, Funding, also provides for the maintenance of parks under the department's remit namely, WMC Preece Softball Park (30075), WER Joell Tennis Stadium (30080), Motorsport Park (30090) and Sports Community Fields (30390). The WMC Preece Softball Stadium, business unit 30075, provides for two full-time employees to maintain the grounds and includes funding for materials, supplies and electricity. The WER Joell Tennis Stadium, business unit 30080, includes estimates for four full-time and two part-time employees, together with operational expenditure.

Programme 2005—Youth Development

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for 2019/20 of \$493,000 is for the two business units under Youth Development Programme. Youth Development Administration, business unit 30210, has a budget allocation of \$293,000 for 2019/20, an increase of \$20,000, or 7 per cent, from the original budget for financial year 2018/19. This

allocation covers salaries and administrative overheads.

Madam Chairman, offering opportunities in youth development plays a vital part in empowering Bermuda's youth. The department will strengthen its outreach via numerous community partnerships as part of its continued focus on developing youth through sport and recreation. The launch of the National Youth Policy [NYP] will be a platform that provides direct opportunity and a voice for our youth to be heard while developing and shaping themselves as well as the country. The intent of the National Youth Policy is to implement initiatives to engage and empower our youth. The Department of Youth, Sport and Recreation is committed to working collectively with youth organisations, charities, non-profits and the public sector in financial year 2019/20 to make the National Youth Policy a reality.

Madam Chairman, page B-250 shows business unit 30350, Youth Grants, with an allocated budget of \$200,000 for financial year 2019/20, which is equal to the previous financial year. The Youth Grants funding will be allocated to assist youth organisations whose mandate or mission directly or indirectly focuses on benefiting the lives of Bermuda's young people.

Madam Chairman, page C-23 details the expenditure for 2017/18 for Youth Grants, which I just wanted to bring to your attention so that you know how some of that money is divvied out:

- Global Art—Youth Initiatives: \$15,000;
- Raleigh International: \$15,000;
- Bermuda Sea Cadets: \$15,000;
- Bermuda Riding for the Disabled: \$8,000; and
- Youth Net: \$7,000.

Programme 2006—Community Centres

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for three community centres under the department's remit: the Centre in Hamilton (business unit 30120); St. George's Community Centre (business unit 30130); and Sandys Community Centre (business unit 30146), has been set at \$1,429,000 in financial year 2019/20, which can be seen on page B-250. This is an increase of \$50,000, or 4 per cent over the original budget of 2018/19. The Community Centres' full-time equivalent count is 19 for 2019/20. The staff support programming to engage families, seniors, adults and children ensuring communities embrace the philosophy of the department's mission.

Madam 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 immense opportunities for residents of all ages to experience positive recreational activities. The community centres have recently come online with the After-

school Programme to provide the same calibre of service to communities at both ends of the Island.

Programme 2007—Camping

Hon. Lovitta F. Foggo: The Department of Youth, Sport and Recreation's Camping Programme has a budget allocation of \$1,136,000 for year 2019/20, an increase of \$213,000, or 23 per cent. The increase reflects that there was an administrative error in the original budget for 2018/19 for the Messina House camping facility (see page B-250) resulting in inadequate funds. This increase remedies that error.

Madam Chairman, the allocated budget for the Camping Programme provides for the staffing operation and administration of five camping facilities. In financial year 2019/20, the camping programme includes a total of 10 full-time employees, who maintain the facilities and the marine vessels.

Madam 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.
- Messina House is situated at Boaz Island, Sandys and is a land-based campsite. This site can accommodate a maximum of 34 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's primarily used for basic swimming instruction by the Bermuda Amateur Swimming Association and rowing instruction by the Bermuda Rowing Association.

Programme 2008—School Age Activities

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for these activities has decreased from \$853,000 in the original budget of fiscal year 2018/19 to \$583,000 in the upcoming financial year 2019/20. This represents a decrease of \$270,000, or 32 per cent, which you can see on page B-250. This reduction has been transferred to cost centre 30155 to cover the operational cost of Messina House, as stated previously. The reduction in budget will not affect Government's commitment to the provision of school age activities.

Madam Chairman, this programme usually supports approximately 800 school aged children and is provided at various pre-schools, primary schools and middle schools throughout the Island. Approximately, 110 part-time employees, which consist of 80 per cent university, college and high school students, conduct this programme and are supervised by qualified teachers. There is also a special-needs programme which provides one-on-one care for children who have special needs. For the purposes of inclusion of all students, the special needs camp is incorporated in the school age camps.

Madam 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—Afterschool Programmes

Hon. Lovitta F. Foggo: Madam Chairman, this programme is operated by the Department of Youth, Sport and Recreation and provides for staffing, communications, materials and supplies for 10 programmes at Government primary schools.

The schools that house these programmes include:

- Francis Patton Primary;
- Harrington Sound Primary;
- Elliot Primary;
- Prospect Primary;
- West Pembroke Primary;
- Paget Primary;
- Purvis Primary;
- Heron Bay Primary;
- Port Royal Primary; and
- Dalton E. Tucker

The budget allocation for business unit 30125 for financial year 2019/20 is \$941,000, which is a decrease of \$96,000, or 9 per cent, from the original budget for financial year 2018/19, as seen on page B-251. This decrease in funding was required to cover the uplift in salaries and will not impact on Government's commitment to continue to provide quality Afterschool Programmes for primary school aged children to ensure a safe and structured recreational programme. The programme supports a maximum of 400 primary school aged children across 10 schools and employs approximately 26 employees in year 2019/20 (see page B-252).

Grants and Contributions

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for grants and contributions for financial year 2019/20 is \$3,225,000, which is an increase of \$450,000 in the Sports Grant allocation in comparison with the original budget of \$2,775,000 for year 2018/19 (see page C-19).

This allocation will be disbursed as follows:

- Sports Development:
 - 6886, Department of Youth, Sport and Recreation Swimming Programme: \$25,000;
 - 6878, Contribution to Sports Development (to be allocated among 34 National Sports Governing Bodies, which includes \$650,000 for Bermuda Sport Anti-Doping Authority) for \$1,700,000.
- Sports Incentives and Awards Programmes:
 - 6880, Elite Athlete Fund: \$100,000.
- Sports Facilities Management:
 - 6884, National Stadium Trustees, the grant amount is \$1,200,000.
- Youth Development:
 - 6882, Voluntary Youth Organisations the grant amount is \$200,000.
- And that brings us to a grand total of \$3,225,000.

Madam Chairman, page C-22 details the expenditure for financial year 2017/18 and, again, so that persons would know what was put out, I will just highlight a few:

- Bermuda National Athletic Association: \$140,000;
- Bermuda Cricket Board: \$100,000;
- Bermuda Amateur Swimming Association: \$50,000;
- Bermuda Bicycle Association: \$35,000; and
- Bermuda Lawn Tennis: \$43,000.

Capital Acquisitions

Hon. Lovitta F. Foggo: Madam Chairman, the budget allocation for capital acquisitions for 2019/20, as seen on page C-13 is \$32,000, a decrease of \$47,000 from the \$79,000 original budget for financial year 2018/19. [Additionally,] \$24,000 is for the purchase of a replacement lawn mower; \$4,000 for fencing at Ports Island; and \$4,000 to replace computers in head office.

Subjective Analysis

Hon. Lovitta F. Foggo: Madam Chairman, I now turn to the subjective analysis of current account estimates for Head 20, found on page B-251 of the Estimates Book.

The budget allocated for salaries is \$2,585,000 for financial year 2019/20, as seen on page B-251. This represents a decrease of \$283,000, or 10 per cent, compared to the original allocated budget of \$2,868,000 in financial year 2018/19. This decrease is partially as a result of reallocation of funds for employees who should have been classified under wages, and partially by reducing the number of summer day camp sites by three to make savings.

Wages, Madam Chairman, in 2019/20, the allocated budget is \$2,529,000. This is an increase of \$123,000, or 5 per cent, compared to the original allocated budget for financial year 2018/19. This increase is a result of reallocation of funds for employees who should have been classified under wages.

Other Personnel Costs, the budget allocation is \$96,000 for other personnel costs in 2019/20, an increase of \$34,000, or 55 per cent, from financial year 2018/19. Whilst this shows as an increase over the original budget, Madam Chairman, you will recall that in last year's Budget Speech the then-Minister advised this Honourable House there had been an administrative error in the original budget for Messina House camping facility and associated costs and that they would be corrected in the new fiscal year as shown in the original budget. The increase in other personnel costs is related to that and the caretaker's residence.

Training, in the 2019/20 financial year, \$14,000 has been allocated to training compared to the original budget of \$6,000 in 2018/19. The Department of Youth, Sport and Recreation must ensure that our recreational workers are adequately trained for the Summer Day Camp Programmes, Afterschool Programmes, and at the Community Centres. This increase also reflects additional and upgraded training of our recreation workers in courses in Non-violent Interventions, Adverse Childhood Experiences (also known as ACE), Saving Children and Revealing Secrets (also known as SCARS), and Conflict Resolution Programmes.

Transport, Madam Chairman, the budget allocation for transport in 2019/20 is \$10,000, which is an increase of \$3,000 from 2018/19.

Travel, Madam Chairman, \$66,000 is allocated for travel in financial year 2019/20. This is an increase of \$27,000, or 69 per cent, compared to the original budget of \$39,000 in 2018/19. The Department of Youth, Sport and Recreation increased the expenditure for travel in order to facilitate staff participation in relevant courses/conferences offered overseas, which are deemed necessary to further strengthen and develop staff capabilities and competencies that would benefit both their professional growth and the department. The courses include those with Search Institute—Character Counts Programme to recertify staff. It also includes overseas conferences with the National AfterSchool Association and International Youth Conference on Youth Development.

For Communications the allocation has been increased by \$2,000 to \$89,000, or 2 per cent, compared to the original budget of 2018/19 of \$87,000. The department introduced additional phones in the Community Centres programme to ensure that the van drivers have communication devices at all times.

For Advertising and Promotion, the budget allocation is \$27,000 for financial year 2019/20, which

represents an increase of \$7,000, or 35 per cent, in comparison to the original estimate for financial year 2018/19 of \$20,000. This increase reflects the department's support of sports' clubs in their promotion of events around the Island. The Department of Youth, Sport and Recreation will also continue to maximise the use of advertising and promotion through the use of social media such as Facebook, Twitter, and the like to support events and community involvement.

Professional Services, \$209,000 has been allocated to professional services for the financial year 2019/20. This is a decrease of \$9,000, or 4 per cent, compared to 2018/19 original budget. This decrease was made in an effort to reduce cost in the area of recreational services. Services which were often provided from outside agencies will be reduced and creative alternatives will be found in-house.

Rentals. The budget allocation for rentals is \$463,000 for financial year 2019/20, which is an increase of \$73,000, or 18 per cent, from the original budget in 2018/19. This increase is part of the administrative correction mentioned earlier in respect of Messina House.

Repair and Maintenance. The allocation for repair and maintenance is \$227,000 for financial year 2019/20, compared to the 2018/19 original budget of \$219,000. This increase of \$8,000, or 3 per cent, is required owing to the increasing costs and frequency of repairs required to grounds, ageing facilities, vehicles and marine equipment which come under the Department of Youth, Sport and Recreation's purview.

Insurance, Madam Chairman, is \$29,000 for the financial year 2019/20. There is no change from the original budget of 2018/19. The insurance is for the marine and vehicle fleet under the Department of Youth, Sport and Recreation.

Energy. There is no change in the budget allocation for energy in financial year 2019/20. It remains at \$224,000, as compared with the original estimate for 2018/19. 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.

For Clothing, Uniforms and Laundry, there is a budget allocation of \$20,000 for the financial year 2019/20 and it represents a \$2,000 increase compared to the original estimate for 2018/19. This increase is due to the increased costs associated with these items.

Materials and Supplies, as shown on page B-251, has a budget allocation of \$215,000 in 2019/20. This allocation is an increase of \$8,000, or 4 per cent, compared to the 2018/19 original budget of \$207,000. With the increase in price of materials on the Island this upsurge is a direct effect of the increased cost of these supplies.

Equipment [Major/Minor Capital]. The allocated budget for Equipment in 2019/20 is \$24,000, which is the same as the original budget for 2018/19.

Other Expenses, \$57,000 is allocated toward Other Expenses in 2019/20 compared to the original estimate for financial year 2018/17 of \$55,000. This increase is again reflective of the increase of the costs locally.

Grants and Contributions. Madam Chairman, the allocated budget in financial year 2019/20 is \$3,225,000 for Grants and Contributions, which is an increase of \$450,000 compared to the original estimate of \$2,775,000 in financial year 2018/19. The increase is due to an increase in grants given to sport—in particular, an increase to the National Sports Centre of \$400,000, as previously stated, under the business unit 30055. And the National Junior Sponsorship Fund received an additional \$50,000, as stated under business unit 30030.

Youth, Sport and Recreation, dealing with revenue. As shown on page B-252, it is anticipated that the revenue for the department will be \$597,000 for financial year 2019/20, which is a decrease of \$44,000, or 6 per cent, compared to the estimate for financial year 2018/19. Revenue was estimated on trends from programme registration, sale of after-school vouchers, as well as income from the rental boats and equipment. The reduction in the number of clients that the Summer Day Camp can service will affect the revenue for the department. And that was previously discussed under programme 2008, when we were talking about the school aged activities.

Full-time equivalents are shown on page B-252. And the count for the year 2019/20 stands at 96. And it remains unchanged in comparison to 2018/19.

Madam Chairman, I would like to take this opportunity at this point in time 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 our residents here in Bermuda.

Also, it is important for me to recognise the significant contribution made by our sportsmen and sportswomen, and the pivotal role they play in inspiring our youth to achieve their true potential.

Madam Chairman, this concludes my presentation for the financial year 2019/20 budgetary allocation for Head 20, the Department of Youth, Sport and Recreation.

HEAD 52—DEPARTMENT OF COMMUNITY AND CULTURAL AFFAIRS

Hon. Lovitta F. Foggo: And, Madam Chairman, I will now transition across to Head 52, the Department of Community and Cultural Affairs, found on pages B-256 through to B-262.

The mission statement, Madam Chairman, *is to cultivate a greater sense of national pride and identity by engaging with the community to develop our*

society through culture, heritage and educational outreach.

The objectives for the department for 2019/20 are as follows: to serve as stewards of Bermuda's cultural heritage; to stimulate and develop a culturally vibrant, expressive and dynamic community by supporting innovative cultural and artistic endeavours; to foster relationships with tradition bearers and cultural industry partners to facilitate synergistic, interdisciplinary and evolving Bermudian cultural identity and artistry; and to promote an understanding of Bermuda's cultural identity through education, research and publications, and enrichment programmes; to curate and invest in the arts and Bermuda's cultural heritage through grants, sponsorships, collaborations and structural support; and to support the development of ideas, projects and institutions that augment Bermuda's cultural and creative industries.

Madam 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-256 of the Estimates of Expenditure and Revenue for 2019/20. The general summary is for Cultural Affairs, programme 5202:

- business unit 62000, Grants to Organisations \$229,000;
- business unit 62001, Administration, \$846,000;
- business unit 62010, Cultural Festivities and Celebrations, \$62,000;
- business unit 62020, Heritage Celebration, \$262,000;
- business unit 62030, Cultural Education Programme, \$32,000;
- business unit 62050, National Heroes Day, \$61,000;
- business unit 62060, Promotion of the Arts, \$44,000;
- business unit 62070, Folk Life Bermuda, \$143,000;
- business unit 62080, Research and Publications, \$62,000;
- business unit 62180, Special Projects, \$88,000; and
- business unit 62210, Gombey Festival, \$161,000.

And under programme 5203, Community Services, business unit 62100, Uncover the Arts, \$189,000; and business unit 62130, Senior Citizens Projects, \$63,000, to give us a total of \$2,242,000.

I will now discuss the two programmes and the 13 business units, in order of appearance, as shown on page B-257.

Programme 5202—Cultural Affairs

Business Unit 62000—Grants to Organisations

Hon. Lovitta F. Foggo: The amount budgeted under this business unit for financial year 2019/20 is \$229,000, which reflects an increase of 3 per cent, or \$6,000, as compared to 2018/19 budget allocation, on page B-257. In keeping with the 2018 Speech from the Throne, the Bermuda National Gallery's grant has been increased from \$40,000 to \$46,000, an increase of \$6,000, or 15 per cent. This was achieved by way of a reallocation of funds within this business unit.

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

- The Bermuda Historical Society, \$6,000;
- St. George's Historical Society, \$4,000;
- St. George's Preservation Authority, \$8,000;
- Bermuda Arts Council, \$100,000;
- Bermuda Heritage Association, \$30,000;
- Bermuda National Gallery, \$46,000;
- Cultural Legacy Fund recipients, \$25,000; and
- St. George's Foundation, \$10,000

—for a total of \$229,000.

Business Unit 62001—Administration

Hon. Lovitta F. Foggo: 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.

The allocated budget for 2019/20 for this business unit is \$846,000, as shown on page B-257. This amount reflects an increase of \$28,000, or 3 per cent, compared to the original budget of 2018/19 of \$818,000. This increase is due to salary adjustments.

Madam Chairman, the allocated budget sustains both units of operation, including salaries and wages, professional development, communications, programming, printing and office supplies. Also, business unit 62001 provides funding for some collateral educational materials including posters, banners, pamphlets, leaflets and promotional information via social media. The remainder of the budget provides for office supplies; photocopier maintenance; website maintenance; books and periodical subscriptions; and telephone services.

Business Unit 62010—Emancipation and Cultural Festivals

Hon. Lovitta F. Foggo: The allocated amount for this business unit in 2019/20 is \$62,000. This reflects an increase of 5 per cent, or \$3,000, compared to the original budget for 2018/19 of \$59,000. This increase can be attributed to associated operating costs.

Madam Chairman, this business unit covers the cost of promoting the culture and heritage of Bermuda and its people through festivals and other programmes and events, and is aligned with one of the primary departmental objectives. The costs associated with programmes and initiatives, which the department promotes and hosts, that are covered in this business unit include the Emancipation Commemorative Ceremony and Harbour Nights. Madam Chairman, permit me to expand just a little.

The Emancipation Commemorative Ceremony is one of the main ceremonies that the Department of Community and Cultural Affairs organises annually. In 2018, the department concluded the series *The Trail of our People* by collaborating with the Bermudian Heartbeats Committee to provide the Dr. Kenneth E. Robinson/Cyril Outerbridge Packwood Memorial Lecture with special guest Dr. Eva Hodgson. Funds allotted to this business unit, 62010, in 2019/20 will be used to explore, especially through research and memorialisation, the role of National Hero Mary Prince.

The department has engaged Dr. Margot Maddison-MacFadyen to conduct extensive research on Mary Prince. Dr. MacFadyen has begun presenting her findings to students. Dr. MacFadyen's research will provide the foundation for the Emancipation Programme and will be featured in July 2019.

In collaboration with cultural industry partner Bermuda National Trust, the department intends to depict aspects of Mary Prince's life through drama, in late November of 2019. These programmes associated with Mary Prince are being done to raise public awareness about Mary Prince and the seminal role that she had in bringing about the end of slavery, not only in Bermuda, but throughout the entire British Empire.

The department also plans to expand its educational outreach in the schools during this upcoming fiscal year in relation to subject matters covered through this programme.

Harbour Nights, Madam Chairman. Funding to support Harbour Nights also comes under business unit 62010. The Department of Community and Cultural Affairs works collaboratively with tradition bearers and the Chamber of Commerce to ensure that aspects of our culture and heritage are presented to visitors and residents alike in an engaging and informative manner.

In addition, throughout the year, the department also assists individual organisations involved in cultural or folklife projects and programmes.

Madam Chairman, that completes this business unit.

Business Unit 62020—Heritage Celebrations

Hon. Lovitta F. Foggo: The total amount budgeted for this business unit in 2019/20 is \$262,000, an increase of \$26,000, or 11 per cent, when compared to

the original budget estimate of 2018/19, of \$236,000. This increase can be attributed to increasing infrastructure costs by external vendors. Madam Chairman, this business unit covers the cost of celebrations for both Heritage Month and the Bermuda Day Parade. Heritage Month celebrations are a series of cultural events and activities which concludes with the vibrant Bermuda Day Parade.

Heritage Month. The Department of Community and Cultural Affairs successfully celebrated Heritage Month 2018 under the theme *What We Share*, through an expansive calendar of events which allowed the department to partner with and support existing cultural organisations.

These exciting events included a Seniors Crafts Show; a series of cultural events in collaboration with and supporting the Bermuda National Gallery and their biennial exhibition, a Global African Inventions presentation by Mwalimu Melodye Micere Van Putten, support for cultural awards and scholarships during an event by the Chewstick Foundation, and a premier night club experience and "Price is Right" family brunch to support non-profits organised by the Planning Factory and Sound Concepts. Heritage Month also featured many spectacular cultural events organised through the community, which the department highlighted in their advertising.

The theme for Heritage Month 2019 is *Bermudian Excellence*, as 2019 celebrates the 40th anniversary of Bermuda Day. The department will continue to partner with cultural industry stakeholders to present a robust series of events, entertainment and activities that will illustrate aspects of Bermuda's unique heritage.

The intent is to shine the spotlight on examples of Bermudian excellence throughout the various industries and categories. A variety of media platforms will be used to promote and celebrate this theme, to be launched during the month of May, and continue at other times during the year.

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 56 entries in the 2018 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.

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, particularly to celebrate this important anniversary.

Business Unit 62030—Cultural Education Programme

Hon. Lovitta F. Foggo: Madam Chairman, the budgeted amount is \$32,000 for the financial year 2019/20, as seen page B-257. This represents an increase of \$3,000, or 10 per cent, when compared to the original budget for 2018/19, which was \$29,000. This increase reflects a minor increase in production costs for making our cultural films available. The Department of Community and Cultural Affairs is responsible for creating materials about our rich cultural heritage to educate the public and our students.

Madam 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 2019/20, the department will continue to develop study guides like this to complement the Bermuda Folklife Documentary Series for use within the school system. During financial year 2018/19, the department completed two study guides for the documentaries *Shipwrecks*, as well as *Llewellyn Hollis: Fisherman*, and three additional guides were drafted, which included guides for the films *Woodworking*, *Traditional Bermuda Boat Building* and *Traditional Bermuda Games and Crafts*. In financial year 2019/20, the department will work towards the completion of the three guides and aims to draft three additional guides, as well.

Business Unit 62050—National Heroes Day

Hon. Lovitta F. Foggo: Madam Chairman, the amount budgeted for this business unit for financial year 2019/20 is \$61,000. This represents an increase of \$2,000, or a 3 per cent increase, when compared to the original budget in 2018/19 of \$59,000. This increase is attributed to a minor adjustment in costs for promotional items.

Madam Chairman, funds associated with this business unit are used to formally honour and commemorate a new national hero and to fund operating and administrative costs associated with the National Hero Induction Ceremony.

Business Unit 62060—Promotion of the Arts

Hon. Lovitta F. Foggo: The amount allocated for 2019/20 is \$44,000, which is the same level of expenditure when compared to the original estimate for 2018/19. See page B-257. The two activities that fall within this business unit will now be discussed in turn.

Premier's Concert. This past November 2018, the Premier's Concert again featured selected, very talented young people between the ages of 10 and 20 years old who are excelling in one of arts' genres. Those featured included Lauren Genevieve Tweed, an amazing vocalist.

The concert also featured brilliant dance performances by talented dancers from United Dance Productions and visual artist Xela Swan. During this concert, performances were given by two sets of siblings—saxophonists Ross and Gareth Cooper, and violinists Naphisa and Sari Smith. There were performances by In Motion's Junior Company. The unique element in the 34th annual Premier's Concert was an inclusion of youth co-hosts. And the finale was a wonderful excerpt from Gilbert and Sullivan's *Annie: The Musical*.

For the Writer-in-Residence Programme coming under this business item, the Department of Community and Cultural Affairs supports programming to assist in our literary arts. With this aim in mind, the department hosts an annual writer-in-residence workshop focusing on a variety of genres. In January–February of this year, the department, recognising the interest Bermudian writers have shown in documenting our history in a variety of ways, hosted a three-week Writer-in-Residence Programme focusing on the genre of creative nonfiction. The department was delighted to host award-winning British/Barbadian writer, Ms. Andrea Stuart, to serve as the instructor.

The 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 2019/20, the department will seek to have a Writer-in-Residence Programme focused on collecting oral histories so that Bermudians might better document fascinating family lore and the traditions of our community.

Business Unit 62070—Folklife

Hon. Lovitta F. Foggo: The amount budgeted for this business unit for 2019/20 is \$143,000, which is an increase of \$1,000, or 1 per cent, compared to the financial year 2018/19 allocation of \$142,000. This slight increase can be attributed to a minor increase in operating costs. Activities which come under this business unit are as follows:

Bermudian Heartbeats. This is a lecture series, now in its 16th year, which highlights various aspects of Bermudian history and culture, and aims to hold a monthly presentation that is both entertaining as well as educational. In financial year 2018/19, some of the programmes included a festival at Victoria Park, celebrating Bermuda's Azorean population [in collaboration with Casa dos Açores da Bermuda]; a symposium featuring Syracuse ethnomusicologist, Dr. Sydney Hutchinson; Yale doctoral student, Mr. William Glasspiegel; Antiguan Dance Academy founder, Ms. Veronica Yearwood; and Bermudian Howard University Professor, Dr. Quito Swan, as part of the International Gombey Festival, which I shall expand upon

later; a tour exploring the architectural heritage of the homes fringing Hamilton Harbour (in collaboration with the Bermuda National Trust); and a retrospective interview honouring the eminent Bermudian historian and social activist, Dr. Eva Hodgson.

The new season commences in April and will feature 10 events and two film nights. As part of this programme, the Department of Community and Cultural Affairs will feature events including the launch of Dr. Clarence Maxwell's book entitled *Prudent Rebels: Bermudians and the First Age of Revolution*. This is done in collaboration with the National Museum of Bermuda. It will also feature a lecture on literary giant Langston Hughes and his time spent in Bermuda, by Stanford University Professor Emeritus, Dr. Arnold Rampersad. And a walking tour of Fort Cunningham and a discussion panel on historical preservation [will also be featured].

With their film series, the Department of Community and Cultural Affairs has launched two Folklife documentaries, entitled *Traditional Bermuda Games and Crafts* and *Wha Ya Sayin? Bermudian Dialect, Spoken Word and Storytelling*, featuring tradition bearers Judith James, Shirley Pearman, Yvonne James, George Leon Burt, Florenz Webbe-Maxwell, Britanni Fubler, Bruce Barritt, and Ruth E. Thomas. In financial year 2019/20, the department will work towards completing a series of three films on Bermuda's traditions, highlighting summertime festivals such as Cup Match, Bermuda Day and Carnival; religious holidays including Christmas, Good Friday and the Portuguese festival of Santo Cristo dos Milagres, featuring cultural experts such as wedding cake maker Mrs. Juliette Jackson; Bishop Nicholas Dill; kite maker, Mr. Eugene O'Connor, Sr.; cultural doyenne, Miss Ruth E. Thomas; and centenarians such as Mr. Brownlow Place.

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

During financial year 2018/19, the department focused on the newly emerging cultural industry surrounding costume design and fabrication, for Bermuda's Heroes Day Carnival. Five apprentices, including Colita Cook, James Lee, Barbara Paynter, Monique Stevens and Kimberley Robinson, took part in this programme, organised by Nova Mas International and under the instruction of tradition bearer Daryl Cox, a Trinidadian costume designer whose work has featured in most major carnivals, including Miami, New York, Cayman and Toronto. This year, the department plans to implement a programme that will focus on the development of apprentices wanting to learn more about art in various media.

Business Unit 62080—Research and Publication

Hon. Lovitta F. Foggo: The allocated budget for the financial year 2019/20 is \$62,000. This represents a decrease of \$39,000, or a 39 per cent decrease, compared to the original budget for financial year 2018/19 of \$101,000. This decrease is largely the result of the Bermuda Literary Awards, a programme that takes place once every five years, as well as a reallocation of some funding to [business unit] 62020 in order to support infrastructure needed for the Bermuda Day Parade.

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

Madam 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.

For Original Research, as a condition of the grant provided to Dr. Margot Maddison-MacFadyen in 2017/18, Dr. MacFadyen spent time conducting research in the Moravian Archives in Bethlehem, as well as the National Archives of Antigua and Barbuda, during 2018. The project, entitled *Mary Prince in Antigua: The Latter Years of Bermuda's National Hero*, will add to our historical knowledge of Bermuda.

Dr. MacFadyen conducted school visits in late February to share the findings of her research with Bermuda's students, and in the financial year 2019/20, she will return to Bermuda to offer a public lecture. She will also in 2019 publish her work in scholarly journals, and make her work available on her existing website, www.maryprince.org. We are excited to learn more about the fate of one of Bermuda's internationally best-known historical figures.

In two previous fiscal years, the department has also sponsored two Bermudian researchers, Britanni Fubler (who is now Britanni Butterworth) and Rosemary Hall, who have teamed up to study Bermuda's unique dialect and linguistic traditions. The department will sponsor them again in 2019/20 to support a series of public lectures.

Madam Chairman, as part of the Community and Cultural Affairs Department's expansion of the Gombey Festival, the department will be working with local and international historians on academic research relating to Bermuda's Gombey traditions, including links with similar traditions in the Caribbean and West Africa, in terms of dance, masking, masquerading, and rhythm.

Under Bermuda Literary Awards—these awards are administered by the Department of Community and Cultural Affairs, once every five years, to recognise excellence in Bermudian writing. The categories are fiction, nonfiction, children and young adult fiction, poetry, drama and screenwriting. A sixth category, cultural merit, was added for the first time this year.

There is a \$2,000 cash award for the winner of each category. In financial year 2018/19, the department selected the winners of these awards, and in late February held a presentation honouring the winning entries, which are as follows: *Island Flames*, by Jonathan Smith; *Me and Jezebel*, by Lucinda Spurling; *Girlcott*, by Florenz Webbe Maxwell; *Fried White Grunts*, by Dr. Colin Duerden; *Pilgrimage*, by Dr. Paul Maddern; *Pembroke*, by Dr. Clarence V. H. Maxwell; and *Chained on the Rock*, by Cyril Outerbridge Packwood [posthumous].

Business Unit 62180—Special Projects

Hon. Lovitta F. Foggo: Madam Chairman, the total amount allocated for this business unit for financial year 2019/20 is \$88,000, as shown on page B-257. This amount reflects a decrease of \$12,000, or 12 per cent, when compared to the original budget estimate for financial year 2018/19 of \$100,000.

During the financial year 2018/19, the funds allotted in this business unit covered costs associated with research, development and construction of an artists' registry, which will be used to supplement the department's cultural databases. Funds were used to engage a part-time local consultant to do the research. Funds were also used to offset additional costs for production of cultural education and promotional materials.

Madam Chairman, during the fiscal year 2019/20, the funds allocated to this business unit will be used to support research projects, maintain the cultural database, and expand the oral histories. Funds will also be used to launch the art in government buildings, which is an initiative identified in the 2018 Speech from the Throne.

Business Unit 62210—Gombey Festival

Hon. Lovitta F. Foggo: The amount allocated for this business unit in 2019/20 is \$161,000, which represents a decrease of \$2,000, or 1 per cent, when compared to the original budget estimate for financial year 2018/19 of \$163,000. This slight decrease can be attributed to the fact that fewer international guests will be brought in. This business unit covers the expanded Bermuda International Gombey Festival.

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 two years, the programme has been re-branded as the Bermuda International Gombey Festival and expanded to a full weekend of events and learning opportunities, celebrating not only our Bermudian Gombey traditions, but also international influences from across the Diaspora.

In 2018/19, in addition to the Gombey Festival Showcase, the successful programme included a Gombey Film Night entitled *Dance of the Diaspora*:

Gombey Festival Film Showcase, at Speciality Cinema; a cultural exchange between the Bermuda Gombey; visiting Shortknee dancers from Grenada; a moko jumbie (stilt walker) from St. Croix, and international African dance and drum specialists.

A Gombey community art project took place at the Botanical Gardens, led by the Chewstick Foundation. And *Gombeys and Traditions of the Diaspora: A Symposium* took place at CedarBridge Academy. Each of these events were free for the public to attend and participate in.

Madam 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 the year 2019/20 will finance the cost of travel and lodging for international troupes, event infrastructure, financial awards to participating Gombey troupes, and the chosen honouree for this year.

Programme 5203—Community Services

Business Unit 62100—Uncover the Arts Programme

Hon. Lovitta F. Foggo: Switching to programme 5203, which is Community Service, Madam Chairman, and the first business unit I will look at is 62100, Uncover the Arts Programme. The allocated budget in financial year 2019/20 for this business unit is \$189,000, which is a slight reduction of \$1,000 when compared to the original estimates for financial year 2018/19 of \$190,000.

Madam Chairman, by way of continued partnership with the Bermuda Tourism Authority, the department provides opportunities for both visitors and locals alike to discover and enjoy various aspects of Bermuda's culture, arts and entertainment. This programme runs annually, from November to March, and remains quite popular with both 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. Lunch Time Cultural Chats with Intriguing Stories, Traditions and Rituals, and Bermuda's History with Prisoners in Paradise are also offered, Madam Chairman.

The department will be offering a continuation of the Saturday Night Live Entertainment programme during the financial year 2019/20. This programme offers a platform for local entertainers to perform. Participants include The Wall Street Band, The Unit, Devils Isle Audio, Working Title, Arijahknow Live Wires

and the King's Band, and Live Comedy with Nandanja Bailey and Friends.

The venues being used have increased, 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 vendors, who host the listed talks, tours and demonstrations, as well as cover the cost of advertising, rental fees for tents, sound systems, and sites.

And I dare say, Madam Chairman, that this just speaks to our commitment in Community and Culture in terms of promoting local artists.

Programme 5203—Community Services

Business Unit 62130—Senior Citizen Projects

Hon. Lovitta F. Foggo: Madam Chairman, the allocated budget in 2019/20 for this business unit is \$63,000. This represents a decrease of \$15,000, or 19 per cent, as compared to the original budget estimate for 2018/19 of \$78,000. The department continues to focus on allocating resources strategically, and identifying areas of meaningful cultural programming and heritage preservation that otherwise is not served by existing community-led programming or government initiatives for senior citizens.

Madam Chairman, the Department of Community and Cultural Affairs is responsible for organising a variety of programmes and activities for our seniors. During 2018/19, the department will publish a book of biographies of the lives of approximately 30 outstanding seniors tied to a specific community organisation, and all of those who turn 100 [years old] within the time period, and this should be for this upcoming year. This will be launched publicly to recognise those honoured. The book will be made available to the public for no charge.

The department also worked in collaboration with the Bermuda National Library and Friends of the Library to coordinate two month-long Seniors Writing Workshops, led by Mrs. Florenz Webbe Maxwell, which the department hopes will result in a publication.

The events and programmes within this business unit provide social opportunities for senior citizens to fellowship, enjoy Bermudian entertainment, and to be recognised within the community for their contributions. The funds associated with this business unit will continue throughout 2019/20 to provide culturally relevant and intellectually stimulating programmes and activities for Bermuda's senior population.

Madam Chairman, I will now discuss the subjective analysis for the Department of Community and

Cultural Affairs, found on page B-258. As the budget total for financial year 2019/20 is the same as the total original budget for 2018/19, I will speak only to those subject codes where there are major changes. However, you will note that the increases in some areas are offset by savings in other areas so that the bottom line does remain the same.

Salaries—Madam Chairman, the increase of salaries of \$80,000, or 11 per cent, from the financial year 2018/19 original budget of \$705,000 is in part due to the salary uplift for all civil servants. The uplift would also impact other line items such as vacation earned, certified and uncertified sick leave and acting pay. Also, there is a budget increase for overtime compensation of \$12,000.

Professional Services—Madam Chairman, the decrease of \$27,000, or 5 per cent, represents a cost savings achieved by the department because the costs associated with a book project, an overseas editor, and the Bermuda Literary Awards will not be needed for fiscal year 2019/20.

Materials and Supplies—the decrease of \$80,000, or 37 per cent, represents a further cost savings achieved by the department. Funds associated with the book project, *Bermuda's Entwined Bloodlines*, will not be expensed in this fiscal year, because book projects span more than one year. Programming changes in areas such as Emancipation and Special Projects will result in less printing. Some of the savings achieved to accommodate the salary uplift were taken from Materials and Supplies.

Madam Chairman, the total estimated revenue for the Department of Community and Cultural Affairs for fiscal year 2019/20 is budgeted at \$4,000. This is a decrease of \$2,000, or 33 per cent.

Madam Chairman, this concludes my presentation on the budgetary allocation for financial year 2019/20 for Head 52, the Department of Community and Cultural Affairs. However, before moving on to Head 60, the Department of Workforce Development, I would like to take time out to thank the Director, Mrs. Heather Whalen, and all of the staff of the Department of Community and Cultural Affairs, for their dedication, commitment, energy and enthusiasm. Although not a large department, the staff work hard, and they are committed to serving the public with excellence.

Thank you, Madam Chairman.

HEAD 60—DEPARTMENT OF WORKFORCE DEVELOPMENT

Hon. Lovitta F. Foggo: Madam Chairman, I will now shift our focus to the 2019/20 estimates of revenue and expenditure for the Department of Workforce Development, Head 60, found on pages B-263 to B-268, and also include pages C-13 and C-19.

Madam Chairman, the mission of the Department of Workforce Development, found on page B-263, is *to provide services to employees, employers*

and job searchers which strengthen the workforce in alignment with international standards, and promote sustainability and stability within the community.

Madam Chairman, the objectives of the department are:

- to provide employability skills assessment and career development services to job seekers in satellite locations, and more diverse delivery mediums—that is, online courses and tutorials;
- to enact legislative changes to transition the current National Training Board into the National Workforce Development Board;
- to transition the current Department of Workforce Development into a one-stop career centre;
- to develop an electronic job referral database for the one-stop career centre aligned with the National Workforce Development Plan; and
- to create a National Certification and Training Committee designed to meet the needs of employers and workforce demands.

Madam Chairman, as noted on page B-264, the Department of Workforce Development has been allocated a budget of \$4,296,000 for fiscal year 2019/20. This budget is [\$447,000] more than the 2018/19 budget allocation, reflecting a 12 per cent increase. This increase is primarily due to four staff and the associated programmes being transferred from the Community Education and Development Programme to the Department of Workforce Development. The budget for the Community Education and Development Programme totalled \$443,000.

Madam Chairman, the Department of Workforce Development comprises the three programmes as noted on page B-264—General Administration, Career Development and Training, and Labour Relations 6002 [which] is now attached to Ministry Headquarters. Programme 6001, General Administration, is responsible for the overall management and administration of the Department of Workforce Development. As seen on page B-264, business unit 70000, Administration, has been allocated a budget of \$651,000 for the fiscal year 2019/20. This budget is \$65,000, or 11 per cent more than the 2018/19 allocation, due to an increase in salaries for an IT temporary additional position for a two-year period.

The IT post will assist with upgrading and implementing changes to the various computer software applications within the department. The post will also be responsible for website, database and systems support to the department. Lastly, the post will provide technical support for PC users, helpdesk maintenance for the Bermuda Job Board, data collection and system analysis of operational workflows and services. This section is staffed by four full-time employees, consisting of the Director, an Administrative Accounts Officer, a customer service representative and the temporary IT Officer, as stated on page B-266.

Madam Chairman, the purpose of programme 6003, Career Development, is to provide client assessment, job readiness and job search support. Where appropriate, clients may be referred for training and other support services that may increase the individual's prospects for suitable employment and job retention.

The Career Development Administration is also responsible for understanding current employment trends and the needs of job searchers to design services to reduce employment barriers. As a result, the section works closely with employers, the Department of Financial Assistance to assist abled-bodied clients, and the Department of Immigration in regard to work permit policies. The 2019/20 budget allocation for the Career Development Programme is \$1,357,000, an increase of \$724,000 compared with the 2018/19 budget allocation.

Madam Chairman, business unit 70300, Career Development Administration, has been allocated a budget of \$443,000 for the fiscal year 2019/20. This represents an increase of \$254,000, or 134 per cent over the original 2018/19 budget allocation, owing mainly to the transfer of three staff from the Community Education and Development Programme to this section. The budget for Community Education staff totalled \$239,000. This section is staffed by five full-time employees consisting of the Career Development Manager, two community education coordinators, a programme assistant and an administrative assistant, as stated on page B-266.

The Career Development business unit, 70400, has been allocated a budget of \$914,000 for the fiscal year 2019/20, an increase of \$470,000 over the original 2018/19 estimate of \$444,000, or 106 per cent. The increase is due mainly to the transfer of \$400,000 for the Summer Employment Programme from business unit 70016, plus the transfer of \$144,000 for the Community Education and Development Programme operational costs, less salaries transferred to business unit 70000 in the amount of \$87,000 to fund the temporary IT [post]. This section is staffed by three full-time Career Development Officers, as stated on page B-266.

Madam 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 2019/20 budget allocation for the entire training programme is \$2,288,000, a decrease of \$342,000, or 13 per cent, compared with the 2018/19 budget allocation.

Madam Chairman, business unit 70014, Training Administration, has been allocated a budget of \$283,000 for the fiscal year 2019/20. This budget is \$44,000, or 18 per cent, more than the original 2018/19 allocation, owing mainly to the transfer of one

Community Education and Development Programme assistant. This section is staffed by three full-time employees consisting of a Training Manager, a programme assistant and an administrative assistant, as stated on page B-266.

Madam Chairman, monies budgeted for business unit 70015, Certification, remain relatively the same at \$616,000 for the fiscal year 2019/20. This is a small increase of \$1,000. The staff complement for this business unit is two, one Standard and one Enforcement Officer, as noted on page B-266.

Madam Chairman, business unit 70016, Apprenticeship and Professional Development, has been allocated a budget of \$1,389,000 for the fiscal year 2019/20, a reduction of \$387,000, or 22 per cent. This decline is reflected in part by the move of the Summer Employment Programme funding of \$400,000 to the Career Development business unit 70400. The staff complement for this business unit is three Training and Assessment Officers, as noted on page B-266.

Madam Chairman, at this time, I will shift to page C-19, Grants and Contributions, which outlines additional monies budgeted of \$1,903,000 for fiscal year 2019/20. This budget is \$60,000 more than the original 2018/19 budget of \$1,843,000, or 3 per cent. These monies will fund the government-sponsored Scholarships, Apprenticeship Scheme, Sponsorship for Trainees, National Certification Training, and the Summer Student Programmes, as follows:

Monies budgeted for Scholarships remain the same, at \$525,000. This amount is forecasted for approximately 40 overseas and 60 local scholarship awards funded for 2019/20.

The funds allocated to the apprenticeship scheme remain the same, at \$446,000 for the purpose of supporting young Bermudians to gain entry to the workforce.

The funds allocated to Sponsorship for Trainees are \$114,000 for short-term training programmes, which are usually less than two years in duration. This budget remains the same as the 2018/19 allocation.

Funding for the National Certification Training Programme increased by \$20,000, to \$378,000. The certification training programme is steered by legislation and designed to ensure a benchmark standard for the designated trades. Currently, there are four designated occupations: electricians, automotive technicians, welders, and landscape gardeners.

Funding for the Summer Student Programme is increased by \$40,000, to \$440,000. A total of \$400,000 is allocated for the department's Summer Employment Programme, which provides career-related work experiences for college and university students. The allocated monies will fund approximately 80 students, giving them the opportunity to participate in a 10-week work placement during the summer months. The additional \$40,000 is for the Summer Internship Programme, a work shadow programme for high school students. The Summer Internship Pro-

gramme was transferred from the Community Education and Development Programme.

Madam Chairman, revenue for 2019/20 is listed on page B-265, and is estimated at \$28,000. This budget estimates the expected revenues for fees charged to applicants registering for National Certification and Apprenticeship training in 2019/20. The statutory application fee for each applicant for national certification is \$265, and \$50 for apprenticeships. The budget estimates are 100 new certifications at \$265 each, and 20 new apprenticeships at \$50 each.

Madam Chairman, the manpower estimates for the department, as outlined on page B-266, present twenty full-time posts, four more than in fiscal year 2018/19 due to the addition of four Community Education and Development Programme staff.

Madam Chairman, the performance measures for the Department of Workforce Development are found on pages B-267 and B-268.

The National Certification programmes are outlined in business unit 70015, on page B-267.

The number of persons sponsored for training during the year was 114, compared to 100 reported last year. The varied training programmes comprised the following:

- Canadian Association for Prior Learning Assessment Recognition (PLAR);
- Welding Inspector Training;
- Construction Association of Bermuda Safety Training;
- Bermuda Hospitality Institute (BHI) Guest-room Attendant Training; and
- Bermuda College Horticulture for Landscape Gardeners.

Madam Chairman, the department continues to provide professional development to ensure that Bermudians meet the standards for National Certification. A two-day training course was held in June 2018, through the Canadian Association for Prior Learning Assessment Recognition, to train members of the Occupational Advisory Committee and the Industry Assessment Panel. Participants developed a proficiency in methods for assessing individuals based on their informal learning, prior experience and on-the-job training.

There were 13 participants representing the automotive, electrical, and landscape industries and the two Workforce Development Standard and Enforcement Officers [SEO], who completed this training. After the two-day training in PLAR assessment strategies, participants achieved certification as PLAR assessors to support National Certification. This creates a pathway for persons to obtain National Certification, based on their work experience, demonstration and job portfolios.

Madam Chairman, significant progress has been made towards National Certification. The total number of registrants as of December 31, 2018 were:

- 226 electricians;

- 42 welders;
- 185 automotive service technicians; and
- 589 landscape gardeners.

There has been a reputable shift in the number of individuals who achieved National Certification this fiscal year. This is attributed to equipping the assessors with PLAR certification. As of December 31, 2018, the number of individuals certified included:

- 121 electricians;
- 29 welders;
- 168 automotive service technicians; and
- 99 landscape gardeners.

Madam Chairman, I am pleased to report that the total number of individuals certified as of December the 31st, 2018, was 417, compared to the 100 reported last year. 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 and Professional Development performance measures are outlined in business unit 70016, on page B-267. The Scholarship Programmes included in this business unit are available to individuals who are 18 years old and who are interested in expanding their skills, knowledge and aptitude. 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 Bermudians. During the period 2018/19, the department provided funding for 42 students for overseas studies, of which 29 were new and 13 were continuing awards. There were 58 students funded locally, of which 34 were new and 24 were continuing. Additionally, 17 students were funded for General Education Diploma [GED] programmes. Therefore, the total number of students funded for this fiscal period was 117, a 23 per cent increase from the 95 reported last year.

Madam Chairman, the Career Development Section performance measures are outlined in business unit 70400, on page B-268. The Career Development Section prepares and supports individuals, particularly in the vulnerable population group, for work placement. As of December 31, 2018, a total of 1,499 persons were registered with the department as either unemployed or seeking alternative employment. In the previous budget year, 1,309 persons were registered with the Career Development Section. There was a 15 per cent increase of persons registered.

The department has been diligent throughout the community, encouraging registration for unemployed persons. As of December 31st, the department provided career development services for 799 persons during this fiscal year, of whom 327 were new registrants. The career development services were varied and included:

- career and skill assessment;
- résumé critique and development;

- employability skills training;
- job search assistance; and
- career guidance.

As of December 31st, a total of 364 career assessments were administered.

Madam Chairman, as a requirement of the 2015 Work Permit Policy, the Career Development Section received requests for referrals relating to 426 positions, which were restricted jobs within this fiscal year. There were 420 suitable candidates referred. As of December 31st, there were 171 reported hires, compared to 116 for the previous year.

Within this fiscal year, significant upgrades have been implemented on the Bermuda Job Board, transitioning the referral process for restricted jobs, which [had been] executed manually, to a fully electronic system. This was a necessary enhancement to increase efficiency and shift to a paperless work environment. The soft implementation of a fully electronic referral system was incorporated in December 2018, utilising the Bermuda Job Board. Furthermore, the electronic Job Board was upgraded to encourage and solicit constructive feedback from employers who consider or hire applicants through referrals from the department. The feedback on individuals that were not hired is vital to address any development areas.

The Career Development Section increasingly utilises the Bermuda Job Board as a job search and referral tool to assist clients. Workshops are offered regularly and are designed to help persons with limited computer literacy skills to gain confidence and apply for jobs, to increase their prospects of employment.

Madam Chairman, as of December 31, 2018, there were 14,639 candidates registered on the Bermuda Job Board, an increase of 2,308 from the previous year. The number of employers registered currently stands at 2,102, an increase of 228 from the previous year. There were 215 jobs posted as of December 31, 2018.

The Job Board continues to see considerable activity, with 155,335 job applications submitted to date since its initial launch in 2013. Since March 2016, there are 2,450 reported hires through the Bermuda Job Board, consisting of the following:

- 972 in 2016;
- 753 in 2017;
- 682 hires for 2018; and
- 43 hires to date for this year, 2019.

The Career Development Section facilitates employability skills workshops to equip job seekers with the tools necessary for employment success. As of December 31, 2018, a total of 420 persons participated in training such as interview skills, résumé development and self-presentation skills. The lower attendance to date is primarily attributed to no-shows and low registration. However, it is anticipated that the department will meet or exceed last year's total of 528.

Major Achievements

Hon. Lovitta F. Foggo: Madam Chairman, I shift to highlight some of the additional work that was undertaken during the 2018/19 fiscal year. The Career Development team engaged in a public/private partnership to respond to the hospitality industry needs and to meet the demand of the workforce. The Guestroom Attendant Training Programme sought to identify an avenue for persons on Financial Assistance to re-enter the workforce. The Career Development Section worked across ministries and with industry stakeholders to create the well-timed opportunity for Bermudians. The success of the training initiative is attributed to public/private partnership. The key partners that worked with the department included the Bermuda Hospitality Institute, Fairmont Southampton, Hamilton Princess and Beach Club, and the Department of Financial Assistance.

The Bermuda Hospitality Institute was instrumental in identifying an experienced facilitator and training curriculum through the American Hotel and Lodging Educational Institute. The department recruited the participants, administered skills assessments, vetted candidates and sponsored the training. Additional help with résumés and interviewing skills was also provided.

The Department of Financial Assistance ensured that unemployed able-bodied clients were referred to participate. This training was made available to Financial Assistance clients to support them in returning to the workforce and making a valuable contribution to Bermuda's hospitality industry.

The Fairmont Southampton and Hamilton Princess provided facilities for classroom instruction and guided the practical component, pairing trainees with housekeeping staff to master the Fairmont standard and evaluate work performance.

Madam Chairman, each training [session] was held for a two-week period, inclusive of one week of classroom instruction and one week of a practical, hands-on component. At the conclusion, each participant completed an exam to measure their knowledge. Participants successfully completing the programme received a broad-based certificate from the American Hotel and Lodging Association, as a Certified Guestroom Attendant, a professional certification which indicates the highest standards of competence as a hospitality professional.

Madam Chairman, a total of three cohorts participated in this joint initiative, with the final cohort completing in April 2018. A total of 53 persons participated in the training, with a total of 21 reported hires at the onset of the tourism season. Three participants went further to obtain the Certified Tourism Ambassador Certification [CTA] through a partnership with the Bermuda Economic Development Corporation and are now engaged in entrepreneurship training.

Madam Chairman, the Career Development team collaborated with the Ministry of National Security on the 100 Jobs Initiative held in the spring of 2018. The job fair was attended by a total of 283 persons, with 32 persons being offered employment onsite and a further 77 potential hires reported by employers at the time, pending background and reference checks.

Following the 100 Jobs Initiative, the department continued to follow up with employers and candidates to determine the outcome. Their efforts resulted in 29 subsequent confirmed hires over several months following the initial recruitment drive. As of December 31st, the total number of confirmed hires for the 100 Jobs Initiative was 73. Based on the success of the initial event, continuation is planned for early spring 2019.

Madam Chairman, the Career Development team has contacted employers to determine the level of support required for those employed to assist with job retention. Officers have met with candidates who did not secure employment. Additionally, officers continue to follow up with their clients who attended the initiative, but were unsuccessful, offering supportive services to improve their readiness for the workforce. Individuals have been sourced from the pool of candidates for the Hospitality Training and have also been referred for subsequent opportunities not related to the 100 Jobs.

Madam Chairman, the department is keen to increase awareness of their services through a wide-spread community outreach programme. For this purpose, the department has hosted Career Development, Training and Registration Drives in Somerset at the Allen Temple Church, and at the Devonshire Recreation Club, at St. George's Cricket Club, and at Warwick Workmen's Club. The intent was to take the department's services "to the streets."

Madam Chairman, the Summer Employment Programme, coordinated 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 develop leadership and decision-making skills, time management, conflict resolution, and career and work competency standards.

Madam Chairman, the Summer Employment Programme commenced in May, with 95 students being placed in internships based on their areas of study. Each intern completed up to 10 weeks and received a \$5,000 stipend for work performed. This year the programme was originally budgeted for 80 students; however, because of the increased demand, approval was provided to put 20 additional students to work in the summer programme.

Madam Chairman, each year we have a group of phenomenal students. Lance Brown II, sum-

mer intern and student at University of Plymouth in the United Kingdom, shared his experience at the closing breakfast reception for all participants. He said, "I am currently pursuing a Bachelor's of Science degree in Electrical and Electronic Engineering and have just completed my second year of studies. This summer I interned within the Ministry of Public Works, Works and Engineering, alongside principal engineers. My experience there has afforded me the opportunity to learn about the different software programmes engineers use for completing daily tasks. These included AGI 32, AutoCAD and ETAP. These programs are vital, as they give engineers the ability to test and show the expected outcome of their work.

"One of the tasks I did last year in the programme was an Island-wide crosswalk survey. This task involved conducting a survey on the condition of crosswalks and pedestrian beacons around the Island and presenting those findings. The surveys then led to research into alternative pedestrian beacons, which are being used today. The entire Summer Employment Programme is great," according to this student. "It gives students first-hand experiences in the field of their choice." He says that you just cannot beat this. "These summer employment experiences can help students during their academic studies and future employment. I think it is a great programme and hope it can grow and continue for many more years."

Madam Chairman, Sara Bucci, an intern and Biomedical Science student at Kings College, London, shared her experience working this summer with Helix, Genetic and Scientific Solutions Bermuda. She said "This summer I had the opportunity to work in the lab at Helix, performing DNA and paternity testing. The experience really helped me to identify my future career path. I did not realise that I would gain this level of experience or exposure in my chosen field in Bermuda. This summer has been an invaluable experience."

Lastly, recent graduate of Kings University College at University of Western Ontario, Brandon Sousa, shared his experience interning with the Ministry of National Security, pointing out that the work he has been doing this summer has been at the forefront in recent media, working on Bermuda's blockchain strategy. He shared that he has great prospects for employment once completing the program due to the level of exposure and experience gained through his internship.

Madam Chairman, it is important to highlight students' experiences and the work the section continues to do each summer to prepare youth for Bermuda's workforce. The Career Development team has been very active in the Department of Education, participating in Career Fairs with CedarBridge Academy and Dellwood Middle School, Career Assembly with Dalton E. Tucker, conducting S3 student interviews for CedarBridge Academy, and facilitating senior semi-

nars for both Berkeley Institute and CedarBridge Academy.

Madam Chairman, in September of 2018, the Career Development Manager was invited to present at the National Council on Workforce Education Annual Conference in Clearwater Beach, Florida, along with Valerie Palamountain, Fulbright Specialist, and Tawana Flood of Bermuda College. Ms. Palamountain previously assisted the National Workforce Development Plan Working Group with the development of Bermuda's National Workforce Development Plan. The presentation focused on Workforce Development in a Global Economy and detailed much of the work completed locally on the National Workforce Development Plan.

Approval was also obtained for two Career Development Officers to attend the National Council on Workforce Education Annual Conference with the Career Development Manager. The One-Stop Career Centre team in Clearwater Beach hosted the staff on a tour of their facilities and met with the team to provide an overview of the centre and workforce development strategies utilised in the United States. The professional development opportunity is directly aligned with the National Workforce Development Plan.

Madam Chairman, the staff training and professional development are vital to assist with providing the services for the unemployed, youth and special populations. It is important that officers remain current with trends, best practice employment guidance, service delivery and labour market information. Further, it is particularly critical that officers obtain the necessary training to implement and support the recommendations outlined in Bermuda's National Workforce Development Plan.

Advocating learning as a life-long process, the Career Development Section has joined several professional organisations, namely, the National Career Development Association, National Council on Workforce Education and the Bermuda Human Resources Association. Subscribing to professional organisations increases the opportunity for professional development, networking and employer engagement.

Madam Chairman, the Apprenticeship and Trainee Programme has successfully engaged industry partners in developing opportunity for full-time employment and training for apprentices. The department has been keen to promote employer incentives for formalising apprenticeship and trainee opportunities. Apprenticeships are generally three to five years. Employer incentives and trainee benefits include payroll tax waiver for the employers; subsidised wages and training for the employers; paid on-the-job training, work experience, and an industry qualification for trainees; and sponsored education and professional development for trainees.

Steady progress has been achieved in this area, with 12 companies registering a total of 47 ap-

prentices as of December 31, 2018. The following companies have registered apprentices:

- NRG Limited;
- Department of Public Transportation;
- Pinks Salon;
- BAC Group of Companies;
- Crisson Ltd.;
- Noble Automotive;
- Efficient Technologies Bermuda;
- Otis Elevator Bermuda;
- Bermuda Telephone Company;
- BELCO;
- Fairmont Southampton; and
- Bermuda Energy Services Company Limited.

The department has also formed new partnerships with industry for short-term trainee programmes. These programmes are generally less than two years. The department has successfully engaged six new companies to train Bermudians in the fields of medical coding and billing, computer programming, residential and commercial cleaning, heavy equipment operation, and water waste management.

Madam Chairman, the department, in partnership with Bermuda Telephone Company [BTC], sponsored 10 apprentices. Ten young Bermudian males commenced with BTC in February 2016. The department provided funding assistance for training. Nine of the ten apprentices were acknowledged on February 1, 2019, for successfully completing, with an internationally recognised credential—City and Guild, Copper and Fibre Training Certificate.

Madam Chairman, the department continues to have a strong working relationship with the Fairmont Southampton. Fairmont is committed to developing Bermudians in the area of culinary arts. Currently, there are five apprentices enrolled in their Culinary Arts Apprenticeship Programme, two females and three males. Each year, their apprentices attend five weeks of training at Holland College, Prince Edward Island, Canada. It is anticipated that the apprentices will have acquired the relevant number of work hours to qualify them to sit the Red Seal International Certification exam by 2021, to receive their Red Seal Certification in Culinary Arts.

Madam Chairman, the department sponsored eight Bermuda Electric Light Company [BELCO] apprentices for training in the United Kingdom. Three apprentices attended Uniper Engineering Academy, and five apprentices received training from Western Power Distribution. All eight apprentices were hired by BELCO in July 2018 and commenced overseas training the following month. The programme is a four-year apprenticeship, which consists of 18 months of overseas training in the United Kingdom and the remaining four years consists of on-the-job supervised training with BELCO. During this period, the assigned Training and Assessment Officer provides training support and monitors their progress.

The department sponsored five Bermuda Air Conditioning Group of Companies apprentices for training at the Bermuda College this fiscal year. The apprenticeship is for a five-year period, including theory and supervised training monitored by the Training and Assessment Officer.

The department, in collaboration with the Construction Association of Bermuda, co-sponsors annual scholarship awards. Scholarships are granted to outstanding students studying toward professional and managerial degrees in construction-related areas of concentration. Six recipients received funding in the following areas: construction management, civil engineering, mechanical engineering, and general construction and engineering.

Madam Chairman, in addition, the Construction Association of Bermuda, in collaboration with the department, provides National Centre for Construction Education and Research [NCCER] Safety and Health training programmes at a reduced cost to clients of the department. This arrangement allows persons to participate in on-demand safety training to increase their prospects of employment in the construction industry. As of December 31, 2018, a total of 36 clients have completed the NCCER Safety and Health training.

Madam Chairman, in October 2018, the Bermuda College, Division of Professional and Career Education [PACE], in partnership with the department, launched a horticulture programme to create a pathway for candidates to achieve National Certification. Seventeen candidates enrolled in the initial programme, with seven unemployed participants benefiting from shared sponsorship. Again, the department has made significant strides in the area of National Certification.

In keeping with its commitment to create a National Workforce Development Plan, the Government delivered on its pledge, presenting to the House of Assembly and general public the Bermuda National Workforce Development Plan, during fiscal year 2018/19. The plan outlines six high-level strategic priorities, which include:

1. employer and industry engagement;
2. alignment of the Workforce Development System;
3. creation of Career Pathways;
4. youth workforce programmes;
5. universal access to education, training and career services; and
6. government resources and funding.

Madam Chairman, it is important to note that the plan prioritises employer and industry engagement within the Workforce Development System to gain a better understanding of employers' talent needs. For this reason, the department will ensure that employers are embraced as partners within the Workforce Development System and that the plan is industry driven. The department recognises that there must be in-

creased strategic interaction between the Workforce Development System and the business community in order to better understand the required skills, occupational growth, and barriers to Bermudians gaining employment and advancing in their careers.

The department realises employer engagement is fundamental to building a skilled and qualified pipeline for Bermuda's workforce. Industry-sector partnerships will lead to increased opportunity for businesses to become involved with education and training. This will also amplify resources for work-based learning, on-the-job training, apprenticeships, internships and professional development within the workplace.

Madam Chairman, to lay the groundwork for employer engagement, it will be critical to enact the Workforce Development Board legislation to promote majority business representation on the National Workforce Development Board and Occupational Advisory Committees—specifically, representatives with policymaking and hiring authority for existing and emerging industries. This will help to ensure that all workforce initiatives meet the needs of employers and support economic growth in Bermuda.

Furthermore, the department will create the framework for a One-Stop Career Centre as the hub for the Workforce Development System or primary location of service delivery. The One-Stop Career Centre focuses on comprehensive and coordinated services for adults, youth, employers, special populations (such as persons with disabilities) and Financial Assistance clients.

The Government has taken initial steps to streamline workforce development services within Government by dissolving the Community Education and Development Programme. This resulted in transitioning staff and resources into the Department of Workforce Development, effective as of September 2018. Ultimately, this allows for better utilisation of human and financial resources in the delivery of services to the public. Further, it reduces duplication of workforce services and begins to lay the framework for a One-Stop Career Centre. The centre will provide universal access to education, training and career services for Bermudians.

The department will ensure that workforce initiatives are deliberate, industry driven, customer focused, and sustainable. A coordinated approach to workforce development will transform the way in which education, training and services are provided, to create a talent pipeline for Bermuda's workforce—a pipeline for all career levels within industry.

The Workforce Development System includes industry, the Department of Education, the Department of Workforce Development, Bermuda College, and all agencies or departments peripherally associated with helping individuals enter or re-enter the workforce. Therefore, workforce education and initiatives must and will begin earlier so that our youth un-

derstand specific career pathways, the requisite skills and education for occupations, where to access resources, and the professional organisations or regulatory body associated with a specific industry. The Workforce Development System will transform and create avenues to employment.

Plans for the Upcoming Year

Hon. Lovitta F. Foggo: Madam Chairman, I will shift and try and highlight the work that will be undertaken in the 2019/20 fiscal year. The department, along with the National Workforce Development Plan Working Group, will lay the groundwork to support the implementation of the National Workforce Development Plan. The plan is very comprehensive and includes multiple recommendations. During this period, the department will work to achieve the following towards realising the plan for Bermuda:

- Establish the National Workforce Development Board;
- Create the framework for Bermuda's One-Stop Career Centre; and
- Consult with key stakeholders to review the facility needs for the creation of Bermuda's first One-Stop Career Centre.

During the 2018/19 fiscal period, considerable consultation occurred with key stakeholders around the plan. Stakeholders and employers have given their support of the recommendations. The department recognises the importance of marketable work skills. During the consultation period, employers and human resource professionals consistently indicated the need for job seekers to develop and strengthen in the areas of soft and life skills.

Madam Chairman, these are critical characteristics needed for employee hiring and retention in the workplace, apart from the requisite technical skills. As such, with the transfer of staff from the Community Education and Development Programme, the Career Development Section plans to expand its offerings of employability skills training to include online and evening courses in community clubs, churches and schools. In other words, the Career Development Section will elevate the level of in-house training offered to clients and to the general public. Funds have been allocated to utilise experienced facilitators to deliver employability skills and additional training.

Professional development for the department's staff is essential in order to meet the diverse needs of our clients and to support implementation of the National Workforce Development Plan. Customer focus, project management, coaching skills, business writing, workforce education, addressing barriers to employment, and working with special populations will be the focus of staff training for the department.

The department plans to continue hosting job fairs and community initiatives to provide employers and clients with the opportunity to connect. By hosting

community initiatives throughout the Island, the department hopes to achieve the following:

- Establish a presence in the community, becoming more visible and providing coordinated services by partnering with community organisations;
- Educate the public about available services and how to best utilise the services to re-enter the workforce;
- Provide career development and employment readiness services in the community;
- Empower Bermudians and equip them with proven strategies to reach their career goals;
- Build a talent pool registry of unemployed persons who would not ordinarily come to the department for services; and
- Rebrand the department as a viable resource for career development services, workforce programmes, scholarships, funding, apprenticeships and training opportunities.

Madam Chairman, as we seek to grow services and programmes for the unemployed, the department's marketing strategies must also advance with technology. For this reason, the department will utilise digital media packages, text message boosts and social media campaigns to ensure that the message of opportunity and hope reaches a wider audience. The department plans to develop promotional material designed to assist job seekers with organising their job search and providing them with the latest technology. An orientation of the department with resource materials will be distributed to customers on complimentary flash drives to reduce paper and increase client comfort and proficiency with technology.

Madam Chairman, a work readiness curriculum will be sourced and purchased to ensure persons completing a series of training with the department are not only prepared for the workforce, but possess an internationally recognised employment readiness credential. Passports to college programmes will also be introduced to promote and support college readiness for our youth.

Madam Chairman, the Training Section will continue to heighten awareness of the incentives available for formal apprentice and trainee programmes. There appears to be a positive correlation between increased awareness of employer incentives and the establishment of new apprenticeships. In alignment with the National Workforce Development Plan, the Training Section will shift its approach to creating more deliberate training opportunities for Bermudians. The approach will be more measured to understand what resources are needed to stimulate greater on-the-job training opportunities for the unemployed.

In addition to registering apprenticeships for current employees, the section will work more proactively, reaching out to employers to source new training opportunities for the unemployed. More flexible

apprenticeship arrangements will be implemented to provide on-the-job training for persons who would not otherwise be afforded the opportunity.

Madam Chairman, a pilot for this approach is currently underway with the Construction Association of Bermuda [COAB]. The intent is to partner with the COAB and its members to provide opportunities for at least six apprentices within the first quarter of the 2019/20 budget year.

There is also opportunity to assist employers by providing support to train their Bermudian staff, in an effort to encourage career advancement. Doing so creates an avenue to open up entry level positions for unemployed Bermudians. The incentives available to employers for apprentices and trainees also apply in these cases. Preliminary discussions with employers have revealed that they are unaware of the incentives available to them for facilitating career advancement and professional development for Bermudians. Therefore, the section will similarly shift its approach and adopt an employer engagement model to increase opportunity for the unemployed and underemployed. Further, the department will work with the Department of Communications to increase awareness of the available incentives for developing and promoting Bermudian employees.

The need has arisen for more strategic succession planning within government, particularly in the trades and technical professions. In the coming fiscal year, the department will collaborate with the Departments of Works and Engineering, Marine and Ports, and Public Transportation to identify areas where training is required over three to five years. The department has committed, this fiscal year, to sponsor overseas training for up to six persons to become Certified Power Engineers. The need is largely required to fill vacancies due to natural attrition.

Madam Chairman, the Bermuda College, in collaboration with the department, will launch accredited courses for the Automotive Technician Training Programme. The benchmark standard for this training is City and Guilds and will provide a sustainable pathway for National Certification.

The department is also in the process of upgrading the welding facilities at Bermuda College, Tech Hall, for welding training and testing. The facilities upgrade supports National Certification and will allow for remote video testing, invigilated by the Canadian Welding Bureau [CWB] in Canada. This arrangement will allow for on-demand testing locally and eliminates the need to bring in overseas invigilators, resulting in reduced cost to the department.

Madam Chairman, the Department of Workforce Development is making significant efforts to progress National Certification and recertification for electricians. In collaboration with Bermuda College, the department will launch an online training and testing platform, which will be facilitated through the Bermuda College National Training Alliance. This initiative will

provide greater access to requisite courses for National Certification. Further, the online platform will be augmented by traditional on-demand classroom training. Both the online platform and traditional classroom training will be aligned with the 2017 National Electrical Code Standard.

Madam Chairman, the department is committed to ensuring that Bermudians are not disadvantaged and that they are prepared to meet the needs of the workforce. As I conclude my presentation, I would like to take this opportunity to acknowledge the hard-working staff of the Department of Workforce Development, led by Director George Outerbridge. 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 Workforce Development Plan Working Group, chaired by Senator Jason Hayward, for their work towards the National Workforce Development strategy for Bermuda.

Madam Chairman, this now concludes my budget presentation, specifically for Head 60, but also for Heads 20 and 52, collectively, from the Ministry of Labour, Community Affairs and Sports.

Thank you, Madam Chairman.

[Ms. Susan E. Jackson, Chairman]

The Chairman: Thank you, Minister.

Is there anyone who would like to speak? We are debating Heads 20, 52 and 60, Labour, Community Affairs and Sports.

Member, you have the floor.

Mr. Ben Smith: Good evening, Madam Chairman.

I would like to start out by saying that I appreciate the opportunity to give feedback and ask for some information on Heads 20, 52 and 60. I would also like to take the opportunity to thank Honourable Minister Foggo for a very detailed brief, answering a lot of my questions. I appreciate that, so as I move forward, I am going to ask some questions specific to each head. And then I will wait for your guidance on those answers.

I am going to start with Head 20, which is Youth, Sport and Recreation. I would like to say that, in preparation for this specific head, I looked back over several years of Hansards, looking at the Shadow Ministers and the Ministers, some Shadow Ministers becoming Ministers. And looking at it, there has been a repetition, year after year, multiple people asking for more funds for Youth, Sport and Recreation, speaking to all of the important issues of Youth, Sport and Recreation, and then seeing that, year after year, either the budget gets reduced or there is no change to that budget.

I would like to take this opportunity to say that this is such an important part for Bermuda. And we really need to figure out how we are going to shift to

get the legislature, as a whole, to understand the importance of this particular head. We can change our future by how we deal with our youth. And one of the issues that we have is that when we have a situation where our budget means that we have to make cut-backs, this is the first spot that gets cut. This is the first spot that does not get what it really needs. So, I know that the Minister, in this role, has seen that there is huge need for improvement. But there are not the resources to make those changes.

When we look at what is going on in Bermuda as a whole, with some of the antisocial behaviour, we are seeing this in the news on a regular basis. Some of the sports facilities are actually being [seen] in the news *not* for the important things that they are doing with our youth or events for our population to take part in. They are actually being highlighted for the fact that there is antisocial behaviour that is happening at these facilities.

As we look at how much money is being put towards sport, you have to understand that, as the society has shifted, there is actually more need for us to be putting money towards the changes that we are looking for from our youth. Coaches are now being expected to play multiple roles. They are going to be mother and father sometimes. They are making sure that these young people are fed. We have anger management issues, so now they are playing the role of psychologist. On and on, these changes mean that, in youth and sport, we need to actually direct more funds so that we get into a situation where we can support everybody who is actually part of this Ministry and all of the different stakeholders throughout Bermuda who are taking part in making sure that all of the programmes are happening in youth and sport.

So, with that, I am going to start with General Administration. I am just going to go into some of the numbers. This process, for me, is really so that we can highlight overall what we are spending throughout the Ministry. But, as I stated, this is really an exercise of me trying to figure out how we can get more money into this Ministry so that more of these programmes can happen and we can take better care of our youth so that what we see in the future is going to be different than what we are seeing presently.

On page B-250, starting at Administration, 30045, General Administration, the Minister spoke specifically to the \$93,000 difference. And I believe that most of it was put towards the addition of a staff member who was brought in from another Ministry. If the Minister could give us details of the job description of that particular person and what this change has meant for the Ministry? What has the addition meant, and can we have a performance measure of the additional person, has it caused a change throughout the Ministry, and what improvements have happened with that addition?

The next area is Sports Development, 30055. The Minister started to give us a breakdown of some

of the areas where this money is being spent. If the Minister could give us an actual, full breakdown of each area that this money is being spent on, just from the perspective of, as we see what we are spending for each area, it will allow us to now realise that we should be putting more money to this, because there are certain areas that are getting left out. There are certain areas that, if we focus on them, they can give us a better result. So, if the Minister could please provide us with more details, I believe she gave us some of the breakdown, but if possible, if we could get more detail into what is available.

I believe the Minister talked about the coaches initiative. I think it was \$58,000 that went to the coaches programme. I talked about it in the very beginning, about the changes in what is expected from coaches. Because we have to do more with less, and these roles have expanded for some people, we need to give them the tools to be able to do the job that we are expecting them to do. So, this is one step in that initiative. But, potentially, we need to try to figure out whether we can give them some basic information on how they deal with the anger management issues within our sports, which come from the ones who are giving us the negative highlight and making it difficult for us to highlight the positive that is happening with our young people.

Going along with the specific programmes that are going to be within sports programmes under 30055, if possible, for the money that is given to each of these areas, is it possible for us to have a performance measure? So, when we come to this point each year, we have an idea of how each of these blocs is performing according to the money that is given to them so that when we are asking for more money, we should be able to present, *This is where we were the previous year. This is where we are moving.* So, if that is broken down by sport, if that is broken down by programme, obviously, having performance measures allows us to be able to show how we are improving. And then it is a lot easier for us to justify an increase in the fees.

I would like to look at page C-7. On page C-7, I believe it is 75128, National Sports Centre Capital Grant. There was a revision of \$1,020,000 from the original estimate. If the Minister can provide us some details of what that \$1 million was spent on and a potential breakdown on how it was spent, that would be helpful.

And continuing on page C-19, I believe that the Minister spoke to the fact that one of the grants being given was specifically to the National Sports Centre, an additional grant. And the reason that this additional grant was given, I believe, has been aimed specifically to the swimming pool and the added cost of that swimming facility. So, I first want to declare my interest as the National Swimming Coach of Bermuda. But there are some details specifically to the National

Sports Centre and the added costs that I have some questions regarding.

If possible, can the Minister separate the cost of the pool, when it was added to the facility? It was mentioned in the budget, and it was mentioned again today that the pool's increased cost is one of the main factors to the increase in cost of the overall facility. So, if we could separate how much the pool is costing compared to whatever the rest of the facility is costing, then we would have an idea of what impact the pool is having.

And once we look at a number and see that the pool cost has increased, and created an issue with the overall facility, which now means that we are having to give more money towards the facility . . . I am not saying that we should not be giving money to the facility. But at the same time, when we are looking at the point that we are not increasing the amount of money that we are giving to our lead athletes, we are not increasing the money that we are [giving] to the programmes and we are expecting more from the programmes, it is difficult to justify an increase in one direction when we are not seeing it for the actual programmes and the people so that we can see that result.

So, now we have to figure out—the money that we are giving, is it justified? So, the questions that I am going to ask specifically to that are, How many public schools are using the pool? When the facility was built, that was one of the main reasons that this facility was brought online. It was that there was a mandate for everybody in Bermuda, all of the children in Bermuda, to learn how to swim and for us to develop a swimming programme. And so, my question is, Are we actually seeing an increase in the public schools participating in swimming? Are we seeing an increase in the public schools having access to this facility? And if they are not utilising the facility, is it a cost situation?

If we could get some details on what those numbers are, and if there is an impact on them not using the facility, if we have some details on what those are and how we can actually make some adjustments so that we can improve that situation.

One of the things that we have been able to do from a sports tourism situation when it comes to the actual facility at the National Sports Centre is to attract teams from overseas. So, one of the situations now, by having a 50-metre pool, it has allowed us to attract teams from overseas to train in that facility. My question is, Who is paying for the facility when those teams come in? Is it the Bermuda Tourism Authority, or is it actually the team that is coming in to train at the facility?

One of the issues with the pool is that, in the wintertime . . . we have very deep water, which means that it is difficult to heat that facility. That deep water is there because there is a diving facility at one end of the pool. With that diving facility there, creating an

extra cost for the heating in the wintertime, I have a couple of questions. One, can we see the difference between the cost of the facility when we are not using the heaters, compared to when we are using the heaters? Can we also know, what is the revenue that is coming in from diving? When you look at how much it is costing you, we need to also know what the benefit of it is. Are we producing divers? So, do we know how many divers we are actually training in Bermuda? And what revenue is being brought into the facility from diving?

There has been some discussion in the initial budget, and again today, about looking at some reductions in the cost of running that particular facility so that we can cut down on the overall cost of the National Sports Centre, but specifically because the pool has become quite a bit of the burden on the rest of the facility.

With that being said, when the facility was being proposed and built originally, were there any details that looked towards reducing the cost of heating, reducing the cost of energy? And have some of those proposals now been brought forward, because they were not implemented originally, so that we can now see what reductions we can make? And is there a cost analysis of how much we are going to have to pay in order for us to make these reductions?

Going back to Athletic Awards, so on page B-250. It is line 30030, Athletic Awards. So, the first piece is, I believe that \$100,000 of this is towards the Elite Athlete Programme. It is given to the Bermuda Olympic Association for them to control the funds so that we can support our Olympic athletes, or at least develop athletes towards the Olympic dream. My specific question to this is that this is 2019. With the Olympics being held in 2020, should we not be seeing an increase in the support, as we are preparing to have athletes try to compete and qualify over the next 18 months?

And with that being said, do we have specific performance measures towards the money that is being utilised in that programme right now so that we can, once again, see that this is the money that we are putting towards it and this is the results of our spending that money? So that when we get back here next year and we are looking to add funds and get more money towards this Ministry, we can have the details that allow us to really argue that point with some backup.

The second part to the Athletic Awards is the annual scholarship awards, the National Junior Scholarship Award, and there has been an additional \$50,000 that has been put towards that programme. I know that there are a lot of young people who have participated in that programme and seen the benefits of it. And I think it is an important initiative. But there is a piece that I think that we should just look at overall when we make these specific kinds of decisions. A lot of this particular resource is spent overseas. We

spend a lot of this money sending people away or getting training that happens outside of the country, when really, if you bring somebody into Bermuda, now more people benefit from the programme as opposed to one individual who goes, learns some of the information and potentially does not bring all of that information back to Bermuda.

More bang for your buck if you actually have the opportunity to spread that message to multiple athletes as opposed to one. It can still be done under the same programme, because you want to highlight the athlete who deserved to win it. But if we looked at, potentially, bringing somebody in to do a training camp, now that person gets the benefit of maybe some one-on-one private sessions. But having that person locally now allows us to have access to that expertise and allows our coaches to get that experience and to get that information so that when that person leaves, we will be able to continue to use that information to improve multiple athletes in Bermuda.

Moving on to Sports Facilities, still on page B-250. So, my first question is about a sports facility that I do not see on here right now. I know there was discussion of it. It is the boxing facility that was supposed to be put, I believe, in St. George's. If we could get some more details about that. I know that there are some people specifically in this House who would be interested to have that facility up and running. If we can get some details of where it is at this point? I am going to say specifically that, when you have a country that is seeing a lot of our young men involved in antisocial behaviour, and particularly with the anger management issues, sometimes having them be able to develop their skills and hone that skill, and to be able to aim their anger to something specific that is actually more productive, potentially we are going to get boxers out of that.

But the more that we show our support for that kind of programme . . . and, obviously, Bermuda as a country was able to get our only medal at the Olympics from boxing. So, it would be a great opportunity for us to highlight a great success for Bermuda. And also, potentially look at a particular area that can work with our young men and women and help to progress and get out of some of the social ills that we are seeing presently.

Within the [Budget] Book, it talks about some of the increases in attendance when it comes to the parks. This is actually going to be under Performance Measures, and it is 30075, 30080 and 30090, looking for a target outcome of increasing participation by 50 for each of these areas. So, my question is, What is actually being put in place to attract more people to participate, to be part of these programmes? It is great to have a measurable here, a target. But what are we actually going to do to achieve these targets? Otherwise, these numbers in here will not actually have the impact that we want them to have.

If we want to get more of our young people involved in sport and we want to get more of our young people doing positive things, then we have to figure out a way to attract them to that instead of the negative things that they have been attracted to recently. And let me say specifically, it is not all of them. Most of our young people in Bermuda should be highlighted for all of the positive things that they are doing. But what we are really trying to do is figure out a way to get some of those ones who have gone in the antisocial direction to move to a positive way. And we can do that by figuring how we are going to attract more of them to these kinds of programmes.

On page B-251, I am actually going to go to where it says Clothing and Uniforms. So, the Minister will know that I also sit on the committee, the association—

The Chairman: Member, just real quick.

Mr. Ben Smith: Yes.

The Chairman: You said page B-251?

Mr. Ben Smith: [Page] B-251, and I am looking at—

The Chairman: Under the expenditure?

Mr. Ben Smith: Under expenditure, yes.

The Chairman: Thank you.

Mr. Ben Smith: Thank you.

So, where it says Clothing and Uniforms. So, what I was saying is that the Minister would know that I also sit on the Association of National Sports Governing Bodies, which has been looking at some of the initiatives to actually increase the national pride and for us to try to show what it means to be representing Bermuda nationally. And one of the those has been the national colours and the change to the national colours. So, if the Minister could give us any details that she has right now on how that initiative is moving forward, and more specifically, if there are any thoughts, going forward, whether we will have a national uniform so that when athletes travel, they are all going to be looking the same and feeling the same and knowing that they are representing Bermuda and the pride that should go along with that.

I know that there was some discussion of trying to buy in bulk because, obviously, you know, when each individual sport is trying to buy something specific, it is much harder. But if the country is doing it, they are going to be able to get a reduced rate. And then, they can pass that on to the individual sport. So, if the Minister can give us some more detail on where that initiative is.

On 30210 . . . let me see if I can find that a little better. Youth Development.

The Chairman: The same page?

Mr. Ben Smith: Sorry. Page B-250.

The Minister gave us some details about a youth development policy. If she could give us a little more detail on that policy and the targets for implementation so that we have an idea of when we should be able to see these changes come into effect.

On page B-253, and I am looking under business unit 30055, Sports Programmes, the number of registered National Sports Governing Bodies. The targeted outcome is looking for a reduction in the National Sports Governing Bodies. So, I guess what I am speaking to is, I believe that this is speaking to the overall policy that is being put in place for the national sports. So, all National Sports Governing Bodies are going to be participating in the certification policy.

So, my question is, Has that certification been presented to all the National Sports Governing Bodies? What has the feedback been since having that presentation? And do we have steps in place so that sports will have the opportunity to try to reach certification before the intended deadline of December 2019? Just so that we have a better idea of whether some sports are going to be left out, even though they have been, you know, working hard up until this point, doing great things with the youth. What impact is this change going to have? Because I know that there are going to be some sports that potentially are not going to be able to get everything done at this point in time.

Not all sports have proper administration, you know. Some sports are trying to do everything with maybe one volunteer. It is important that we make sure that we cover all of them. I know that there are going to be different levels within this programme. But if we could get some details of what that looks like, [because] I think the public would be interested to know what this certification is going to look like and what impact it is going to have on sport.

Madam Chairman, at this time, I am going to take a seat and see if I can get some answers from the Minister on these particular questions. And then, I will follow up after that. Thank you.

The Chairman: Thank you, Member.

Is there any other Member who would like to speak?

I recognise the Member from constituency 23.

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

Madam Chairman, I just have a couple of questions for the Minister. If I go to page B-253, Head 20, for the performance measures in respect of business unit 30030, the Athletic Awards, we had an average amount awarded per junior athlete in 2017/18 of \$3,571. We had a similar forecast for 2018/19, which has been revised downward to \$3,333. And now we have had a further downward revision, to \$3,125. And

I am just curious, knowing that costs externally are increasing, are we planning on doing fewer athletes with the money that is there? Or why are we decreasing the amount that we are intending to spend on our junior athlete programme? That was one question.

I also had another question, and that is, in the Minister's brief, on page B-251, in the Afterschool Programme, under programme 2009, business unit 30125, we had an original 2018/19 estimate of \$1,037,000. And that has been revised downward for 2019/20 to \$941,000, which is a reduction of \$96,000. But in the Minister's brief, she read that the decrease is based on an uplift in salaries. So, clearly, there is something that is amiss in the actual description on what caused the difference between that \$1,037,000 and the \$96,000 decrease. If part of that \$96,000 decrease is an uplift, then there has to be a larger decrease in something else. So, I would like to find out what comprises that \$96,000? Because, clearly, it cannot be only salaries if salaries were uplifted.

The other question that I have is, the Minister had indicated in her brief that, with respect to salaries and wages, there was an admin error with respect to camping at Messina House. And it actually came up a couple of times throughout her brief. I wonder if the Minister could just give us a breakdown in terms of, we had rentals. The Minister indicated that the Messina House, there was an error correction.

And then we also had, up in salaries and wages, something to do with Messina House. And I am just curious as to what the component parts of the error correction are so that we can break that out from the regular costs that are going to be—this is in the subjective analysis—so that we can have an understanding of what comprises the Messina House error correction amount. So, if we can get a breakdown on that.

The other thing that we have is, on Materials and Supplies, this is on page B-251, with respect to the subjective analysis. There were two areas, both materials and supplies, to which my honourable colleague just referred, as well as other expenses. And the Minister indicated that there were just sort of inflationary costs, effectively, was what she said. The question begs, in materials and supplies, and other expenses, if we can get a breakdown of the component parts to find out whether this is an area in which bulk purchasing might benefit some kind of savings in terms of just saying that. I mean, it is only \$10,000 in total. But if we have \$10,000 that we can save, there is \$10,000 more that we can perhaps offer to an athlete. So, I am just curious about that.

And the other question that I have is on page B-252, with respect to the revenue summary, Head 20, Youth, Sport and Recreation. We have registration fees, under programme 8315, and that is on page B-252, Registrations. We have an expected \$100,000 estimate, which is down \$20,000 from the estimate from the prior year, as well as afterschool vouchers,

which are \$400,000, down \$20,000 again from the prior year. The Minister indicated that we are serving fewer clients. And my question is, What specifically are we attributing to the service of fewer clients? Are we saying that we have got fewer children in the system? Are there people who have actually moved abroad? What is it that is causing that anticipated lack of additional revenue?

And that would be helpful, because when we look at personnel, if we are servicing fewer children, we are expecting less revenue. But we do not have any reduction in the full-time equivalents of employees. So, I am just curious as to, we are getting less money coming in on the income side, and we are servicing fewer clients. Do we still have the justification for the specific number of staffing that we have in that regard?

And the other question that I have is on page B-257, under programme 5202, on Cultural Affairs. And the grants to organisations, 62000. There is an amount of \$229,000. If I go to the breakdown of the grants to organisations under Grants and Contributions, which is in the Budget Book on page C-19, we have a total for Community and Cultural Affairs of 346 total. And when the Minister gave the breakdown, she gave the breakdown of everything except that \$117,000 that is the contribution to cultural activity. And I am just wondering where in the Budget Book are we capturing that \$117,000? It might be there in front of me, but I did not see it. So, if the Minister could clarify that for me, I would be appreciative. And for the moment, I will leave my questions there—oh, no.

With respect to my colleague's comments with respect to the cost of the electricity costs on the heating of the pool, of the swimming pool at the National Sports Centre, the question is, Have we looked into the possibility of using solar heating for that, which may help to ameliorate some of the costs relating to the actual electricity in heating the pool, you know, summer and winter? And another question, a final question that I have is with respect to grants being given to the—

The Chairman: Excuse me one minute, Member.

Hon. Patricia J. Gordon-Pamplin: Sure.

The Chairman: Members, we are in debate. Can we please watch our volumes? Thank you.
Proceed, Member.

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

With respect to the National Sports Governing Bodies, the NSGB's, one of the biggest challenges that is always there, obviously, we have a limited supply of money. But are we looking at the benefit that we are getting from the outputs from some of our ath-

letes? We get athletes going off to swim meets. And I guess I can declare an interest in that, I am a great-auntie of one of the most successful swimming families that we have. But we have these kids returning from swim meets with 10, 12, 15, 20-plus gold medals. And the allocation of funding for that governing body is miniscule by comparison to the money that we are spending in some of the other sports.

We have our National Athletic Association, where we see mammoth strides by our athletes in terms of the output. But yet, we do not have the kind of input financially for the development and training for those athletes. And I am not suggesting that we do this to the exclusion of other athletics. But I am very concerned that we are only paying lip service to the young people who are really performing. And if they are showing output, they are showing benefit, they are showing advantages coming from the training that they are getting, ought we not to be considering how we can enhance the training dollars that are going into those particular sports? And in particular, I say swimming and track, BNAA [Bermuda National Athletics Association].

So, for the moment, those are my questions. Thank you.

The Chairman: Is there any other Member who wishes to speak?

Minister, you have a few questions. But I just want to note that the time is now 7:17. And this debate has approximately one hour and one minute left.

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

I will attempt to answer the majority of the questions.

Okay. You asked, I think the Member, Mr. Smith, asked about the additional \$93,000. We had a transfer of a member coming across from Education. And he was placed in an existing post. However, he is operating as a Sports Development Officer. And it required increased monies to his salary. And that is where much of that increase is coming from with respect to the \$93,000.

And then, of course, as you can appreciate, with the salary increases, with the uplift that has further added into that amount.

Okay. The statement that the reduction in the Youth Development budget—the budget increased from \$9.654 million to \$10.109 million, which was an increase of 5 per cent. And perhaps you were not looking at the errata that gives the actual figures, the corrected pages. That is what I am going to assume.

In terms of the national colours and the uniforms, that is progressing. And we are working on finalising and whether or not we are going to be bringing that in bulk, because the aim is to have Bermudian colours clearly identified for all sporting bodies.

Okay.

[Inaudible interjections and laughter]

Hon. Lovitta F. Foggo: No.

You mentioned the boxing gym. I can tell you that we have been in collaboration with the Ministry of Works. As you can appreciate, we have to find a proper site for that. And we want to make certain that if we are going to set up a facility like that, it is maintained and under appropriate management. So, that is a work in progress, and we are working towards that.

In terms of the cost that you spoke about related to the operation of the pool at the National Sports Centre, as you did identify that you are a swimmer and you know that, when it comes to maintaining the temperatures of pools, they are capped within tight specific temperature ranges, because the temperature has to be at the optimal temperature for swimming and other water sports. And so, it requires its being cooled in the summer, to maintain that temperature range, as well as being heated in the winter. And when the pool was built, I do not think sufficient works were done around what the operating costs would be on a yearly level to maintain keeping the pool in prime condition and keeping the temperature [controlled]. So, the energy bill has been astronomical. And so, that is what we are looking at.

But we are tasked with doing both summer and winter maintenance of the temperatures of the pool. So, it is not [a situation] that in the summer you leave the water hot, and in the winter you heat the water up. But you have to cool the water in the summer.

Okay. So, in terms of the public schools that use the pools, we can attest to the fact that Purvis Primary, in particular, use it [all year]. And what they do is they fundraise all year long in order to use the pool. And so, they pay for the costs of the pool.

You also asked what was the \$1 million breakdown that you saw in . . . I cannot remember if it was page C-7. But it was to fund repairs that are currently taking place to the National Sports Centre Grandstand. So those monies were going towards that. And that is continuing.

The National Sporting Bodies, with respect to performance measures, what has been put in place is that the National Sporting Bodies must submit a yearly report on how funds are to be spent, what their objectives are and how they intend to meet those objectives. And generally, you have around 16 to 18 National Sporting Bodies which ask for funding every single year. Also included in those monies, as I think you heard me say, is that all of the funding that is put in place for that particular business item is the monies for BSADA [Bermuda Sport Anti-Doping Authority].

And again, just so that you are clear, if we do not have BSADA operating, our athletes will not be able to participate overseas, nor will foreign athletes be able to come to Bermuda. So, it is absolutely nec-

essary to have funding in place for BSADA. And their grant money is \$650,000.

And I can tell . . . you also asked about, I think both you and Honourable Member Gordon-Pamplin asked what is in place in terms of trying to make the pool more energy efficient. The trustees have sent out proposals looking at energy-saving initiatives. And we have also taken advice from the Ministry of Public Works to try to make certain that whatever energy programmes we have put in place have their seal of approval and will result in savings further down the road.

With respect to your question about the \$50,000 allocation for youth sponsorship, previously we only sponsored one athlete per sport. But as highlighted in my brief, we are now trying to ensure that we sponsor two, one being a male and one being a female. We want to make certain that everyone has opportunity to participate in whichever event that they so choose.

And that is where you saw what you highlighted as being a slight decrease. The decrease is to try and ensure that we reward every athlete for their efforts in each particular sport. So, it might be a slight decrease, but nonetheless, everybody benefits.

And you did ask for what is the approximate cost of running the swimming pool with respect to energy. It is costing the taxpayer approximately \$50,000 a month. So, you can appreciate why we find it—we are definitely turning over every leaf to ensure that we put in energy-saving mechanisms so that we reduce that cost.

The question was asked, What comprises the cost of Messina House? Basically, it is rented from WEDCO, and also, we have to pay for a caretaker's cottage and salary. And the amount that it totals is \$260,125 per year. I think both you and your colleague did ask questions regarding that.

Okay. You asked about the certification. The reason why we have certification in place for the National Sporting Bodies, and standards were provided to all National Sporting Bodies, is because we must ensure that we create the avenue to allow sports to improve and the administration of sports to improve. And through certification we make certain that all of the National Sporting Bodies meet a minimum standard of governance before being granted the status of a National Sporting Body.

And they must also demonstrate that they have open membership. They have to have an executive in place and a constitution, and they have to have annual general meetings. And going forward, we have made it clear that they have to provide us with a programme. In order to get funding, they will have to provide us with a programme and what they plan to do with that programme before funding allocations are given to them. Because that is the standard that we are going to be holding them against, and we will have that to use as a yardstick of measurement.

And those, I think, are the answers [to the questions] that were [asked] thus far.

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman. Just that some of the answers to the questions have actually prompted some other questions. And I had a couple of questions that I did not ask the first time.

So, the Honourable Minister just explained that the pool facility has a cost of about \$50,000 a month to run. When you add that to the point that only Purvis Primary School is utilising the facility, and they are taking all year to fundraise so that they can use that facility, then I guess my question is, How much are they using it once they do that fundraising? It seems a little odd that we are spending that amount of money, taxpayers' money, and a public school has to fundraise all year in order to use it. And we are not actually attracting the other public schools to utilise it, probably because it is cost prohibitive.

So, step one, you are going to actually have to have a gym teacher who is interested in swimming. Then, they are going to have to use this fundraising initiative. So, my question is, What are we doing to give incentive to the public schools to actually use the facility that we are spending all of this money on? Because if we are not actually reaching the public schools, but we are spending the public purse, what is the reason why we are doing it?

With that, there is the discussion point that in the wintertime you have to heat the pool, and in the summertime you have to cool the pool. There is a bather-load question. How many people are actually utilising the facility in order for us to justify spending this amount of money to heat a pool in the wintertime when the public is not really using the facility? So, once again the question is, for this amount of money, what are we going to do about it?

I know that there were some initiatives about reducing the cost of heating, initially, that were not taken up. And I know that this issue has been going on for quite some time. But, looking at this pool facility, there was a temporary building that was built, the changing rooms and everything is actually a building that was not actually meant to last forever. If the Minister can give us an update on, Does this building need upgrades? How long do we think that the building will continue to last? And will we continue to see more costs from this particular facility when we do not seem to be seeing the performance measures when it comes to the public using it, when we are spending taxpayers' money?

Under Sports Facilities, so page B-250, [business unit] 30060, I have a question of another facility that actually is not mentioned. The Government re-

cently paid some money for the Sandys 360 facility. I am wondering if the Minister can give us any information on where we are with that facility. Does it continue to be closed? Do we have any idea? Will that be brought into Youth and Sport as a facility that has been brought under the government purse? So, just any information that the Minister can give on that particular issue.

There was also Community Centres. So, this is still on page B-250. And it is, I guess the full heading is [programme] 2006, Community Centres. If the Minister can give us a breakdown of the usage of the three individual facilities. We got some numbers on how many people are using totally, but if we could find out how many people are using each individual centre so that we have an idea what the usage is and what we should be doing to maybe attract more people to use those particular facilities?

The Chairman: Minister.

Hon. Lovitta F. Foggo: The Honourable Member's question, she asked the question about the \$117,000 for [programme] 6881. That is split between Heritage Celebration, the Gombey Festival, the Apprenticeships, the Tradition Bearers, the Folklife, the Research Grant, and Uncover the Arts. These funds are allocated for cultural organisations and individuals who have unique projects that help to further Bermuda's culture and arts communities. This allows the department to fill our mission of being cultural curators. That was your first question.

For the grant funding, and I may have answered this before. The grant funding, \$50,000 was to swimming, \$50,000 to track and field, \$100,000 to cricket, \$650,000 to BSADA, \$150,000 to the Bermuda Olympic Association. All other sports get less than \$20,000 to ensure that most National Sporting Bodies receive some level of funding.

You asked a question about Messina House and what was [missing there] that made it incorrect. It was the rent that was \$148,574. That was the error.

The Chairman: I was going to say, is there any other Member who wishes to speak? But you are already on your feet. So, I recognise the Member from constituency 23.

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

I just want to confirm. The Honourable Member said it was \$148,000 on rent on the Messina House. So, that would say that \$112,000 was the differential on salaries? Because the total amount that you had indicated earlier for the error, you said Messina House was rented from WEDCO, that the caretaker's cottage and the salary combined came to \$260,125. And now you are saying that \$148,000 was

for rent. So, is that saying that \$112,000 is for the salary? Or are there other—

Hon. Lovitta F. Foggo: Salary, the grounds and maintenance of the cottage.

Hon. Patricia J. Gordon-Pamplin: Salaries and maintenance, okay. Thank you, Madam Chairman.

Madam Chairman, I have one new question and a couple of follow-up questions.

With respect to the swimming facility, are there any community sponsorships where we are getting revenue coming in to help to offset the cost of operating the pool? Because I do remember being there and having one of the corporate entities coming and giving some benefit a couple of years ago. I just wonder if that programme was still ongoing.

In addition to which, my honourable colleague had asked earlier about the foreign training. When we have foreign teams coming in to train at the national swim facility, who is paying? Is it the team themselves? Is it the BTA?

And he also asked the question, to which he did not get an answer, and that is, What is the contribution of the diving facility in terms of, what is the revenue coming from the diving facility? Because, clearly, part of the heating or the water temperature maintenance is because we also have the diving facility there. So, it is not just the ordinary swimmers. So, is there some differential that we can determine?

The other question that my honourable colleague asked was whether there is any possibility of having an increase in the budget in respect of the fact that 2020 is an Olympic year? And as a result of which, we are going to be hard-pressed for our athletes to try to meet various qualifying standards. And that is going to cost additional money. So, in a time when we are in an Olympic year in terms of the budgetary cycle, does it not make sense that we would be looking to ensure that we have got more money going into the budget? And how can we do something to help to ameliorate that situation?

Also on programme 6881, you answered as to where they are in terms of \$117,000, or what it comprises. But what I did not see under the budget for Community, Culture and Sport, I did not actually see where it was. I see the \$229[,000], which is the \$346[,000] excluding the \$117[,000].

But I just did not see where the \$117[,000] is in the budget numbers. I am sure it is there somewhere, but I just could not see exactly where it was. Because when it says Grants Organisations, the Grants Organisations are showing just the \$229[,000], whereas the book, on page C-19, the total is \$346[,000]. So, it is a \$229[,000] plus this \$117[,000]. So, now you have told us what the component parts of the \$117[,000] are. But where do I find that \$117[,000] in the numbers? I am just trying to find that out.

I will leave you to answer those questions, and then I may have one or two others. Thank you.

The Chairman: Is there any other Member who would like to speak?

No?

Minister.

Hon. Lovitta F. Foggo: Okay. In terms of the swimming teams that come from overseas, much of that is funded by the BTA.

At this point in time, I am not able to give you the answer for what the diving contribution is. We can undertake to find those figures for you.

Hold on. Okay. In terms of the question about Sandys 360, that comes under the Ministry of Public Works. I am not able to answer that question at all.

And I will await any further responses that I may have for you.

[Pause]

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman.

Just speaking specifically again to the pool, obviously with my background I have some specific information that I can add to this. But when it comes to heating and the cost of the facility, can the Minister let us know whether the facility has covers to cover the water so that the heat is not being lost in the middle of the night when it is cold? Because that actually can [result in] as much as a 20 per cent reduction in your heating costs. And I know that because I have just been through this process.

So, does the facility have covers? And if it does have covers, are they being utilised?

The Chairman: Any other Members who would like to speak?

No.

Minister, you have a few more questions.

Hon. Lovitta F. Foggo: In response to how many people use the community centres, I am looking at these numbers. And I think it suggests that if they are adding up the numbers collectively throughout the year, you have them being used in the summer day camp programmes, they are used after school, the afterschool community. And you have . . . (I cannot even read this. I do not know what this number is because the writing is hard to make out.)

I think that there are about 40 kids who may use Sandys, and St. George's about 30 who may go there on a daily basis after school. Yes. Okay.

And what is being suggested is that, once we have a further infusion of technology, we should very likely see an increase in the usage of those facilities. I do want to point out that both Sandys and St. George's have fewer operational hours than the Hamilton centre, just to let you know.

In terms of whether or not the pool is covered at night, as you can appreciate, this comes under the trustees. And it is an operational matter. And so, we can again get those answers for you, because they would have the answer to that.

The Chairman: Would any other Member wish to speak?

I recognise the Member from constituency 23.

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

Madam Chairman, we did not get the response to where the other \$117,000 is in the budget. I just could not find the number. And it may not be that it is in one specific place, but it would be useful to be able to know where it is and how it is being accounted for in the number.

And also, I did not get a response in terms of whether there had been any consideration given to increasing the budget with respect to the training budget for athletes, given the fact that we are on the cusp of the 2020 Olympics and therefore are likely to require additional funding.

We also asked—there was also the question asked in terms of how much is Purvis, as a school, having to spend in their fundraising in order to be able to utilise the facility? And why are we not attracting other schools? I do not think that we got an answer to that question, either. And I think that was the only other question that I see to be outstanding.

Hon. Lovitta F. Foggo: I do have one answer for you with respect to the \$117,000. It is spread throughout most of the cost centres. It is a line item in the Cash programme, and it is not broken down in the Budget Book. And also, what is stated here is that the difference with the funds is that they are contributions and basically not grants.

Hon. Patricia J. Gordon-Pamplin: Thank you.

The Chairman: Thank you, Minister.

Member, do you have a further question?

Hon. Patricia J. Gordon-Pamplin: Yes. We did not hear about whether there were community sponsorships coming in for the pool. And is that something that the trustees would have to advise?

Hon. Lovitta F. Foggo: Yes—

The Chairman: Minister.

Hon. Lovitta F. Foggo: Sorry. Yes. That is specific information that will come from the trustees, because they keep the accounts. Yes.

The Chairman: I recognise the Member from constituency [31].

Mr. Ben Smith: So, Honourable Minister, the questions that we asked regarding how many people are actually using the facility, the breakdown of how many people are actually diving summertime, wintertime, those answers you will be able to get for us, but you do not have presently?

The Chairman: Minister.

Hon. Lovitta F. Foggo: If you are looking for specific numbers, I would have to get them. I can say that I believe, during the summer with the diving, there are two summer diving camps that I think take place up there at the National Sports Centre swimming pool.

Mr. Ben Smith: Honourable Minister, so the difficulty is that the pool is deep because of diving. So, when the numbers do not match why you are actually having a pool that deep, it is becoming difficult for me to understand. So, we talked about how expensive it is to use. And in the wintertime, we are heating the pool. And I understand. There is a FINA [Fédération Internationale de Natation] rule that says that the pool has to be heated between 78 and 82 degrees. But that is actually meant for specific reasons.

So, what are we doing in the wintertime that actually justifies us heating the pool to that number? Do we have a large number of people who are using the facility during the wintertime that justifies keeping it at that [temperature]?

The Chairman: Minister.

Hon. Lovitta F. Foggo: In terms of numbers, I cannot speak to that. But what I can say is that the pool is utilised all year long. You do have people who use the pool, who swim there, whether they are training for a triathlon or what have you. But we have people who use the pool all year long. And they do pay to use it.

The Chairman: Member, you have a further question?

Mr. Ben Smith: Thank you, Madam Chairman.

The Chairman: Yes.

Mr. Ben Smith: So, on page B-250, I am just going to look at programmes one more time. This is a specific question about—we have athletes in Bermuda now training in multiple sports. And with that, there is the opportunity for them to then travel overseas and get

university scholarships based off of their athletic ability.

Has there been any discussion on how sport and education can have a collaboration on making sure that we are on a pathway for the NCAA Clearinghouse, and how we get our athletes to be able to go overseas and take advantage of the scholarships that are available under NCAA?

The Chairman: Minister, would you like to answer that question?

Hon. Lovitta F. Foggo: That basically falls under the remit of the National Sporting Bodies. And there are certain criteria, as you can appreciate, with the various different sporting agencies. What we have ascertained to do here in Bermuda is to make sure that coaches get the ability to have further training to ensure that we are staying up with international best practices and standards. And in so doing, they are helping our children to be exposed to those best practices and standards and, hopefully, meet the mark in terms of qualifying.

The Chairman: Is there any other Member who would like to speak?

I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you, Madam Chairman. You realise that this subject is very dear to my heart, as I am a wannabe athlete, good athlete.

However, I am going to move on, if I may, to firstly the Department of Community and Cultural Affairs. And I want to go to page B-260, with respect to performance measures under business unit 62020, Heritage Celebrations. And we note, under item 2(a), the number of groups in the Bermuda Day Parade. We had a revised forecast for 2018/19 of 42, up from an original forecast of 30. But for 2019/20, we have gone back down to the initial forecast of 30 groups in the parade.

As well as item 2(b), the number of floats in the Bermuda Day Parade, in which we had a revised forecast. We had an original forecast of eight. We had a revised forecast of 12, which would suggest that maybe 2018/19 was a banner year. But it has gone back down to eight. Now, I am fully cognisant of the effort that is put in by the Department of Community and Cultural Affairs, having had the privilege of being a Minister in that Ministry at one point in time and looking at the amount of hard work that goes into this Bermuda Day Parade.

I am wondering, with respect to having reduced the target outcome for 2019/20, what measures are being put in place so that we can help to enhance the participation? When we look at eight floats, I remember there were days when there were so many floats in the parade that you wondered whether we

could accommodate them all within the time frame with which the parade was destined to last. So, I am just very concerned that we do not want to see the good efforts that are put in by the department literally going to waste. And what are we doing so that we can assist in trying to bolster that membership and that participation by various community groups to make sure that we can keep those numbers up, that we have 30, or more than 30, groups in the parade and that we have more than eight floats in the parade?

Or, are we considering that 30 and eight are the optimum number that we can accommodate anymore? It just seems to me as though it is just a lot of effort, and there is just not quite as much output as we would like.

Also, on page B-261, under business unit 62050, under National Heroes Day, it was to organise and display seven banners. But yet, we have a consistent output of actual income, original forecast, revised forecast and targeted outcome of eight. And this is on page B-261. And I am wondering whether we should not just change the performance output measure from seven to eight. If eight is what we are doing, and we are saying that we have performance output of seven, why not just change it to eight if eight is what we are actually producing on a consistent basis?

I am also checking with respect to page B-262. And that is Senior Citizens Project, under business unit 62130. And that is organising educational and cultural seniors' events. Now, I know that one of the exciting things to which seniors used to look, certainly in the day, was the opportunity of having the Seniors Cruise. And I am wondering whether that, in fact, is still being done, as well as we did have the Premier's Seniors' Tea, which I believe was done under the auspices of the Community and Cultural Affairs Department. And I wondered whether those two events, so that our seniors can have that feel-good . . . they dress up to the nines, Madam Chairman, and they really enjoy the outing for the day. And I just wondered whether those were still going on.

I also wanted to . . . just because I do not want to lose the opportunity—I realise we just have a few minutes left. With respect to Workforce Development, we were showing, on page B-267, under [business unit] 70015, Certification, the average sponsorship per person. Firstly, the number of persons who were sponsored for training, we had a revised forecast of 374 in 2018/19. And even though it is significantly up from the original forecast, our targeted outcome for 2019/20 has gone back down to the 100 persons. And I am just wondering why.

And then, when I look at the average sponsorship per person, we had a revised forecast of \$450 as against \$1,600. But for this 2019/20, we have an average sponsorship per person of \$1,000. And I did not, unfortunately, hear clearly, and I am sure the Minister covered it. But I did not clearly hear exactly what

was comprised in the sponsorship, if the Minister could just verify that for me.

The other question that I have is, on page B-268, in respect of business unit 70400, Career Development, we were showing the number of candidate registrants on the electronic Job Board. And that actual outcome, going back to 2017/18, was 12,331. So, we had an original forecast in 2018/19 of 12,500, with a revised forecast going up to 14,000, and the targeted outcome for 2019/20 being 16,500. So, are we being overly ambitious? Or is that really a realistic output measure that we can really anticipate having, 16,500 candidate registrants on the electronic Job Board?

And, by the same token, the number of employers registered on the electronic Job Board has been relatively static, at just . . . well, it was 2,000. It was 1,950–2,000 with the original and revised forecasts. And it has been targeted now for 2,200. And the question is, What outreach, advertising outreach has been done in order to encourage more employers to register on the Job Board so that the availability of jobs is obvious to job seekers?

And, with that said, the number of individuals hired through the Job Board, now we had an original forecast of 1,750 in 2018/19, as against an actual outcome of 1,844 in 2017/18. We have a revised forecast of 2,420 in 2018/19. But that number, as a targeted outcome, has gone up to 2,800. And while that is extremely ambitious, and I certainly wish every success, my question is, between the 16,500 registrants that we have and the 2,800 number of individuals who are projected to be hired, what will become of the 13,700 individuals who perhaps are not being captured in these statistics? And I would just be curious to know what the outreach is in that respect.

The Chairman: Is there any other Member who would like to speak?

No?
Minister.

Hon. Lovitta F. Foggo: In terms of the question regarding the Seniors' Cruise, I can say that that Seniors' Cruise had been cancelled for budget reasons. But in terms of the tea, the Premier organises the Senior Tea. But we organised a senior luncheon. And I can say that this luncheon is about to take place—tomorrow. So, the Community and Cultural Affairs Department is still doing something for seniors in this respect through the teas and the luncheons.

Hon. Patricia J. Gordon-Pamplin: Tomorrow?

Hon. Lovitta F. Foggo: Yes.

Hon. Patricia J. Gordon-Pamplin: So, where is my invitation?

Hon. Lovitta F. Foggo: Oh!

[Laughter]

Hon. Lovitta F. Foggo: I can tell you that in terms of participation for the floats and what have you, we have emailed past participants and targeted schools, PTAs, various sports clubs and community groups. And we are, as I stated in my brief, having an upcoming float-building workshop. So, we are doing everything to try and ensure that we get maximum participation.

I think that the Member Smith asked a question about the NAACP [*sic*]. I can say that we in the sports area—

Hon. Patricia J. Gordon-Pamplin: It is the NCAA.

Mr. Ben Smith: NCAA.

[Laughter]

Hon. Lovitta F. Foggo: Thank you.

Hon. Patricia J. Gordon-Pamplin: But we understand.

[Laughter]

Hon. Lovitta F. Foggo: Yes.

We are looking at more ideas for sports scholarships. And we have been reviewing a programme and a partnership with some colleges. And that is still being drawn up, and it is in the infancy stage. We have had some colleges that have offered to pay half-tuition, and government sponsor the other half. But we are looking. We have to partner, as you can appreciate, with the Ministry of Education in terms of trying to ensure that a programme such as this does move forward. And so, that is where we are with respect to that.

And you made mention about page B-261, about the changed output measures to . . . yes, so you can . . . Yes. Okay.

[Inaudible interjections]

The Chairman: Is there any other Member who would like to speak?

I recognise the Member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman.

On Head 52, just a couple of quick questions. On page B-260, [business unit] 62000, for the Grants. There are five grants for non-government organisations that support cultural heritage. Would it be possible to list the organisations and get some detail on what they were able to achieve? And, the same thing for the four organisations that were in support of the

arts. So, this is on page B-260. And it is the Grants, business unit 62000.

Hon. Patricia J. Gordon-Pamplin: I did not get an answer.

The Chairman: Is there any other Member who would like to—I am sorry.

Member from constituency 31, are you finished or were you just taking a breath?

Mr. Ben Smith: I have one more question.

The Chairman: Sure.

Mr. Ben Smith: On page B-261, it is business unit 62050, for Heroes Day. Just a question. There is an event that happens where there are 400 in attendance, depending on whether there is a hero or not. So, just the simple question is, Will there be a hero for this year?

Hon. Zane. J. S. De Silva: Hey, look at me!

Hon. Patricia J. Gordon-Pamplin: I agree.

[Laughter]

An Hon. Member: The last person.

Hon. Patricia J. Gordon-Pamplin: Absolutely.

[Laughter]

The Chairman: Minister, would you like to answer those questions?

Hon. Lovitta F. Foggo: I do believe that I answered the question in my brief with respect to the hero. We said that we are not recognising a new hero. But we are putting extra emphasis into the former hero, Mary Prince, doing research around that. And we are going to be doing year-long stuff with respect to that.

The question was asked about sponsorship and what it comprises. On sponsorship, it includes overseas and local training and tuition, accommodation and air fare costs. So, I am not sure which one of you asked that question.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: The Workforce Development question.

The Chairman: Is there any other Member who would like to speak?

I recognise the Member from constituency 23.

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

The Chairman: And just one thing, briefly.

Hon. Patricia J. Gordon-Pamplin: Yes.

The Chairman: Just note that we have 15 minutes left for this debate.

Hon. Patricia J. Gordon-Pamplin: That is fine. Thank you.

I was just waiting for the responses in respect of the Workforce Development questions that I had [asked]. I think that they are coming. So, I am happy to wait for a minute.

And I have to ask, Madam Chairman, the Honourable Minister indicated that the Seniors' Luncheon is tomorrow. My question is, What does one need to do in order to get an invitation when one qualifies for having reached that lofty height?

[Laughter]

The Chairman: Maybe they did not think you had reached the age to be a senior.

[Inaudible interjections and laughter]

[Pause]

The Chairman: Just for the benefit of the listening audience, we are now in Committee of Supply for further consideration of the Estimates of Revenue and Expenditure for the year 2019/20. And we are currently looking at the programmes under the Department of Labour, Community and Sports. And we have Heads 20, 60 and 52.

Minister Foggo, you have the floor.

Hon. Lovitta F. Foggo: Yes. I believe that a question was asked about outreach to the employers. And basically, focus groups are planned and have been planned with employers to understand the Bermuda Job Board and the benefits of using it, and about using the Bermuda Job Board in order to ensure that we recruit suitable persons.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thanks, Honourable Chairman.

I just wondered also about the differential, of the 1,605 who are registered, we are projecting the number of individuals to be hired to be \$2,800 *[sic]*—I mean 2,800 people. (You can trust me, numbers are just on my brain.) But my question is, What are we going to do with the other 13,700, the differential be-

tween those who are registered and those whom we hope to place? Because that is a significant number of people. So, the question is, What are we going to do with those?

Also, is there any indication as to the weighted time lag for which the 16,500 people are actually on the Job Board? In other words, have they been there for an extended period of time? Are these people who are registered, is there hope of getting them placed in any way, shape or form? And is there the possibility of having another job fair that might help to produce some additional jobs that might be made available to some of those 16,500, or the 13,700 on the differential?

The Chairman: Minister.

Hon. Lovitta F. Foggo: In part, let me say this, that some of the people that you speak of, what happens at times, people do end up securing employment. And in spite of best efforts, they do not report that to Workforce Development. And so, although you may see those numbers up there, it may not accurately reflect of that group how many have been employed. We rely only on their coming back to us and giving us feedback.

You asked something about those who are registered and what we are doing to try and make up the certification? Did you ask that question?

[Inaudible interjection]

Hon. Lovitta F. Foggo: Yes. And what I can say is that, for all of those who are registered, we are constantly relying on our assessors. And we did graduate a new cohort of assessors in order to speed up that process. And in the meantime, as long as persons are registered and the department knows that these persons are on the list to be certified, they are allowed to continue in their place of employment.

It is those who are not registered and are not certified that we try to look out for, because they are not meeting the requisite requirements to be employed. So, yes.

The Chairman: I recognise the Member from constituency 23.

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

Madam Chairman, in light of the Minister's revelation that we are relying on people to keep the department up to date in terms of their Job Board applications, I ask the question, What is kind of an average length of time that people are registered? Because it would appear that maybe there needs to be a policy implemented to purge the Job Board for dated applicants, on contact of the applicant to say, *You have been on the Job Board for a year. We haven't*

heard from you. And if you don't get back to us by a certain period of time, then your name will be removed.

Not because we are looking to disenfranchise anybody from the opportunity of getting a job, but to be able to have a Job Board that is manageable so that there could be an active recruitment process going on that actually ends up being meaningful.

And a final question that I have is, with respect to the average sponsorship per person, which is \$450 as a revised forecast, and it is now targeted to [increase to] \$1,000, and this is on page B-267, business unit 70015, under Certification.

The question is, What exactly is comprised within that \$1,000 of sponsorship? What precisely does the sponsorship entail?

The Chairman: Is there any other Member?

No?

Minister.

Hon. Lovitta F. Foggo: Further to my comment regarding the Job Board, also added to it is the fact that all of those persons listed on the Job Board are not necessarily unemployed. And the majority, or the lion's share of them, are not Department of Workforce Development clients. But nonetheless, that does not take from what I had said previously. People who are on there and they are now employed, some of them secure jobs and forget to come back and provide feedback. I think that is the answer to that.

And you said, What is entailed in the \$1,000? I will just get that answer for you.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thanks, Madam Chairman.

And while the Honourable Minister is waiting for the answer, the question begs, How can we have an effective methodology by which we purge that mammoth number to determine those people who do not need it? Is there any possibility of follow-up? I realise that this is manually intensive for somebody in the department to be dedicated to follow-up people who are on the Job Board. But is there any way that this can be done so that people who are no longer looking are actually removed from the Job Board so that they have a more manageable number, which to manage?

The Chairman: I recognise Minister Foggo.

Hon. Lovitta F. Foggo: In response to suggesting a more efficient and effective way for the Job Board to operate, the Job Board makes persons inactive if it is not used regularly. And they have to set themselves

back up on it. And so, that is sort of, I guess, a management device already built within the system.

The Chairman: I recognise the member from constituency [31].

Mr. Ben Smith: Thank you, Madam Chairman.

One final question on Head 20 for Sport, just a policy question. Does the Ministry of Youth and Sport have any policy regarding sponsorship of youth events by alcohol-selling sponsors? Just, obviously, because we are trying to make sure that we are sending the right message to our young people, I just want to know whether there is a specific policy that speaks to sponsorship by alcoholic companies for youth events.

The Chairman: Minister, just so that you know, you have four minutes left.

Hon. Lovitta F. Foggo: Thank you.

To that, I will say this. If we are talking about a youth event that is taking place, [and if] anybody under the age of 18 is part of an event, there can be no alcohol served. So, we do not allow sponsorship by alcoholic entities to people under the age of 18. Yes.

The Chairman: I recognise the Member from constituency 23.

Hon. Patricia J. Gordon-Pamplin: Thank you.

Just for clarity, there is a particular youth event that is, effectively, as we speak, being sponsored by . . . I do not know if I want to call the name of the company, but that is being sponsored by a company that is known to be an alcohol-related company. So, if the Minister is saying that those sponsorships are not going to be permitted . . . I recognise that consumption would not be permitted; that is a given. But the question really was, Is there a policy that says that an alcohol company is not permitted to sponsor a youth event? That was the question that we asked.

The Chairman: Minister.

Hon. Lovitta F. Foggo: That is a different question. However, let me just repeat the fact that, at a youth-sponsored programme, there is no serving of alcohol.

I will endeavour to find out if, for instance, we would allow sponsorship coming from an organisation like that. We would not allow alcohol. But we—

[Inaudible interjection]

Hon. Lovitta F. Foggo: Yes. Exactly.

But also, let me say this. For the question regarding the \$1,000 sponsorship, that involves average training, tuition, accommodation and costs. So that is what is embedded in that \$1,000 sponsorship.

The Chairman: You have two minutes.

Hon. Patricia J. Gordon-Pamplin: Oh, I have two minutes?

So, I appreciate that, because you have just indicated, Minister, sometimes your answers generate another question. And you said that this money includes the average training, tuition, accommodation. I am just kind of curious as to what kind of accommodation is included in that sponsorship. Who are we housing? What kind of accommodation are we paying for? Presumably, we are dealing with Bermudian applicants whom we are sponsoring. And I realise that we are probably out of time. So, I am quite happy, if we do not have time, to be able to get the answer offline. I would be most appreciative.

The Chairman: Minister Foggo, would you like to use your last minute?

Hon. Lovitta F. Foggo: At this point in time, I would like to thank Members for their participation in this debate. It was quite robust.

And, Madam Chairman, I move the following Heads: 20, Youth, Sport and Recreation; 60, Workforce Development; and 52, Community and Cultural Affairs, be now taken under consideration.

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

Is there any objection?

No.

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

[Motion carried: The Ministry of Labour, Community Affairs and Sports, Heads 20, 52 and 60 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2019/20.]

The Chairman: It has been moved that the Committee rise and report.

Minister, you threw me off just now.

It has been moved that the Committee rise, report progress, and ask for leave to sit again.

Is there any objection to that motion?

Hon. Lovitta F. Foggo: But . . . I do move . . .

The Chairman: No? Oh.

Hon. Lovitta F. Foggo: Thank you for doing that for me, Madam Chairman.

The Chairman: Yes? Is there any objection?

An Hon. Member: There is none.

The Chairman: Thank you.

[Motion carried: The Committee of Supply agreed to rise and report progress, and sought leave to sit again.]

House resumed at 8:20 pm

[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]

REPORT OF COMMITTEE

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2019/20

The Speaker: Good evening, Members.

Is there any objection to the reporting to the House the Estimates of Revenue and Expenditure that were just concluded under the heads of the Legal Affairs first thing this morning, and Labour, Community Affairs and Sports this afternoon? Any objections to those being reported?

There are none.

So done.

That now moves us on to the next order on the Order Paper. And the next order is Order No. 4, the second reading of the Municipalities Reform Act 2019, in the name of the Minister of Home Affairs.

Honourable Member Deputy Premier, would you like to move your motion, move your Bill?

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

The Speaker: Thank you.

Hon. Walter H. Roban: I move that the Bill entitled the Municipalities Reform Act 2019 be now read a second time.

The Speaker: Any objections to that?

No objections.

Continue.

BILL

SECOND READING

MUNICIPALITIES REFORM ACT 2019

Hon. Walter H. Roban: Mr. Speaker, I rise to introduce the Bill entitled the Municipalities Reform Act 2019, to be read a second time. This Bill seeks (1) to abolish municipal elections; (2) to provide the appointment of members of the corporations; (3) to make consequential amendments to the Municipalities Act 1923; and (4) to make certain directions given by the Minister to a corporation subject to parliamentary scrutiny.

Mr. Speaker.

The Speaker: Yes.

Hon. Walter H. Roban: As I stated in my Ministerial Statement on the 1st of March 2019, this Bill begins the journey towards achieving the goal of modernising the municipalities and realising the Government's vision for the people of Bermuda. While there have been a number of theories that have been bandied about regarding the reasons for going this route, I must restate our vision, our reasons for proceeding with this Bill.

It is envisioned for the Town of St. George's that there will be a mega-yacht port and marina, with enhanced infrastructure, amenities and activities. In order to achieve this vision, the following needs must be met:

- a sustainable management plan for the World Heritage Site;
- a sustainable and non-seasonal industry;
- infrastructure and amenities to address the needs of the community, in addition to the businesses, particularly the St. Regis development; and last but not least, amongst many
- general infrastructure upgrades.

It is envisioned for the City of Hamilton, Mr. Speaker, a smart city infrastructure with a thriving residential centre with an entertainment hub and distinct districts to touch all aspects of the city. City living, including a tourism interface. In order to achieve this vision, the following needs must be met: (1) the development of a multifaceted waterfront; (2) increased city living; (3) increased use of vacant office space; (4) effective traffic management, using smart city technology; (5) encouraging the development of districts—for example, financial, entertainment, restaurant.

Mr. Speaker, I must also reiterate what this legislation does *not* intend to do. It does not mean the loss of jobs, any jobs. It does not mean that the Government will dismantle the existing operating structure of each new municipality or do away with the positions of mayor or councillors. There will continue to be mayors, and there will continue to be councillors—eight councillors, to be precise.

It does not mean that the word that has been used quite liberally, “takeover” [will apply to] the town for those who do not live and work here. Persons who reside, do business or work in the City of Hamilton and the Town of St. George's will have the opportunity to provide input into the selection process of the mayor and the eight councillors, especially four of the councillors. It does not mean the Government is making an “asset grab.” The municipality will remain a body corporate.

Mr. Speaker, the municipalities have served an important purpose in managing the City of Hamilton and the Town of St. George's. However, there are inconsistencies in how each is structured. One corpo-

ration is focused mainly on business, one mainly on residential. One has a fairly healthy revenue stream; one is relying on the largesse of government. Both have issues with failing infrastructure. Both are looking for ways to stimulate their economies in order to raise more revenue.

Municipalities overseas, Mr. Speaker, provide social services including housing and policing to their residents. Municipalities in Bermuda do not deliver social services. This is the exclusive authority of the Government of Bermuda, although the need for social services within the municipality is growing.

It is evident, Mr. Speaker, that this model is outdated and no longer works. Some of the challenges that we have encountered with municipalities include an absence of priorities that are in alignment with the vision of the Government, failures of accountability, and lack of proper due diligence and governance in awarding of contracts; inadequate resources to undertake important public infrastructure projects, such as the needed upgrade to the sewage system; ongoing challenges in the labour relations environment, especially in the Corporation of Hamilton; the lack of consultation with government departments in relation to infrastructure, such as the Ministries of Public Works, Public Safety, and Home Affairs, before embarking on projects related to traffic control and in relation to sidewalks and ordinances, such as sewage and waste management; and planning for structures; a lack of formalised consultation that would allow the municipalities to team with the Government to provide economic solutions within the municipalities that will benefit Bermuda; and lack of funds to proceed with initiatives of national, economic and social importance.

Mr. Speaker, to achieve the vision for the future outlined previously, it requires the efforts of both the Government and the corporations, moving together in the same direction. It would also be evident that neither corporation has the financial and/or other resources to achieve and sustain the vision to rejuvenate the cities. The central Government has the resources and access to the expertise to progress the vision to turn these cities into vibrant entities in order to attract more visitors and greater investment opportunities for Bermuda.

Mr. Speaker, municipalities do make sense in much larger jurisdictions, such as the UK, Canada and the United States, where it would be difficult to manage cities and large populations centrally. But does it make sense in a 22-square-mile Island, with 60,000 people? In preparing for this move to modernise the municipalities, we have looked to a number of smaller jurisdictions, many of the islands in the Caribbean of comparable size to us and even larger. These jurisdictions have either reverted to partial administration in the same way that we have suggested or simply dissolved the municipalities.

Some examples include George Town, Cayman Islands. George Town is the capital city of the Cayman Islands, a UK Overseas Territory, like Bermuda. Its population is around 20,000. George Town is governed and administered by the National Government of Cayman Islands. It does not have separate levels of governance and administration from the National Government. There are no special powers conferred upon the city, nor are there any distinct services or responsibilities particular to the city. The city is administered similarly to other areas in the Cayman Islands by the national civil service.

Bridgetown, Barbados. Bridgetown is the capital city of Barbados. Its population is 97,000. Bridgetown is an actual electoral constituency and is represented by a member of their parliament. Bridgetown is governed and administered by the National Government of Barbados. It does not have a separate level of governance and administration from the national government. There are no special powers conferred on the city, nor are there any distinct services or responsibilities particular to the city. The city is administered similarly to other areas in Barbados by the national civil service.

Nassau, the Bahamas. As Honourable Members are aware, Nassau is the capital city of the Bahamas, on the island of New Providence. Its population is 210,830. Nassau is governed and administered by the National Government of the Bahamas. It does not have a separate level of governance and administration from the national government. There are no special powers conferred upon the city, nor are there any distinct services or responsibilities particular to the city.

Mr. Speaker, when reviewing the previously stated vision of the Town of St. George's, to put it simply, the Corporation of St. George's does not have the resources, including the monies or persons, required to achieve the vision. Of those who have shared their opinion, many have stated that the Government should just (1) give the Corporation of St. George's the money that they need; and (2) leave them alone to manage their own affairs.

Mr. Speaker, I would state that the two sentiments are mutually exclusive. The Government must also exercise good governance and ensure that the money is spent, achieving the vision for the Town of St. George's. Unfortunately, the Corporation of St. George's does not have all of the persons needed to manage the town's finances adequately. In fact, the auditors, KPMG, have recommended to the Corporation of St. George's that the Corporation should reach out (and I am quoting here from the auditors) "The Corporation should reach out to Government to have a suitably qualified civil servant or Minister sit on the Finance Committee to provide financial oversight."

Mr. Speaker, you may be aware that the World Heritage Site for St. George's is under threat. We must resolve this issue with a matter of urgency.

The status of the World Heritage Site is under threat in part because of the lack of proper management plans. This is currently being addressed by the Department of Planning, which is producing the management plan for the World Heritage Site in St. George's. In addition, the Corporation of St. George's does not have the funds to undertake infrastructure repairs and has traditionally appealed to the Government for a grant in the amount of \$1 million to \$2 million. To ensure the continued sustainability of the designation, the Government intends to give greater authority to the Corporation of St. George's both legislatively and financially.

Mr. Speaker, we can talk about Hamilton now. The Corporation of Hamilton is in a very different position, and of course, it is very different from St. George's in many ways. While fiscally able, the mayor and councillors do not see the Government's vision as a priority. For example, Mr. Speaker, when discussing with the mayor the possibility of developing the waterfront, he stated that it was not a priority for the Corporation of Hamilton. I will repeat that. When discussing with the mayor the possibility of developing the waterfront, he stated that it was not a priority for the Corporation of Hamilton.

When discussing the possibility of implementing smart city technology, including exploring the introduction of free Wi-Fi, he and his team stated they did not have the money, although the mayor has recently stated publicly that he intends to use the technology to make the stoplight more efficient. However, Mr. Speaker, smart city technology is so much more than fixing stoplights. Cities worldwide, the top five, Mr. Speaker being Singapore, Barcelona, London, San Francisco, and Oslo, are turning to new technology to search for new approaches and solutions that will improve city transportation, water, waste management, energy usage, and a host of other infrastructure issues that underpin the operation of cities and the lifestyle of urban citizens.

Of those who have shared their opinions, many have stated that the Corporation of Hamilton runs so efficiently and the government could do no better. But, Mr. Speaker, I tend to differ. Persons have also made the claim that the Government is setting democracy back by not allowing individuals and businesses to vote for their mayor and councillors. However, in more than one meeting, and even in a town hall meeting in Hamilton last week, Thursday, residents and businesses in North Hamilton complained that they were being underserved. That is not from me. That is from the people who live, work and are part of the north of Hamilton.

Mr. Speaker, I was informed by a councillor of the Corporation of Hamilton that businesses in the centre of Hamilton (I assume that the councillor meant Front Street to Church Street) pay more money, so they should get more attention—coming from a councillor in the Corporation of Hamilton. That is what they

said to [me]. So, it is assumed that the more you pay, the more attention you should get. This type of thinking, I would have thought, seems to hark back to the times in the 1900s when only landowners could vote. I would hope, Mr. Speaker, that this is surely not the idea of democracy for anyone in this House, or anywhere. I do not think so, certainly not in this house—certainly not, Mr. Speaker.

Mr. Speaker, many believe that the administration that served from 2012 to 2015, and I am referring to the Corporation of Hamilton here, was guilty of missteps and failures. Mr. Speaker, I must remind Honourable Members that some of these deficiencies were not only due to the perceived shortcomings of that particular administration. Between 2004 and 2012, there were repeated efforts by the Corporation of Hamilton to develop a hotel in Par-la-Ville. I think we remember that, Mr. Speaker.

Some Hon. Members: Yes!

An Hon. Member: What happened?

Hon. Walter H. Roban: Numerous mayors during that period negotiated with no fewer than three international hotel brands, including Starwood, St. Regis and the Ritz-Carlton, to bring a hotel to fruition. They were lavishly announced, Mr. Speaker. Deals, development agreements, even an SDO and planning approval. As evidenced today, and after millions of dollars of rate-payers' money expended, there was no hotel! No hotel. There is a parking lot. I am not even sure that cars are parked in it now. But there is a parking lot there, that is for sure, but no hotel.

The sewage system is outdated and, as I understand it, is up to 100 years old. And millions of dollars' worth of work has been expended, Mr. Speaker, to prop up an ageing system. Fortunately, and this is fortunately, Mr. Speaker, a project is now being undertaken by the Ministry of Public Works, which will replace the work that is being currently undertaken in respect of corporations and will reduce the proposed capital outlay of \$8.5 million over the next three years, in particular by the Corporation of Hamilton.

Mr. Speaker, there are fire hydrants in the City of Hamilton that do not work—do not work. It was actually pointed out to me at a recent meeting, by the Mayor of Hamilton, that section 19 of the Bermuda Fire and Rescue Service Act 1982 states the following: "On 1 April 1983 any engine, equipment, vehicle and other movable property and assets belonging to the Corporation of Hamilton and used by that Corporation in connexion with its fire services shall be transferred to, and shall vest in, the Government."

It does not appear, Mr. Speaker, though, that this includes fire hydrants and the underlying infrastructure. However, it could also be argued that in 1983, we did not have international business and we did not have multistorey buildings that house those

businesses. These buildings would be put at risk if there is no infrastructure in the city to assist with fighting fire.

Mr. Speaker, this risk was quite evident in recent years when there was a building fire on Front Street attended by the Bermuda Fire Services, and hoses had to be dropped in the harbour to access water to extinguish it. The fire hydrants on the sidewalk in front of the burning building, on our most celebrated and expensive business address, were useless in a time of emergency. That is Hamilton, Mr. Speaker. That is Hamilton. And anybody who owns a building in Hamilton, I think, should be concerned because they are paying rates to the Corporation for certain services. They are not getting any help in the fire department there.

Mr. Speaker, these deficiencies only underscore my point, that the City of Hamilton is not as well run as it should be.

Mr. Speaker, I will now turn to the Bill, entitled the Municipalities Reform Act 2019. The Bill proposes to achieve the following:

1. Abolishing municipal elections in 2019, after which members would be appointed. Honourable Members will be aware that there was one extraordinary election held on the 5th of February 2019 to replace deceased councillor, Mr. Phillip Anderson. His daughter, Cyniqua (I believe I have said that name correctly) Anderson was subsequently elected;

2. Making consequential amendments to the Municipalities Act 1923 by amending or repealing the section that made reference to municipal elections;

3. Prescribing the tenure of office of the current elected members by ending on May 13th, 2019, and prescribing the tenure of appointed members to take effect on the 14th of May 2019; and

4. Inserting the Fourth Schedule, which provides for the appointment of members and for their tenure of office. For each corporation, the mayor and four councillors will be appointed by the Minister. The other four councillors will be appointed on the recommendation of a selection committee appointed by the Minister. It also provides that the same, the name of every person appointed to the office of mayor or councillor of the corporation and a vacancy in which such office, be published in the *Gazette*;

5. Amending the principal Act to clarify that if an act or thing done by a corporation would otherwise not be construed as being for municipal purposes, it will be deemed to be for municipal purposes if done under the direction by the Minister.

This amendment is particularly important in light of the 2019 Privy Council decision of *Mexico Infrastructure Finance, LLC, v. the Corporation of Hamilton*, which assigned a very narrow meaning to the expression "municipal purpose." These directions will have legislative effect and, therefore, be a statutory instrument and subject to parliamentary scrutiny.

Mr. Speaker, I also intend to make amendments on the floor of the House. I have listened to constituents, I have listened to Members of this House and others in the community who are concerned that the quangos will not be made up of individuals who are able to move the municipalities forward and, too, the criteria for the selection committee will be determined by the Minister only. As a result of listening, listening carefully, Mr. Speaker, I intend to address these concerns by moving a motion which will expand on the skill sets of persons who will be appointed by the Minister. Such persons will include persons with knowledge, expertise and experience in the following areas: accounting, legal affairs, planning, architecture, engineering or construction, human resources or collective bargaining agreements.

These amendments will clarify that the skill sets of persons to be appointed by the Minister will represent the skill sets required for reforming their municipalities. In addition, Mr. Speaker, the amendment clarifies that, other than appointing the selection committee, the committee will set the criteria for the persons whom they will be recommending to the Minister. And those criteria will be made available to the general public by publication in the *Gazette*.

Mr. Speaker, in conclusion, I would like to finish as I started, with stating that this Bill begins a journey. It is a journey towards achieving the goal of modernisation, modernising the municipalities and realising this Government's vision for the people of Bermuda.

Mr. Speaker, I now move that the Bill entitled the Municipalities Reform Act be read a second time.

The Speaker: Thank you, Minister.

Would any Members like to speak to that?

We recognise the Honourable Member from constituency 7.

Honourable Member Sylvan Richards, you have the floor.

Mr. Sylvan D. Richards, Jr.: Thank you, Mr. Speaker.

Mr. Speaker, I will start out by saying that the more things change, the more they stay the same. I almost feel like this is *Back to the Future*. Members will be aware that the previous PLP administration removed the rights of the corporation to charge wharfage and replaced that lost wharfage income with a government grant that was basically insufficient to meet their needs. It particularly affected the Town of St. George's. And I remember years ago, driving through St. George's, and St. George's was in decay. They just did not have the money, because they did not have the wharfage fees. The town went into a period of decline. And, coupled with the lack of cruise ships, St. George's was in a dire state.

When the OBA became the Government, one of the first things that we did was return the wharfage

back to the municipalities of Hamilton and St. George's. And we also implemented a heritage tax in St. George's, which was basically a tax based off the of fuel lines, to generate additional income for St. George's. Additionally, we also gave a just over \$1 million grant to St. George's to repair the waterfront and also Hunter's Wharf. I have been informed that, since the PLP became the Government, there have been no grants given to St. George's. And the Corporation of St. George's did request \$1 million to do necessary upgrades. But this request was denied by the current Government.

So, this Government Bill that we are debating this evening repeals elections in the Corporations of Hamilton and St. George's and continues the corporations as quangos. My question is, What is the point of a quango? The fact is that the Minister has complete authority now over the Corporations of Hamilton and St. George's.

So, the Minister in his presentation, his overarching theme is that there needs to be harmony, working together with the corporations and the government, and that this is not occurring. But the Minister, under the existing Municipalities Act, has complete and utter authority over the municipalities. Every goal that the Minister outlined in his Ministerial Statement of Friday, March 1, can be achieved under the current Municipalities Act.

For example, the Government and the Minister already have final say on planning legislation, so it can already plan for various economic zones, which is one of the targets outlined in the Minister's brief. Additionally, Government can already give guidance for spending of the heritage tax in St. George's. Government and the Minister can already direct how grants that are given to the municipalities are spent. Government and the Minister can already take stewardship of the municipalities if government direction is not allowed. So, I find it challenging to understand why the Minister believes that it is necessary to take the steps that are being taken, when he already has the authority to basically tell the municipalities, *You must do this, this and this*.

So, it is my view that Government wishes control and access to the income that the municipalities currently generate.

Hon. Walter H. Roban: Point of order, Mr. Speaker.

The Speaker: Member, let us take a point of order. Point of order?

POINT OF ORDER

[Misleading]

Hon. Walter H. Roban: The Honourable Member is misleading the House. There is nothing in this Bill which talks about taking revenue or resources from any of the corporations. It is merely to do with the mu-

nicipal elections and turning them into quangos, nothing to do with the revenue or with their capacity to manage their own funds is being affected.

The Speaker: Thank you. Member.

Mr. Sylvan D. Richards, Jr.: Mr. Speaker, with that being said, I would like the Minister to address this question, which actually feeds off of what he just said.

Is Government willing to ring-fence the wharfage fees and other income streams—i.e., parking fees, et cetera—that the municipalities current generate, to ensure that the municipalities of Hamilton and St. George's directly benefit from the revenues that they generate?

It would make sense that if this Bill is about developing the municipalities of Hamilton and St. George's, and it is clear that the municipalities generate income, it would only be prudent and the right thing to do that those funds are ring-fenced and spent solely in the municipalities. So, I would like the Minister to address that when he has an opportunity.

Now, let us talk about this consultation process. There has been a lot of noise made about consultation. I went to, actually it was a meeting in St. George's, but it was put on by the Corporation of St. George's. The Minister was not there that night. But it was clear that the sentiment in the room was against both of the options that were being offered—turn the municipality into a quango or have the Government subsume the municipalities. Since that time, both mayors have voiced concerns about the lack of consultation regarding this issue.

It must also be noted, Mr. Speaker, that on the Bermuda Government's online forum, people were asked to cast a vote. It was interesting because on the online forum there were only two options—turn the municipalities into a quango, or have them subsumed by government. There was no option three, "leave as is." However, at the meeting that I went to in St. George's which the Corporation of St. George's put on, that third option was on the paper—"leave as is."

But the results of the voting on the Bermuda Government online forum were that 97 per cent of respondents voted against turning governance of the municipalities into quangos. I will repeat that. A full 97 per cent of respondents voted against turning governance of the municipalities into quangos. I would submit, Mr. Speaker, that those respondents are being ignored. They are not being listened to. In reality, what this Bill does is strip away people's right to vote for the representatives of their choosing.

And it just is interesting, because the Minister in his introduction said that the people who live in the municipalities and have businesses in the municipalities will still have a say in choosing their representatives. But here is the reality. Under this Bill, the Minister shall appoint a mayor and four councillors. The

Minister shall also appoint four councillors, acting on the recommendation of a selection committee. The Minister will appoint three members to the selection committee. One of those members will be appointed as head of the committee. The committee will review all nominations, interview nominees and recommend to the Minister persons to serve as councillors.

Is that democratic? The Minister will have total control over who is chosen. I, for one, will be interested in seeing the criteria for who is chosen.

So, why are we making this change now? Why are we making this change now? Once again, I believe it is about control and about access to a revenue stream. You have the waterfront in Hamilton that a lot of people are licking their chops over. St. George's, I believe, is just a casualty of this. It is all about Hamilton.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member. Does any other Honourable Member wish to speak? We recognise the Honourable Member, Mrs. Ming, from St. George's.

Honourable Member, you have the floor.

Mrs. Renee Ming: Good evening, Mr. Speaker, and listening audience.

The Speaker: Good evening.

Mrs. Renee Ming: Whoa . . . I am going to start my comments today by saying that, as a proud St. Georgian, I think many have expected that I would have spoken on this matter prior to now. But I wanted to say, Mr. Speaker, that empty vessels make the most noise. So, over the past few weeks, Mr. Speaker, I have listened. I have clarified. And I have explained.

I truly do appreciate my constituents. They are the best. They truly are. Yes, they are. They have shared their disappointments, their hopes, and their dreams for our beloved St. George's. They are truly a force to be reckoned with, and I believe that we all do have blue and blue blood running through us.

An Hon. Member: What? Blue and Blue?

Mrs. Renee Ming: Blue and blue blood running through us. I will speak to that later.

Some Hon. Members: Now, now, now.

[Inaudible interjections]

Mrs. Renee Ming: Mr. Speaker, I have lived in St. George's all my life. I have actually lived in the Town of St. George my entire life. I have had the insight into the running of the Corporation of St. George's even prior to my becoming a common councillor and an alderman. My mother worked for the Corporation most

of my life, 41 years. As a child I became very acquainted with the operations of the Corporation of St. George's. And I apologise if I am being selfish, Mr. Speaker, but I am going to talk about St. George's.

Mr. Speaker, my mother worked for the Corporation for 41 years, and her employment ceased in 2015. I have had the opportunity to converse with mayors, councillors, aldermen and corporation workers over the years. Mr. Speaker, I am reminded on a regular basis that, *I watched you grow up*, because from the tender age of five I used to walk to my mom's job every day from school. And if I was not in the office, I could usually be found sitting in the seat of the common councillor or the alderman or the mayor. So, I think that some time many years ago I envisioned that I would become part of that process.

I had the opportunity to mingle with lots of the former secretaries of the Corporation. One, in particular, was a gentleman by the name of Mr. Robinson, who, for whatever reason, always gave me 25 cents to get candy from Mayor Roberts' candy store. So interacting with the secretary at the time and then also interacting with the mayor.

So, the Roberts family is well known to me, the Robinson family is well known to me. There were so many Corporation workers that I have seen and conversed and lived with at this time, and just to name a few, Mr. Robinson, Ms. Oatley who worked for the Corporation for many years; Ms. Hooper, who left the Corporation at 19 years and then came back and did another 19 years; Mr. Gilbert Smith, [a] long-time employee of the Corporation of St. George's; Mr. Harold Booth, [a] long-time employee of the Corporation of St. George's; Mr. Eugene Paynter, [a] long-time employee of the Corporation of St. George's; Mr. Ricky Greenwood, who just passed last year. I know Mr. Greenwood because he, too, was a long-time employee of the Corporation of St. George's. Alan Douglas, who currently works for Government, worked for the Corporation of St. George's as well. So, Mr. Speaker, and listening audience, my understanding of how the Corporation runs and operates goes way back.

An Hon. Member: Yes.

Mrs. Renee Ming: So, if you grow up around the Corporation, Mr. Speaker, you have some deep roots invested in the Corporation. And I am going to educate my Members that . . . and I said I would say this. I wanted to make sure that I said it at the right time. All blood is blue. And that is actually a fact. Okay?

[Inaudible interjections]

Mrs. Renee Ming: Until it is oxygenated, all blood is blue—

The Speaker: What is important is the colour that comes out.

[Laughter]

The Speaker: I will not mention what that colour is.

Mrs. Renee Ming: From my mom, who was employed by the Corporation, to my great-grandmother who is 101 years old, I will tell you—103 years old, she continues to advocate for St. George's—to my Uncle Phoopa, who died as a common councillor, who tried for years, wanted to be on the Corporation of St. George's, but because he did not own any land he was only able to see that come to life in 2012 when the law was passed that said that you did not have to own land to sit on the Corporation, or within the municipality. And if you know anything about my Uncle Phoopa, you know that his heart and soul was St. George's. So, it was unfortunate that for most of his life he was unable to really represent and participate in the process of improving St. George's.

My Uncle Phoopa had a dream. And his dream was to see a vibrant town that would embrace its history and anyone that came through it. And if you ever had a chance to speak with him, you would definitely have heard or learned about the UNESCO World Heritage town of St. George.

St. George's has always been a worthy topic, and sometimes something to argue about at family functions.

Mr. Speaker, we are a large family. I think I am the oldest of my great-grandmother's greats, and there are 48 that come behind me. My grandmother had 12 children—there are 43 grandchildren, 48 great-grands and 26 great-greats.

An Hon. Member: Have mercy!

Mrs. Renee Ming: So, you could imagine that we had some hearty discussions, and sometimes arguments. But there is hardly any time we have a family function or event that something about St. George's does not come up.

So, Mr. Speaker, I do not think that my family finds it too surprising that in 2009 I decided to run myself for the Corporation of St. George's. I was a homeowner at that time, so I was able to put my name forward for that. Part of the reason that I made the decision to run was because I lived in a town where we had a municipality that had mostly business owners representing it. I, being a resident, was constantly governed by the rules made by the business owners. So, I think somewhere around about 2007 or 2008, I decided, *Enough! Put your money where your mouth is* (because at that said time I was already active in my community), and I decided to run. So I ran in 2009 for a common councillor, and I ran in 2012 as an alderman. And I was successful both times.

Being involved in the municipality, though, one thing I can say, Mr. Speaker, it definitely leads to a greater understanding of the challenges that a municipality faces daily. In the Municipalities debate in 2017, I spoke—and I continue to speak on this—on the unique differences between the Corporation of Hamilton and the Corporation of St. George's.

Mr. Speaker, the Corporation of Hamilton has approximately 1,600 business voters and approximately 550 residential voters, while St. George's is polar opposite. We have approximately 1,336 residential voters and we have 50 business voters. So, when you listen to it like that, you see that we have two municipalities that are completely different.

And when I spoke to this before . . . and my overarching thought on it is that St. George's and Hamilton are almost like a square fitting into a circle, because we are making them be governed by the exact same Municipalities Act. And it actually behoves me that up until this point that even this never changed, because the Municipalities Act is [from] 1923. We are now in 2019 and this is an Act that was put in place almost 100 years ago.

[Inaudible interjections]

Mrs. Renee Ming: So, as a proud St. Georgian who wants just the best for St. George, I want to see a town that is thriving and that capitalises on its greatest strength—its history. And to know St. George's is to understand the history.

Mr. Speaker, specifically for you, like it or not, St. George's is where it all started.

An Hon. Member: Let's not go too far.

[Inaudible interjections]

Mrs. Renee Ming: Well, we can say what we like, but I do not think that Sir George Somers and Mr. Gates landed in Somerset.

[Inaudible interjections]

Mrs. Renee Ming: They actually came off on Gates Bay, or so commonly called Fort St. Catherine beach. So, think about it. We heard a lot about 21 and 22 square miles. Well, in 22 square miles they chose St. George's. So, like it or not, that is where it started.

[Crosstalk and laughter]

Mrs. Renee Ming: And this is where our history starts.

So, I have been using the phrase of *this is where it started* for quite some time. Even on social media I always say that, because I am reminded of the rich history that St. George's has and continues to have.

Mr. Speaker, the Town of St. George's and her related fortifications . . . and when you start saying it like that, the historic Town of St. George's and her related fortifications you know where you are going with that if you know anything about UNESCO, because that is what St. George has. They are currently designated a UNESCO World Heritage Site, something that was bestowed on us in the year . . . I want to say in 2000.

The evidence of our history (and you can google if you do not know what UNESCO World Heritage Site is) and the significance of our history is why we were honoured and privileged to get that title and to enjoy that status. Actually, Mr. Speaker, I am just going to read for you what it says. And this can be found on the UNESCO World Heritage Site, the evidence of our history [as an] early English urban settlement is the reason why St. George's received UNESCO status. And according to the UNESCO website, "The historic town of St. George, with its related fortifications is an outstanding example of a continuously occupied, fortified, colonial town dating from the early 17th century, and the oldest English town in the New World." St. George's has relished its UNESCO status since 2000.

Mr. Speaker, the flip side of enjoying a UNESCO status is maintaining that status. And according to UNESCO criteria you would have to understand that there are certain rules, regulations around UNESCO World Heritage Sites . . . that there should be a management committee in place to deal with UNESCO, and then you also need to submit a management report to UNESCO every five years. And if you go and you have a look on the UNESCO website, you will see that it speaks to . . . and especially for Bermuda, all of the legislation that was put around having a UNESCO World Heritage Site, from historical buildings and lands. We have a preservation authority. There is a planning side of it for the historical side of it. So, there is a lot that goes into maintaining a UNESCO World Heritage Site.

The management plan is supposed to set out division in management and the guidelines, and the priorities for the restoration. The management plan actually should have two parts and the second part is to set out the guidelines for the treatment and maintenance of procedures for Heritage sites.

Mr. Speaker, we have some work to do here. The World Heritage Site management committee meets, I think, once a month, and they are trained the best to ensure that St. George's keeps its UNESCO status. The Minister is correct in that the management committee . . . we are challenged right now, and are fighting to keep that status. As a proud St. Georgian, I can tell you that my constituents, my residents, my friends, because some of them—and my family—may not live within the municipal boundaries, but they are still proud St. Georgians who loves the idea that we

are a UNESCO World Heritage Site. So, fighting now to keep that status is of the utmost importance.

Mr. Speaker, maintaining this status is expensive. It can be expensive because it speaks to infrastructure. It speaks to vision. It speaks to management, and it speaks to things that are ongoing that we must do to maintain that status. This is where the challenge comes in because the Corporation of St. George's has struggled financially for some time. And I do not think that this is a secret. I think that both Governments have seen plans from the Corporation over the years and have provided some level of funding and, you know, note that we have challenges.

It is funny, because my mom's role was actually the bookkeeper. And, so, in looking and going down this path, I have tried my best to speak to as many St. Georgians as I can. And one of the things that she always said, she said to me, she said, *Well, we never had any money*. So, St. George's has been challenged for some time, because I tell you she worked for the Corporation for 41 years.

As a common councillor, I recall the Corporation anxiously waiting every quarter for the grant to come from the government. And at that time, and because, you know, I love numbers, we used to receive 287500 in funds every quarter—which actually equates to \$1,000,100 a year. And we were doing our best at that time to stretch those funds and make it work.

I know that my colleague mentioned about the heritage tax. And I have done some research on that. And the heritage tax at this time currently yields itself \$300,000 a year. And that, in the grand scheme of things, is not a lot of money. There is not much you can do running a town with \$300,000. Although, I am not unappreciative of it, I am just letting you know that we went—we actually went from the government grant of \$1,100,000 down to the heritage thing which is \$300,000. And both, even if they were combined, still do not assist with the operating budget of \$2.75 million. So, financially we have some challenges.

Mr. Speaker, I do want to take my hat off to the Mayor of St. George's because since being the area representative we have had regular meetings and we have brainstormed. We have even tried to concoct ways that we could make money, because if it was one thing we always said it was independence comes when we have our own revenue stream. And so, she has, you know, tried her best to think of ways that we could make money and to create a greater revenue stream for the town.

And it has been extremely difficult, Mr. Speaker. You know, the funds that we need are well into the millions to maintain the town because even with an operating budget of \$2.75 million, that does not allow for any capital improvements. And so, there are things within the town that we need to do, would like to do. I mean, we have Somers Gardens. We are so proud of it, yes. But if you are a disabled person in

a wheelchair you cannot even get around there. It does not even have an access for that. And then you have bathrooms in Somers Gardens that are definitely in need of upgrading. I do not know if anybody has ever been in them, but they are so tiny, I guess they were for the old age person, but the modern people . . . it really does not work. And these are like projects that the Corporation has been trying to do for years.

We were able in 2013 or 2014 to modernise the bathrooms off the square. And that was a project that was started when I was on the Corporation. So, you have some projects that are going over into . . . they were actually from one administration to another for the upgrading of bathrooms. Unbelievable. Like, I feel like we should have been able to do that without having to beg and borrow money from the Government. But that just speaks to the situation in terms of finances when you think about the Corporation of St. George's.

The staff at the Corporation of St. George's are phenomenal. And I am talking about the staff that work in the office and the staff that work outside because even with the limited resources financially, they are making it work. Would I like to see them to be able to do more? Yes. I live within the municipality and I do not enjoy any benefits of the municipality because they do not have the resources to actually come further to where I live.

In St. George's there is trash pickup every day if you live downtown, and for the businesses—every day—while the rest of us have had to change to one day, but we do live within the municipality. Since being the area MP, there are many things on my list in terms of infrastructure, and my colleague over there, he has been a good sport and gets a lot of my things done with my pressing him, my poking. But there is still so much more to be done.

[Inaudible interjection]

Mrs. Renee Ming: I did not say any names.

I do recall a time, though, when I first purchased my home (and as I said to you, I have always lived in the town) when I had to pay two taxes. Now, that blew me away. It is funny because you buy a house and you may not even think about that but I was purchasing a house at the age of 24 and 25. I think we were so excited to purchase, we may not have looked at the—

[Inaudible interjection]

Mrs. Renee Ming: Yes.

So, here I was paying land tax and I was paying Corporation tax.

[Inaudible interjections]

Mrs. Renee Ming: So, I think that this was something that quickly . . . well, actually, I would not say quickly, but it was stopped in 2003. And so, St. George's people began to enjoy just one tax.

So, Mr. Speaker, you can see that St. George's has been challenged for some time in terms of finances. I remember, like I said, always having the conversations when I sat on the Corporation on St. George's with regard to the finance. There have been many times we have looked at [Bermuda's] Dockyard and wondered, *Why isn't St. George's flourishing like that?* There are many stories behind it.

It was in 2003 and 2004, before my time, but I believe that St. George's is worthy of even more than that. And I know that the people, my colleagues who sit around here (and that is on both sides), you have constantly heard me toot this horn for St. George's. I, too, attended all the town hall meetings related to the changes to Municipalities. And part of being there is listening, because what you are hoping for as the area MP is that if there was anything that you could take from it, you are going to take it and run like a dog with a bone and bring that back. The unfortunate thing, though, and I know that my colleague, he spoke about the town hall meetings, is that sometimes we get so full of ourselves that we cannot even get out of our own way and so we take opportunities where we really, I feel, could have expressed some solutions but instead we have let our biases take over.

We should have worked together to look for solutions. And I know that even in an interview with the Mayor yesterday, she said that as well, and I thought that was interesting because she thought the same thing and that, you know, she was saying she wishes that we could have worked closer as a town. So, not only do we have challenges financially, sometimes we have challenges with us even just getting along with each other for the better good.

Mr. Speaker, with the endless amount of character and depth of the historic importance of St. George's, St. George's should be setting the bar, to me, for every other parish. And I know everybody else thinks that their constituency is, you know, great and wonderful. But St. George's is where it all started, and so no matter what you think, that is the reality of it and it deserves to find itself in a better space.

Mr. Speaker, you cannot continue to do the same thing over and over and over and expect a different result. That is the definition of insanity. So, as we go down this road, yes I have met some people in my constituency here who said I think we should just leave it how it is, and one of the questions that was asked of somebody was, *If on April the 1st, we left it like it is and the Government says that is it; you are on your own now.* This is what we wanted. *What would we actually do?* And the reality is it is a very stark and black and hopeless reality for us.

Mr. Speaker, I have spoken to so many of my constituents. And there are some who are just saying,

We need some change. We need to do things differently. I see a couple of my constituents sitting in the Chamber. And some of them were hopeful of some change as well. Our passion and our love for St. George's shows that we would like to see something different. We would like to see St. George's shine.

But, Mr. Speaker, I would be remiss if I did not say this here. I believe that St. George's people represent St. George's best. I have said that all the time . . . I have forever said that, and I will continue to say that, because the times when I have seen other people who come in who do not understand St. George's, who do not understand the culture, who, you know, think that they know what is going on . . . that has not bode well for the town and the municipality on a whole.

I have listened to my constituents. And if there is one thing that resonates with me it is the need for St. George's to have its own Act. I do not think that anybody in here can . . . if you had been to the meetings you would have heard it. And I implore the Minister . . . and I would actually ask that he give an undertaking in this House tonight to go and look at that and make that happen for St. George's.

St. George's people have waited. Our parish has waited. And I think we are at the point where we just deserve to have our own Act, be governed by our Act, with St. George's people at the helm.

[Inaudible interjections]

Mrs. Renee Ming: The Minister . . . I know he hears me, and that is why I said an undertaking here tonight, because I want Bermuda to hear me that we will look to give St. George's its own Act. We have been under a Municipality Act for almost 100 years. We now have a Reform Act in front of us. But St. George's needs its own Act and it needs the considerations that are worthy and due of St. George's.

Mr. Speaker, I have my role. When you sit as the area representative you take on a lot, and in a situation like this where it is something that we have done for so long. I have had several conversations with the Minister with responsibility for Municipalities, and I can tell you that he has listened, and I have seen some of these changes just through the legislation that we have before us.

So, I am hopeful that he is listening now and that he hears me loud and clear that St. George's needs its own Act.

I understand that we are on a journey of modernisation. I understand that we are looking to remove the infrastructure from the Corporation as it is, but we need our own Act. I have had conversations with some of the councillors and, believe it or not, they were actually very supportive of the Reform Act. I think there was one councillor in particular that made a notion to say that the infrastructure stuff is just so much that they do not really get into a space of being

able to manage the town. And they, too, were supportive of St. George's having its own Act. So, an Act that is independent, an Act that gives its levels of democracy.

Mr. Speaker, I am not going to stand here long. I think you have—

The Speaker: You have one minute left.

Mrs. Renee Ming: Oh, okay. I guess I definitely will not be standing too much longer.

[Laughter]

Mrs. Renee Ming: But, there are some areas of the Corporation, and I think I spoke to this before, that one seems that we need a lot of . . . we are asking for money. But one of the specialities that the Corporation does not have on staff or in its actual councillor thing is an accountant. And so, when you look at things like reform, it gives you an opportunity to make those kinds of things straight because as we move forward in this world where you have industry standards, best practices . . . it is public funds and public money. There is an accountability that must be there.

So, Mr. Speaker, I will close on those comments. I have thrown the gauntlet and let us see where we go from here.

Thank you, Mr. Speaker, and listening audience.

The Speaker: Thank you, Honourable Member.

Does any other Member wish to speak? I recognise the Honourable Member from constituency 8.

Honourable Member Simons, you have the floor.

Mr. N. H. Cole Simons: Thank you very much, Mr. Speaker.

First of all, I would like to commend the former spokesman for St. George's, Mrs. Renee Ming, for her passion for St. George's, for her commitment to her constituents. And I have to say, I mean, she and the Honourable Member Kim Swan, are in love with their constituency, and they have a strong commitment to their constituency. And no one can deny it. And for her to come here to insist that the Government put together an Act for the Town of St. George's takes fortitude in that she is speaking out on behalf of her constituency and, to a degree, against what the Government is trying to do. So, I would like to recognise her fortitude in that space.

Mr. Speaker, this issue—

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

The Speaker: We will take a point of order.

POINT OF ORDER*[Misleading]*

Hon. Zane J. S. De Silva: Your Honourable Member is certainly misleading the House. The Honourable Member Mrs. Renee Ming just gave a very eloquent, specific speech that she supports what we are doing. What she did suggest is something that we should do in the future, which I am sure—

The Speaker: Thank you.

Hon. Zane J. S. De Silva: —that everybody in this House—

The Speaker: Thank you, Member.

Hon. Zane J. S. De Silva: —will support in due course.

The Speaker: Thank you.

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

The Speaker: Thank you, Member.
Honourable Member from constituency 8, continue.

Mr. N. H. Cole Simons: Thank you, Mr. Speaker.
Mr. Speaker, I listened intently to the Minister's presentation, and he indicated that this is the first step of a very long journey.

Mr. Speaker, let me make this clear. This is not the first step.

Hon. Zane J. S. De Silva: It is not?

Mr. N. H. Cole Simons: The PLP started . . . if you read history, if you have been around here as long as I have, this issue has come up before.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, as the former [spokesman] Renee Ming said, in 2003, the PLP Government got rid of the St. George's municipal tax. That was part of their plan to take more control of the Corporation of St. George's.

Mr. Speaker, if I remember correctly, in 2010 the then Premier Dr. Ewart Brown, he was—

Hon. Walter H. Roban: Point of order, Mr. Speaker.

The Speaker: Just a minute—

Mr. N. H. Cole Simons: I have not said anything yet.

The Speaker: Let us hear your point of order.

[Laughter]

The Speaker: Let us hear the point of order.

[Laughter]

POINT OF ORDER*[Misleading]*

Hon. Walter H. Roban: Perhaps the challenge for the Honourable Member is that he has been here a little too long, Mr. Speaker. But, my point of order is that he is misleading the House.

An Hon. Member: Just by being here.

[Laughter]

Hon. Walter H. Roban: The changes in 2003 had to do with the issue of removing double taxation.

Hon. Zane J. S. De Silva: That is right.

Hon. Walter H. Roban: That was overly burdensome to the people of St. George's. Even the Honourable Member who speaks for constituency 1 articulated that as a first-hand beneficiary of that change. So, the Honourable Member is misleading the House and should—

The Speaker: Thank you.

Hon. Walter H. Roban: —be more responsible in his comments.

The Speaker: Thank you, Minister.

Mr. N. H. Cole Simons: Mr. Speaker, Mr. Speaker—

The Speaker: Thank you.

Mr. N. H. Cole Simons: I hear the gentleman's—

The Speaker: Honourable Member, continue.

Mr. N. H. Cole Simons: —comment, but that was all part of an overall plan by the PLP Government at that time to make changes to municipalities.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, we did. Yes, we did.

Mr. N. H. Cole Simons: He goes forward. In 2010, the PLP Government then went and had Premier Brown have discussions with his caucus about more aggressive Bills—

An Hon. Member: Were you there?

Mr. N. H. Cole Simons: —and what he did was, he came out with a compromise Bill in 2010 which was passed to provide equal voting rights to the residents of Hamilton. Again, Mr. Speaker, these are not the beginnings of first steps. This has been a plan for the PLP for years—almost since its inception.

Hon. Zane J. S. De Silva: Since 1923, to be exact.

Mr. N. H. Cole Simons: And for them to think that this is just beginning is misleading the people of this country, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, I would like to continue.

I have listened intently, again with the Minister saying what he could do, and I would like to repeat what he said. He said, you know, we want to build a mega yacht port, and we want a sustainable management plan for the World Heritage Site. We want to update the amenities. We want to update the infrastructure. We want to have in Hamilton a smart city, we want city living, we want tourism. We want a multi-faceted waterfront—

An Hon. Member: Horse stables.

[Laughter]

The Speaker: Members, Members!

Mr. N. H. Cole Simons: We want more waterfront.

[Laughter]

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: Just speak to the Chair, just speak to me.

Mr. N. H. Cole Simons: —with the mandate and the powers already in place by the existing Minister, it can be done, Mr. Speaker. It can be done.

Mr. Speaker, in 2010 . . . sorry, 2015, we had the [Municipalities Amendment \(No. 2\) Act](#) and that Act amended the [Municipalities Act 1923](#). That Act, Mr. Speaker, gave the Minister the ability to issue binding instructions to the Corporation. That amendment also gave to the Minister ability to authorise the appointment of ex officio representatives to sit on each Corporation's council.

Mr. Speaker, that amendment also required the Minister to signify his support for any resolution or ordinance. Mr. Speaker, that amendment also gave the Minister the ability to generally improve upon the current provisions relating to temporary stewardship, Mr. Speaker.

The Speaker: Yes.

Mr. N. H. Cole Simons: So, whatever the Minister is trying to do now, he already has that ability with the existing legislation, Mr. Speaker.

An Hon. Member: That is right.

Mr. N. H. Cole Simons: So, what is the problem, Mr. Speaker?

An Hon. Member: What is the problem?

Mr. N. H. Cole Simons: Mr. Speaker, that 2015 amendment provides the Minister with robust powers of oversight in respect of the municipalities, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: Members.

Mr. N. H. Cole Simons: —you know, I do not deny that the Corporations have had their problems. But I do not see how and why these amendments that we are going to put in place now are going to improve the problems that we have because, quite frankly, if we were committed to addressing those problems, they would have been addressed, Mr. Speaker.

And there is no reason why the Minister could not use the tools that are available currently in his toolbox to do what he has to do. But as it was said, this is part of the big plan for the PLP. They have always wanted the waterfront.

An Hon. Member: Oh!

Hon. Zane J. S. De Silva: Oh!

[Inaudible interjections]

Mr. N. H. Cole Simons: They have always wanted the waterfront—

POINT OF ORDER

[Imputing improper motives]

Hon. Walter H. Roban: Point of order, Mr. Speaker. The Honourable Member is imputing improper motives.

An Hon. Member: Yes.

Hon. Walter H. Roban: It is very clear what this Bill has to do; it has nothing about taking any waterfront.

[Inaudible interjections]

Hon. Walter H. Roban: He is imputing improper motives.

The Speaker: I heard your point of order. Member, just be guided.

Mr. N. H. Cole Simons: Mr. Speaker, I shall continue.
Mr. Speaker, we have the West End Development Corporation and the Bermuda Land Development Corporation.

Hon. Zane J. S. De Silva: How is that working out?

Mr. N. H. Cole Simons: Mr. Speaker, and the legislation that we have in place basically is similar to those and the functioning and governance of those entities. So, again, Mr. Speaker, we need to be cognisant of what the real motivation is, Mr. Speaker.

There has been talk about land grabs and more control but, Mr. Speaker, I think one of the more telling issues that disturbs me most was when I read this here, and I am referring to the opening remarks in the legislation.

“WHEREAS it is expedient to abolish municipal elections, to provide for the appointment of Members of the Corporation.”

Mr. Speaker, this to me is an erosion of democracy in this country, Mr. Speaker—

An Hon. Member: An erosion?

Mr. N. H. Cole Simons: —and a complete erosion of democracy.

Hon. Zane J. S. De Silva: Let us talk about democracy.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker—

An Hon. Member: You are digging deep.

Mr. N. H. Cole Simons: I am just looking for my other note that I had here—

[Inaudible interjections]

The Speaker: Take your time.

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: Take your time. Go ahead.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, in 2015, when we did the amendments to the Municipalities Act, and those five issues that I just espoused, I cannot believe

that at that time one of the Minister’s said, and I quote, “¹This action spits in the face of democracy.” And this is a current cabinet Minister. They are doing what they said spits in the face of democracy. This is what they said in 2015, and in 2019 they are doing the very thing that they spoke up against.

Mr. Speaker, the then Shadow Minister of Municipalities states, and I quote, Mr. Speaker—

An Hon. Member: Quote from where?

Mr. N. H. Cole Simons: “²I see this as legislation that hampers and makes the Corporations powerless. I am talking about both the Corporation of Hamilton and the Corporation of St. George’s.” This was a direct quote from the then Shadow Minister of Municipalities in 2015.

Hon. Zane J. S. De Silva: Point of order, Mr. Speaker.

Mr. N. H. Cole Simons: Mr. Speaker—

The Speaker: I’ll hear your point of order.

POINT OF ORDER

Hon. Zane J. S. De Silva: I think if the Honourable Member is going to quote, I think he should at least—as we normally do in this House—supply the source. Let us table some information. Let us table it.

[Crosstalk]

The Speaker: Well, he asked permission to read and I allowed him to read. Continue on.

Mr. N. H. Cole Simons: But the source is from the Hansard, Mr. Speaker.

[Inaudible interjections]

The Speaker: Continue on. Continue on, Member.

Mr. N. H. Cole Simons: Thank you, Mr. Speaker. So, it is amazing how we go full circle in this place—

[Inaudible interjections]

Mr. N. H. Cole Simons: —and that is why it is important that when you bring legislation to the House, when you prepare for the legislation, look into history because guess what—these issues come around and around and around and again.

Under the PLP, the OBA, and now the PLP. And so, again, the PLP at this point is progressing its

¹ [Royal Gazette](#), 13 May 2015

² *Ibid.*

agenda. And don't let anybody fool you. This is nothing new. This has always been their great plan to take control of the Corporation of Hamilton and its assets, and the Corporation of St. George's is just a casualty, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, I would like to continue on.

The Speaker: Please do.

Mr. N. H. Cole Simons: The other issue that I found most interesting was the issue of these public meetings. Mr. Speaker, if this Government was really, really concerned about Government input, Government collaboration—

An Hon. Member: Did you attend?

Mr. N. H. Cole Simons: I certainly did attend, if you must ask.

[Inaudible interjections]

Mr. N. H. Cole Simons: Yes, I did attend!

The Speaker: Ah, I'm guiding this way. That's all right. That's all right. That's all right, Members.

Mr. N. H. Cole Simons: So, he gave me the opportunity to say that I attended another of the public meetings, Mr. Speaker.

The Speaker: Go right ahead. Continue.

Mr. N. H. Cole Simons: And quite frankly, Mr. Speaker, I found it very interesting—

An Hon. Member: Oh, so you learned something.

[Laughter]

Mr. N. H. Cole Simons: —that within a week of the two meetings that I attended, the legislation was tabled. So, what is the point, Mr. Speaker, of having a public meeting when the legislation is already drafted, approved by Cabinet—

[Inaudible interjections]

Mr. N. H. Cole Simons: —and already tabled!

[Inaudible interjections]

Mr. N. H. Cole Simons: That is not dialogue, Mr. Speaker. That is taking Bermudians for fools!

[General uproar]

Mr. N. H. Cole Simons: They have no respect for the people of this country, Mr. Speaker, because if they did, Mr. Speaker, they would at least have given them the decency to address these—

[Inaudible interjections]

Mr. N. H. Cole Simons: —issues and taken—

The Speaker: Members!

Mr. N. H. Cole Simons: —sincerely—

The Speaker: Members!

Mr. N. H. Cole Simons: Taken sincerely their contributions. But knowing that their legislation was already crafted when they started to have a public meeting, is just totally, totally, unacceptable. And it flies in the face of proper governance and respect for our community, Mr. Speaker.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, as my colleague said it was a sham—

The Speaker: Continue talking to the Chair—

Mr. N. H. Cole Simons: And this is the type of Government—

The Speaker: Talk to the Chair, talk to the Chair.

Mr. N. H. Cole Simons: —that we have in this country, Mr. Speaker.

[Inaudible interjections]

The Speaker: Talk to the Chair.

Mr. N. H. Cole Simons: So, Mr. Speaker, I want the community to know that this here is part of a grand scheme, Mr. Speaker. And the communities of St. George's and Hamilton need not be fooled by the way that this agenda is being progressed. As I said, it started in 2003, continued under Dr. Ewart Brown in 2010, and the battle was picked up again and here we are.

[Inaudible interjections]

Mr. N. H. Cole Simons: Mr. Speaker, on those comments, I take my seat. Thank you.

[Inaudible interjections and desk thumping]

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other? Oh, Mr. Swan, I almost missed you down in the corner there.

Honourable Member Swan, you have the floor.

[Inaudible interjections]

An Hon. Member: Everybody buckle up.

Some Hon. Members: Buckle up!

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

Mr. Speaker, this is a subject which is near and dear to my heart.

[Crosstalk]

Mr. Hubert (Kim) E. Swan: And I will use up my time waiting until some Members . . . this is important. This is an important issue. Unlike my colleague from constituency 1, who spoke very, very well, I was not born and raised in St. George's.

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: But I know one thing. There are many of us who have made St. George's our home, and some of us love St. George's so much that we have taken on the blue and blue.

But, Mr. Speaker, I came to St. George's ironically to run a quango, prior to that, to serve an apprenticeship down in Tucker's Town. So, like my uncle before, I have worked my entire life up until more recent years in St. George's. And I ran a quango, so I have some experience running a quango.

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: And, Mr. Speaker, I just wanted to—

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: I just want to dispel—

The Speaker: Members.

Mr. Hubert (Kim) E. Swan: I just want to dispel a few things.

Mr. Speaker, the downturn for St. George's started in around 1992/93, because if anyone knows what took place in the 1992/93 time period [they] would have known that a recession came in this country. And it came around the time when the bases left Bermuda. Why would I know that? Because I ran one of the largest businesses in St. George's, if not the

largest, with a \$1.2 million income and expenditure budget, presiding over 80 acres and with assets more than \$20 million and reported budgets to this House annually and audited by the Auditor General.

But, Mr. Speaker, I want people to know that when those bases left, St. George's lost a major trading partner—major! If you would have known, when I came to St. George's, Mr. Speaker, my friend was Jimmy Williams, the late Jimmy Williams. My chairman of the quango was the late Terrence Brennan. I learnt a lot from those gentlemen. And I am appreciative of them, and I do not hesitate to tell people what great entrepreneurs they were. And indeed, Mr. Speaker, I also remember when I was starting my political career . . . well, I did not start it there, I was raced out of Somerset and came to St. George's by those Lister boys and my cousin, Mr. Roberts—

The Speaker: Well, we will not entertain that one to night.

[Laughter]

The Speaker: But it is true.

Mr. Hubert (Kim) E. Swan: But it is true.

[Laughter]

Mr. Hubert (Kim) E. Swan: You know, Mr. Speaker, you know we came in contact with persons like the late David White, editor of *The Royal Gazette*, who said to me, he said, *Kim, never forget. St. George's must become and remain a working town to survive.* And you would say, *Well, what would a recession in 1993 and the absence of a base do to St. George's?*

Well, anyone who owned a property in St. George's did not have to worry about where they were going to get their tenants from. It affected the Town of St. George's, St. David's, Hamilton parish. You went to base housing. If you had a problem with [a tenant in] base housing, you just needed to call them up. They would have a new tenant waiting for you, and the person who was acting up was going back.

We could learn a little bit from base housing, because they got it right. You extract that out of that economy, you have extracted a major impetus, and those persons on those bases, they used to eat and drink and they used to rent and live in the town. [The base removed] them out of there so the town had to be recalibrated in that fashion.

I have heard persons, the Honourable Member Mr. Richards, Sylvan Richards, you know, use, "land grab," and "licking our chops." I mean, it is easy to use those coded words to carve out disingenuous feelings and to get persons looking very negatively at the PLP. The one thing that I have learned, Mr. Speaker, in my 38 years of being in St. George's, is that everyone who has ever run for St. George's—be

it the general election, be it for the municipal election—whatever party they were, they cared about St. George's.

And I can look at the things that the previous OBA Government did in St. George's and, yes, it was their version of what was best for St. George's. I cannot help but [notice] the silence that persons had when people built right on—right on!—the beach. And people who would have objected vehemently to persons who wanted to do things with the cart or whatever were very vocal. And [now] they were very silent in that regard. I take note of that and I take note how persons looked very suspiciously at anything PLP.

An Hon. Member: Yes.

Mr. Hubert (Kim) E. Swan: Especially anything PLP that has business associated with it. And if that is the narrative that it is going to take to make someone get back into the political ball game, then Bermuda out there, buckle up. We are going to get plenty of it, and it is coming up often.

But let me say this. St. George's must do things differently. Listen, I remember as a budding politician back in 1998, I found an article. People are used to looking up articles, *Oh you said this, you said this*. You know something I used to say often? I used to talk about sewage because the sewage—

[Laughter]

Mr. Hubert (Kim) E. Swan: You are laughing. You are laughing. In Hamilton they pump raw sewage off of Great Bay every day! And that is not a laughing matter! It is affecting our ecosystem. It is affecting our beaches up and down this Island. Grease balls coming up—and they will spend millions of dollars . . . Hamilton will spend millions of dollars just to be able to pump it again out there.

And I do not mind using this man's name because it is in *The Royal Gazette* from 1998, Keith Claridge, when he worked . . . I think the Honourable Member, the Minister, might know this gentleman. Keith Claridge worked for a water engineer and he told me about sewage. The sewage line goes right down Bourne Drive and goes out to sea. Raw sewage going out to sea off of . . . and I had a budget then, and I was paying about \$150,000 annually for water to irrigate.

And he said, *Look, Kim. What you are spending to irrigate, capture that sewage that is coming up from the town. We can build a pumping station. We [can] build an effluent plant and the money—the Government money—that you are spending can cover the mortgage, it can cover the amortisation of that plant.* That [was] 1998! And we have . . . that is 21 years ago I was saying that. Okay?

Now, we are going to come here, and we are going to say, *Look; look at those guys*. But you know

what? Dr. Brown . . . I heard the Honourable Member mention Dr. Brown in 2010. But Dr. Brown came to us with fast ferries. I could go back and find all the articles that I may have contributed to telling him how I could take the money and put it into schools and all the like. I remember the Honourable Member Mr. Pettingill being with me down in the Senate and we used to, you know, tickle him up on that. But he was steadfast. And he brought those fast ferries to Bermuda. Now we are trying to find out how we can get more so we can have more people coming from Dockyard to St. George's.

An Hon. Member: Yes.

Another Hon. Member: Oh-oh.

Mr. Hubert (Kim) E. Swan: And, listen, the best way for failure in business is to be underfunded. And what the Minister . . . and, yes, my honourable colleague put forward some concerns. She is St. George's through and through and through, like me. And, yes, we are hoping for the Minister to come with a St. George's model because we are different from Hamilton. I do not want to be tied with [that] lot. Look, the Hamilton businesses, when I came to St. George's, used to have their satellite shops in St. George's. Where are they now? They are not there.

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: Well, you are going back, way back. I am going back to when I came to St. George's. But they are not there anymore. And what I am saying is this. Gosling's is not in St. George's anymore. They are not in St. George's anymore, and they were a major part of St. George's. Love it or like it, we have to do things differently. And, so, yes, I want the Minister to take in—

[Inaudible interjections]

Mr. Hubert (Kim) E. Swan: Yes, I want the Minister to take into consideration whether or not we can have a St. George's specific Act which allows us a little hybrid version rather than select, just drop the Acts. Some folks. But I take the point that we need specific expertise as well.

And in order for St. George's to become the working town that the late David White used to tell me about, it is going to take more than just a working plan that we have today. It is going to take a greater vision. It is going to take the economy as a scale of government to be able to do it, whatever Government is in town. That is what we tend to forget. Democracies are that if we do not do it right, we get replaced. I am prepared to hang my hat on that.

I have only run on a seat where I could only win or be removed. Some people do not have that

problem. Some people are guaranteed a seat forever, irrespective of what they do. They are locked in. But I am telling you this: I am prepared to hang my hat on the type of things that I had to do when I came to St. George's in 1985. My chairman, the first time Terry Brennan took me to St. George's, he said, *We are going down lunch time. You are going to meet my friend and you are going to meet somebody who cares about St. George's that understands business and you need to understand the relationship of the town and the business.* It is a balancing act! But the businesses are non-existent today to the degree that they were. And it is going to take a greater economy of scale in order to turn that tank around.

Listen, when you have the type of water treatment that I was talking about in 1998 coming to fruition, it is going to take . . . Bermuda is only 22 square miles. It is only a little fraction of what is, you know, a major city like New York, or whatever. It will not take long to run a pipeline from Hamilton to South Side, across to St. George's to be able to get what it needs for St. George's to start enjoying . . . and Bermuda, not only St. George's—the whole Island—able to enjoy the type of infrastructure that we so desperately need.

And let us look at the electoral roll of St. George's for a minute. The Honourable Member from constituency 1 touched on it briefly. When you look at the immediate township, that might be Old Maid's Lane and Printer's Alley and those streets, you have areas that might be Cut Road, might be Floral Lane, might be Wellington, might be Mullet Bay, Ferry Reach, and that are in St. George's not that far away, but not part of municipality. And even those who are in the municipality that do not get the same equal benefits as those who are immediately in the town.

The model is not current. And I want to dispel any myths that people would have that there has not been the type of consultation that they want to think.

Let me thank the Honourable Member Mr. Zane De Silva, Minister of Tourism. Let me thank the Honourable Member Colonel Burch, the Minister for Works and Engineering. Let me thank the Honourable Premier, the Honourable E. David Burt, and let me thank the Honourable Walter Roban for the many times they have come and spoken with us, with residents, and gone around and talked to people about what this Government intends to do for our town, and, by extension, make our town a leader in modernisation of infrastructure and also allow our town, as you hear the advocacy coming from myself and my colleague, to make this Act St. George's specific as we go forward—because it is important.

And I want to say, Mr. Speaker, that as we look at the economic model, whether it be getting the boutique cruise ships for St. George's, or even exploring the possibility of a finger pier off of the North Shore (as was mooted), it will take greater collectively of minds in order to achieve that. And whilst I appreci-

ate what the Minister has put forward in regard to being able to capture the expertise . . . I, like my colleague, also look forward, Mr. Speaker, to the opportunity of the Minister embracing some of the things that we have been advocating very vociferously for behind the scenes for our town, Mr. Speaker.

Mr. Speaker, I just want you to know that what is important for St. George's is this: We have seen Dockyard become an area, a must-go area, in Bermuda because of those cruise ships. But also because of the amenities that exist in that end of the Island. We in St. George's want the same. We in St. George's must become *Destination St. George's*. So, making sure that in this period that that St. George's centric board certainly reflects—quango reflects—the spirit of St. George's, let us not lose sight of what we have been told on the doorsteps as well going forward, Mr. Speaker.

Mr. Speaker, I also would like to tip my hat to Mayor Quinell Francis for the work that she has done. Like my colleague said, we meet often, we talk, we brainstorm. And, indeed, the hard-working staff at the Corporation of St. George's. I believe the Minister has given assurances, repeatedly, that not only is this not a land grab, as persons are touting out there, but there will be no job losses as the Government is going forward. And I want to assure persons that as their Member of Parliament, we will continue to advocate and fight hard on their behalf to ensure that what St. George's so desperately needs gets done now rather than later, Mr. Speaker.

It is imperative. And I look forward to working with the Ministers as we go forward to make this work for the town of St. George's. But the days . . . the days of pumping raw sewage out to sea must come to an end!

[Desk thumping]

An Hon. Member: Yes!

Mr. Hubert (Kim) E. Swan: The days where we can look at having an infrastructure that allows persons in Ferry Reach and Mullet Bay to have potable water, the opportunity to have a line where they can turn on a tap and turn it off, it must be.

I remember, Mr. Speaker, I remember vividly a lady who lives within the township, but is on Pain Lane East. She said to me, said, *Listen, I am pregnant. I need water! I need to have clean, potable water. I cannot depend on whether or not out there . . .* and it is an important—in a modern-day society!

We have got to look at the infrastructure! And if a Government can have a vision . . . and we cannot take the type of vision where a Government who believed in FinTech in 2014 had to wait five years until it is in Government for someone to execute it. This Government was given a mandate to do what it needs to do for this country. The Government has come to

this country with a plan as it relates to my constituency and I am standing with my party to be able to prosecute this particular initiative for the betterment of the town of St. George's, Mr. Speaker.

Notwithstanding what my colleague and I would like to see done as we go forward to make this more St. George's centric, it must be done because we cannot have St. George's at the bottom of the totem pole when it comes to economics, when it comes to tourism. And we must do it now.

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

I recognise the Honourable Member from constituency 23. Honourable Member Gordon-Pamplin, you have the floor.

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

Mr. Speaker, as we have heard the Minister give the intent of this legislation, I had to harken my mind back to 2017, towards the end of the year, in which a different Minister held some town hall meetings, one of which I attended at the Heritage Hall in Hamilton, on this very topic as to what next for the Corporations, the municipalities.

And it was very clear at the time from the residents and the interested business people who were there that they decided that, having listened to the Government's protestations about the necessity to reform the municipalities, they preferred that the status quo in terms of how the Corporation of Hamilton, in particular (and this was the Hamilton meeting) ought to continue. And they said *let us leave it as it is*.

We recall when the Government under a previous . . . under our administration, when there was legislation passed, which my honourable colleague referred to earlier about the Minister having the ability to move into the Corporation to give direction and to ensure that the Corporation acted appropriately, how is it that the Minister still has, based on the legislation. Because the one thing that Honourable Members have said is that notwithstanding a change of Government, legislation stands to transcend any changes that might happen within the governmental structure. So, the legislation exists that allows the Minister to give direction. So, to have this massive overhaul to the legislation, we proffer, is not necessary.

Mr. Speaker, let me tell you that I am from the city. I understand the sentiments of those people from St. George's, those Honourable Members from St. George's. And it is a place that I take great pride in. I run, as you might know—I will declare an interest in that—a vacation rental property. And every guest that comes to my property, I make it a point to take them

to St. George's. And, yes, I understand that it has become more and more of a ghost town of recent. And I lament the fact that it is not as vibrant a town as it once was. However, if the Government was particularly concerned about ensuring that St. George's had an opportunity to get back on its feet, it would not have denied St. George's the million dollars that they asked for since this Government took over again in 2017 so that they could help to bolster their financial coffers.

But, no, that was not to be because there was a bigger plan. The bigger plan being that if we cut you off and choke you to death, then we can do what it is that we want to do. That is what appears—

Hon. Walter H. Roban: Point of order, Mr. Speaker.

The Speaker: I will take your point of order.

POINT OF ORDER

[Imputing improper motives]

Hon. Walter H. Roban: The Honourable Member is clearly imputing improper motive. Using phrases like *choking you to death* . . . really, Mr. Speaker? That is really—

The Speaker: Thank you.

Hon. Walter H. Roban: —a little bit too far. Unparliamentary [language] and imputing improper motive on the part of this Government.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker—

The Speaker: Just be guided by your use of language.

Hon. Patricia J. Gordon-Pamplin: I am guided.

The Speaker: Thank you. Continue.

Hon. Patricia J. Gordon-Pamplin: I am guided.

But, Mr. Speaker, if you do not feed your child, your child starves to death. If you do not feed your family, your family cannot thrive and survive. And St. George's is a part of the Bermuda family.

So, if they are being starved of the funding that was necessary in order to assist them in managing their affairs, then it only appears to me . . . I may be totally wrong. There may not have been an ulterior motive. But it certainly seems like it is.

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It looks like a duck. It quacks like a duck. Then I believe it is a duck.

Now, Mr. Speaker, I also think that when I went to that town hall meeting and the decision came out as it did, that when people suggested let us have

the status quo, the Government wanted to make sure that they appeared to listen. So, what did they do? In my estimation, they banished that Minister to Siberia, put another one in his place and the new Minister was then able to pick up the mantle and proceed down the path that was the Government's intention. That is the way it appears. I stand to be corrected if I am wrong. Mr. Speaker, that is the perception.

Mr. Speaker, what it looks like is this, if I stop to think about it, Mr. Speaker. Way back in the 1920s, I would want to believe, Bermuda Properties was formed as a company and managed to control the properties at Castle Harbour, the Castle Harbour Hotel. And the Castle Harbour Hotel had primacy of place in terms of tourism development in Bermuda. And as a result of that, Mr. Speaker, that Corporation and the powers that be at the time looked at what they deemed to be an appropriate development of tourism, and they did what has been abhorred over time. And that was the Tucker's Town land grab.

Tucker's Town had valuable property and there was a land grab, Mr. Speaker, in the name of developing tourism. What we appear to have today is a change in the structure of the municipalities, but, ultimately, it will end up, because of the amount of ministerial direction that is permitted, in a situation that is not significantly different than what Tucker's Town found itself in at that point in time.

Now, Mr. Speaker, let me just say this: I am a city girl, born and bred. And I do not know that any Member in this Honourable House has had to live in a home in which the determination of the budgetary process in that home was to determine whether you had dinner or whether your mother paid the Corporation taxes. The Government of the day did not contribute a dime to the Corporation for the Corporation to acquire the assets that it now has. But it is ripe for picking that the Government can now have the opportunity to control the direction of the Corporation and even, at some point, subsume its assets into the balance sheet on a consolidated basis of the Government of Bermuda. We do not know whether that it is the ultimate intention. But it looks like it, Mr. Speaker. It looks like it.

Now, Mr. Speaker, we have heard that the Minister has looked at various other jurisdictions. And I do not know of the ones that he has mentioned, I have not done that level of research in terms of what has happened to our self and what other smaller jurisdictions have done. So I cannot speak from an educated position in terms of how they have operated in the past. But what I can say, Mr. Speaker, is that there are times when we ought not to be hastening our path to the lowest common denominator, because they do not do something there and they do not do this there and they do not do that there. Therefore, although we do it, we do not need to do it because they do not.

You know, Bermuda is unique. We have found ourselves there even as much as today having

to fight for our economic life, Mr. Speaker. Because of where we stand on the world stage and because of our excellence we are targeted. We are in the [centre] of those crosshairs, Mr. Speaker. We know that, because we are different, and we do things differently. So, let me take that intention that the Government has articulated based on this legislation and put it into the context of where I see it.

The Minister indicated that the Government has the wherewithal. The Government has the expertise and, therefore, they can have economies of scale. We heard about an Honourable Member who just took his seat who spoke to having run one of the largest quangos and managing the largest amount of property. What the Honourable Member did not say is that under a former administration they blew up the building, so he did not have a job. That is what the Honourable Member did not say.

But, yes, he did a great job in St. George's, Mr. Speaker, in running that quango until it no longer suited the purpose of the then administration.

So, now we have seen the struggle that occurred as to how the hotel that was promised on the hillside, down in that same neck of the woods, where the Honourable Member managed the quango, that the building was blown up, that he did not have a job. We saw how that happened, Mr. Speaker, and how that developed. And it took decades—

Mr. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

Hon. Patricia J. Gordon-Pamplin: —before something was able to—

The Speaker: Point of order.

Mr. Hubert (Kim) E. Swan: I think the Honourable Member is unintentionally misleading the House.

The Speaker: Yes, put your point of order.

POINT OF ORDER

[Misleading]

Mr. Hubert (Kim) E. Swan: The circumstances by which that hotel deal collapsed was associated with the recession. I think Mr. Bazarian, in all good conscience, was very much hoping that that hotel would have taken off—

The Speaker: Thank you.

Mr. Hubert (Kim) E. Swan: —and the implosion of the hotel was to make way for another hotel to be built—

The Speaker: Thank you.

Mr. Hubert (Kim) E. Swan: —in a similar area. So, I think, I think the—

The Speaker: Your point is taken. Thank you.

Mr. Hubert (Kim) E. Swan: —Honourable Member is unintentionally misleading the House.

Hon. Patricia J. Gordon-Pamplin: Thank you, Mr. Speaker, it is never my intention to mislead the House.

But, Mr. Speaker, let me just talk about the Government and its ability to do things and do things based on economies of scale and to do things better.

At the moment, in the Corporation of Hamilton, Mr. Speaker, they do three times a week garbage collection for the residential. They do twice a day garbage collection for businesses in the city. They are efficient with that aspect of it. And, no, maybe their priorities were not the Government's priorities. But neither is their property the Government's property. So, Mr. Speaker, when one decides that they are going to go and embrace and subsume somebody else's property and assets, think back to Tucker's Town. There is no difference in what ultimately will happen when we see how interesting the waterfront has become, as the Minister said.

The Minister said that the waterfront development in his conversation with the Mayor, that the Mayor indicated that the waterfront development is not a priority of the Corporation. It might not be. I do remember the situation, Mr. Speaker, in which the fire services . . . the Corporation were looking to the Government when I served as Minister responsible for that particular area. They were looking for the Government because there had been some promise prior to me under a previous administration that they would be paid for the value of the fire station, and they wanted to receive whatever money that they believed had ensured to their benefit. And I refused because I thought there are certain things that ought not be monetised. And one of those things was the provision of a fire service.

So, when the Honourable Member spoke to the fact that fire hydrants were not working in some instances in the city, and they needed to be able to enhance the infrastructure and invest the money, Mr. Speaker, I have to ask one question: Where is it coming from? Where is the money coming from?

This year, Mr. Speaker, we heard the Government boast that for the first time since 2003 there is a budgeted surplus of about \$8 million—\$7.5 million. Mr. Speaker, we have seen already during the processes that we have already undertaken during the course of this budget debate that this \$7-point-whatever-million is rather tenuous based on the fact that there were things that have occurred, as we have discussed it and uncovered it, that may stand to undermine the ultimate value of what that outcome

hopefully will be—because we want to see a surplus. But, there is no money.

The Government at the moment . . . we cannot even manage a once-a-week [trash] pickup. We started having twice a week trash pickup. We see rodents running up and down the countryside because the garbage . . . we cannot manage it, and we cannot manage that, Mr. Speaker. There is no money for that.

We see the buses that, even though there was money put in the capital development to acquire new buses, we have not been able to have a flow of buses that is appropriate. The Government has not shown that it has the ability for any economies of scale. It cannot manage the nucleus that it presently has. So, how then, does it take over the Corporation and manage the Government's assets, the Corporation's assets—

Hon. Walter H. Roban: Point of order, Mr. Speaker. I will get up and make this point every time.

The Speaker: Point of order.

POINT OF ORDER

[Misleading]

Hon. Walter H. Roban: There is no plan for a takeover. This is not a takeover. That is not the subject of this Bill. Members are misleading the House and the country by making accusations of takeover.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, we heard that the Government can utilise economies of scale. And I am speaking only to that issue in which economies of scale would suggest that the Government is able to take care of what it presently has and what it might acquire, because the Government will have the ability to decide who becomes the mayor, who becomes the councillors, who is on the committee to select the councillors, you know. And, you know, heaven help us, Mr. Speaker, that somebody just might happen to fall out of favour.

You know, there is a certain pride that I have experienced, not so much in Hamilton because I do not really follow the municipal elections in the city. But certainly, one reads on a daily basis whenever there is something going on in St. George's. And while I am not from St. George's, it is evidence of the pride that comes with Members running for office and knowing, as we do in this Honourable House, that we can present ourselves to our voting constituencies and we can find favour to the extent of being elected. That level of pride exists in the municipalities. And that will now be lost.

It will be a question that the Minister says, *Oh, you will be the mayor and you will be the four councillors and I dub you, with my sceptre, the mayor of Hamilton and I dub you the councillor, and you, and you, and you to be members of the committee that will*

choose the rest of the councillors for the Corporations, Mr. Speaker.

Mr. Speaker, that might work for others. I do not know. I do not know, Mr. Speaker.

But, to me, being a child of somebody who knows that when we had the last lot of changes, amendments, to the Municipalities Act, when we talked in terms of ensuring that the property owners' vote went out the window in favour of the residents' vote, when the residents were living in the properties of the property owner and sometimes the residents were not paying their rent because they were delinquent but they got the opportunity to vote and the person who struggled, sacrificed and paid for their house did not get a vote, that is something that obviously needs addressing, Mr. Speaker. We do not want to see somebody . . . I mean, if you pay for something, you sacrifice, you have to starve your family because you do not have the opportunity to pay Corporation tax and buy groceries. That is a very real scenario, Mr. Speaker. I have lived it, Mr. Speaker.

You know, I praise my mother every day, rest her soul, because she literally was able to make a dollar out of fifty cents. She squeezed and rubbed the heads of that coin to be able to find the money to be able to feed her family in very straightened circumstances while still meeting her financial obligations.

So, the Corporation has been able to operate in the manner in which it does, and the Government has, for all intents and purposes, been hands off. So, now that the Corporation's priorities are not the Government's priorities, what other instruction or direction is the Minister going to give once all of this power enures to the Government, and the Minister, whomever you might be, decides who should or should not sit on the Corporation. Mr. Speaker, the concept and the thought is very, very scary, Mr. Speaker. Very scary.

Mr. Speaker, the Honourable Member spoke of the sewage line. And I will give credit to the previous PLP administration that notwithstanding how we believed that the hospital that was built on Point Finger Road, was not a good use of space in terms of what we got for the money that was spent. The one thing that was appended to it was an effective, effluent system in which the sewage lines coming through the city were able to route up through to Point Finger, be processed in the effluent plant before being pumped out to sea.

Lt. Col. Hon. David A. Burch: Point of order, Mr. Speaker.

The Speaker: Point of order, Minister.

POINT OF ORDER

Lt. Col. Hon. David A. Burch: Point of order. That Member does not know what she is talking about.

An Hon. Member: No, she does not.

Lt. Col. Hon. David A. Burch: She does not have a clue. The effluent from the city of Hamilton does join with the effluent from the hospital that is properly treated. But it is not treated until it contaminates the effluent from the hospital and all of that sh— is pumped into South Shore untreated.

An Hon. Member: Crap into the ocean, straight from the city.

The Speaker: Continue on, and take in mind what you speak, what the Minister said.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, Mr. Speaker, I stand corrected. I am quite happy . . . because the one thing is I never intend to mislead this House.

The Speaker: Mm-hmm.

Hon. Patricia J. Gordon-Pamplin: I stand corrected because it was my understanding that—

Hon. Zane J. S. De Silva: Why don't you do some homework?

Hon. Patricia J. Gordon-Pamplin: —that that effluent plant . . . and remember I was the Minister responsible. So the information that came to us—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: That that effluent plant—

[Inaudible interjections]

The Speaker: Ah, ah, ah, ah—

Hon. Patricia J. Gordon-Pamplin: —mixed with and was treated by the hospital plant. The Minister is now saying that is not the way it happens. And if that is not the way it happens—

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: It cannot be . . . it cannot be very difficult to ensure that the treatment plant is effectively done. So, to say that the reason why the Government needs to give direction—

Lt. Col. Hon. David A. Burch: Mr. Speaker, point of order.

Hon. Patricia J. Gordon-Pamplin: —is to—

The Speaker: Point of order.

POINT OF ORDER

Lt. Col. Hon. David A. Burch: Maybe the Member should just leave this one alone, because she does not have a clue what she is talking about. The plant at King Edward VII Memorial Hospital is incapable of taking care of the effluent from the City of Hamilton. That is not what they purchased.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, what I said was it cannot be difficult to ensure that something is built. Since I got the order of things incorrect, I stand corrected. I do not have a problem. It cannot be too difficult to have something existing that is purchased, that is built, that is made, that enables an effective merger of what we have coming through the City of Hamilton and ultimately being treated so that we do not continue to have raw sewage being pumped out to sea. That was the point that I wanted to make. If I had the order wrong, I apologise, and I withdraw those statements.

But, Mr. Speaker, to make the determination that sewage and effluent is the focal point of what it is that we want to try and do in the first instance, certainly cannot be reason enough to upset the balance of how the Corporations have been able to run. The trustees of the Corporation have had a job and a responsibility, which I believe that they have taken very seriously.

There have been serious missteps, Mr. Speaker, as we know. We saw the Mexico Infrastructure debacle which nobody is proud of. We saw decisions that were made by members of the Corporation which nobody could be proud of. For the most part, I believe that the people who are responsible for those decisions, fortunately the court order was such that it did not end up costing the Corporation the money because it was determined that the contract with Mexico Infrastructure was *ultra vires* their ability to enter into and as a result, Mr. Speaker, there was not as bad a cost to the Corporation as otherwise might have been if that decision had been allowed to stand. So, it had been reversed.

And, Mr. Speaker, I am suggesting only that with this new structure of the Corporation that the Minister already has the ability to give direction to the Corporation in terms of how they operate. For him to then cherry-pick and decide who is capable of and who should or should not serve in the mayoral or councillor capacity I believe, Mr. Speaker, is a bridge too far. It is tantamount, in my humble submission, Mr. Speaker, to what happened with Bermuda Properties in Tucker's Town.

Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

We now recognise the Minister De Silva, it looks like you are on your feet so I am assuming you would like to add a few words.

Hon. Zane J. S. De Silva: Yes, thank you, Mr. Speaker, happy to have a few words, indeed.

The Speaker: Thank you.

Hon. Zane J. S. De Silva: Very interesting, Mr. Speaker. One good thing is that we have been afforded a bit of history lessons tonight from many sides of the floor.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And I would certainly like to make a few comments about history, too, Mr. Speaker.

And, Mr. Speaker, the Honourable Member Cole Simons had talked about (I think it was him), you know, in 2003 when we took away one of the taxes down at the Corporation, insinuating that we were starting to grab money, I guess. In actual fact what we did was we gave the residents of St. George's, who are most grateful, I am sure, even to today, that they stopped getting doubled taxed.

[Inaudible interjections]

Hon. Zane J. S. De Silva: But, when—that is right. And when . . . and the Honourable Members opposite seemed to say, *Well, that was the PLP's plan from jump.* Well, I tell you what, Mr. Speaker, I would venture to say that it was the PLP's forefathers who had a plan since 1923 when the Act was formed. If you want to really talk about history and talk about why the Corporations were formed. We have heard some talk about land grabbing tonight. Why were the Corporations formed in the first place?

An Hon. Member: I agree.

Hon. Zane J. S. De Silva: That is what I am trying to figure out. Why were they formed in the first place? Who benefitted from those incorporations? And who were disenfranchised—

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: —because of those same corporations. We seem to have forgotten, since we have so much history going on tonight, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, now, Mr. Speaker, in 2008, the Progressive Labour Party's Throne Speech talked about modernising the Corporations. In 2008. And in July 2010, the Municipalities Reform Act was tabled. And, Mr. Speaker, I issued a statement that day, because I was the Minister at the time, if you re-

member. And we can talk about some of that history, too.

The Speaker: Mm-hmm.

Hon. Zane J. S. De Silva: Car shaking, vile comments, threatening my wife and child at the time, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh, yes. We saw the banners “De Silva-Brown Takeover,” “Land Grab,” “Land Snatching.” All that stuff. Yes, I remember clearly, Mr. Speaker.

But, Mr. Speaker, I said then, if you go back and check my Ministerial Statement, that even though we will table, debate and pass that Act (and we did), I said in my speech that day that it did not go far enough. I wish we would have. I cannot say that it would have been all said and done [and] we would not be here tonight, because we know what the OBA did when they got in. They turned right around, and in 2013 they were ready to take the Corporations back, ready to turn everything that we had reversed, back.

And then who was it who stood up and said, on that side, Mr. Speaker, *We have no respect for the people of this country.* Somebody had said that the Minister, Mr. Roban, tabled this legislation and then had a few meetings and then said *you have no respect for the people of this country.*

Was it Cole Simons? Yes, yes—

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

Hon. Zane J. S. De Silva: I haven’t said nothing yet.

The Speaker: No—

POINT OF ORDER

[Misleading]

Hon. Patricia J. Gordon-Pamplin: No, the Honourable Member is misleading the House.

The Honourable colleague did not say that they tabled the Act and then had a few meetings. The Honourable Member said that he had a few meetings, and within very short order of those meetings, the Act was tabled, therefore the Act was all ready to go. That is what he said.

Hon. Zane J. S. De Silva: No, he did not, Mr. Speaker. In fact, that does not even make sense what she just said because that was his argument.

The Speaker: No, no—

Hon. Zane J. S. De Silva: And you will remember, Mr. Speaker, he said, *You tabled it? Then you had two meetings subsequent.*

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, he did!

The Speaker: No, he, he—

[Inaudible interjections]

Hon. Zane J. S. De Silva: I will tell you what—

The Speaker: He basically, he basically implied that the legislation—

Hon. Zane J. S. De Silva: Go ahead, Mr. Speaker.

The Speaker: —was drafted before the meetings. When the meetings were taking place, the legislation was already drafted.

[Inaudible interjections]

An Hon. Member: That is what he said.

The Speaker: He basically implied . . . I cannot remember the exact words, but he basically implied that.

Hon. Zane J. S. De Silva: Okay. Okay, Hansard . . . oh, here comes Cole now, he parked his horse. He is off his horse. He will clarify it for us. Go ahead, Cole.

Mr. N. H. Cole Simons: Mr. Speaker.

Hon. Zane J. S. De Silva: No, no, no. You got to say *point of order* first.

Mr. N. H. Cole Simons: Point of order.

The Speaker: We will take your point of order.

[Laughter]

POINT OF ORDER

Mr. N. H. Cole Simons: Your interpretation was absolutely correct, Mr. Speaker. What I said was when we were having the public meetings, the legislation was drafted and had been approved by Cabinet.

Hon. Zane J. S. De Silva: How do you know that?

Mr. N. H. Cole Simons: I said two weeks to three weeks later, it was tabled in this House. So, why would we debate and talk to the community and collaborate to get their input—

The Speaker: You made, you made your point now.

Mr. N. H. Cole Simons: —when the legislation—

The Speaker: You made your point.

Mr. N. H. Cole Simons: —was already approved by Cabinet?

The Speaker: You made, you made your point. You made your point.

Hon. Zane J. S. De Silva: Well, Mr. Speaker, I will tell you what. The Minister is right here.

An Hon. Member: Thank you.

The Speaker: Continue on.

Hon. Zane J. S. De Silva: Let the record speak for itself. We know when it was tabled, and we know when had the meetings. I tell you what, did we not have a meeting last week?

An Hon. Member: Two meetings.

Hon. Zane J. S. De Silva: If we had two meetings . . . it was on Tuesday and Thursday, I believe. I was there. So, if the Bill [was] not tabled until afterwards, we should not be debating today, Mr. Speaker. Am I correct?

An Hon. Member: Absolutely.

Hon. Zane J. S. De Silva: I think I am correct. I do not hear no point of orders now. So, Mr. Speaker, I stand by what I said.

So, even the Honourable Member who got off his horse and came in here and made that point of order was wrong.

The Speaker: You can continue on. Continue on.

Hon. Zane J. S. De Silva: Now, Mr. Speaker, let us . . . because the important thing out of that statement was when he said that we had no respect for the people of this country. That is what he said. He said that. I will tell you what.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: He said we had no respect for the people of the country. But then—

An Hon. Member: Corporations.

Hon. Zane J. S. De Silva: No. How about the airport? You talk about no respect for the people of the coun-

try, the OBA had a Throne Speech in November. Two weeks later, they announced an airport deal.

[Inaudible interjections]

Hon. Zane J. S. De Silva: If you talk about no respect for the people of the country, but of course . . . and of course, no respect for the people of the country. You remember, Mr. Speaker, they came to this House one morning, I think it was about 5:30 in the morning.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh, four o'clock?

[Inaudible interjections]

Hon. Zane J. S. De Silva: The darkness of night!

[Inaudible interjections]

Hon. Zane J. S. De Silva: You talk about, you talk about . . . and why did they sneak into the House? Why did they sneak in, Mr. Speaker? And they are making light of it.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Why did they sneak in? To come in and pass legislation that the people of this country did not want.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Did not want, Mr. Speaker! So, when you talk about, you know, no respect for the people of this country . . . you know the old saying? When you point a finger that way, three are pointing back. Okay, Mr. Speaker?

[Inaudible interjections and crosstalk]

Hon. Zane J. S. De Silva: Now, the Honourable Opposition Leader says the airport was consulted for a whole year. Sure it was . . . undercover. It sure was, undercover, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh, yes. It was undercover because we did not find out until two weeks after the Throne Speech.

[Inaudible interjections]

Hon. Zane J. S. De Silva: But, Mr. Speaker—

The Speaker: Just speak to the Chair. Just continue.

Hon. Zane J. S. De Silva: With your permission, Mr. Speaker—

The Speaker: Yes.

Hon. Zane J. S. De Silva: You can always tell when you are hitting a nerve.

[Inaudible interjections]

Hon. Zane J. S. De Silva: You can always tell when you hit the nerve, Mr. Speaker.

Now, Mr. Speaker, since we are on a little history, let us talk about a little history. In June 2010, the current mayor, and the mayor at the time, Mayor Gosling, made a presentation to Cabinet. And if I can quote, this is what he said . . . Oh, this is what he said the Corporation's aims are: 1) make voting easier and accessible to all Hamilton residents; 2) eliminate privilege and increase accountability in the Corporation; 3) modernise the Corporation's authority to reflect the realities of the modern era.

Now, is that not something?

An Hon. Member: Removing privilege.

Hon. Zane J. S. De Silva: Okay? Is that not something?

Hon. Patricia J. Gordon-Pamplin: And voting.

Hon. Zane J. S. De Silva: That, he said, was the goal of the Corporation in June in a Cabinet presentation 2010. It just so happens that [those are] the same words that Dr. the Honourable Ewart Brown used in the 2008 Throne Speech.

But when we come in and we want to turn the Corporations into a quango so that we can do exactly that, we have opposition. I will tell you what, things do change, Mr. Speaker. Because I remember—

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

The Speaker: We will take a point of order.

POINT OF ORDER

[Misleading]

Patricia J. Gordon-Pamplin: The Honourable Member is misleading the House, because what he said that they are trying to do . . . he specifically just said that the Mayor spoke to voting, and what he is now doing is saying that the positions in the Corporation of mayor, councillor, and the like, will be appointed.

Hon. Zane J. S. De Silva: Mr. Speaker, the Honourable Member must learn how to listen. Making voting easier for the people who live in the city. We ain't talk-

ing about, Mr. Speaker, the voting she is talking about, because we know what we have done. We changed it so that the people who live in the city get to vote. And vote they did, and change they did make. History will show that, Mr. Speaker.

Now, Mr. Speaker, I am going to give a little bit of history tonight, again. And if you do not mind, Mr. Speaker, I will quote, July 23, 2010, when we talked about the Reform Act and the changes we made, Mr. Speaker. And I talked about the history of the franchise in Bermuda is familiar to Honourable Members. Is it not? It includes such unenviable errors of slavery, age restrictions, dual-seat constituencies and eligibility to vote based on property ownership.

Mr. Speaker, I went on to say our national democracy has emerged from these discredited methods of electoral politics to the point where we are now, and we enjoy single-seat constituencies and one man, one vote, each vote of equal value. That is where we have come, Mr. Speaker. That is where we have come.

Now, Mr. Speaker, fast forward to 2013. The OBA Government come in and they wanted to make some changes to the way the Corporations were run. And changes they made. But the interesting thing was, and I made a note back then. I will tell you when it was, Mr. Speaker. It was a debate held October 2, 2013. And the former Premier, Mr. Dunkley, . . . he was not the Premier at the time, of course. Mr. Cannonier was the Premier. And he said that this OBA change was righting a wrong.

That is what Mr. Dunkley said—October 2, 2013—this OBA change is righting a wrong. Righting a wrong, Mr. Speaker. But let us make it clear: what we are doing tonight . . . this is what you call righting a wrong. And what are some of those wrongs that we are righting, Mr. Speaker?

Hon. Patricia J. Gordon-Pamplin: Snatch away voting rights.

Hon. Zane J. S. De Silva: Snatch away voting rights. That is a very good comment from the Honourable Member Pat Gordon-Pamplin, because, you know what? This is what she says we are taking away.

Some Members of that particular party, the OBA Government, Mr. Speaker, own several buildings in the city. And she said taking away voting rights. Well, let us talk about some of that. Some Members from the OBA just happen to own several buildings in the city. Several! But guess what, Mr. Speaker? The Honourable Member just hit the nail on the head, thank you very much.

An Hon. Member: Here it comes!

Hon. Zane J. S. De Silva: Some Members get several votes!

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Now, you might say, *No, no, no. How is that? Point of order!* Let us hear a point of order on that! But I am going to straighten it out for you right now, Mr. Speaker.

Hon. Patricia J. Gordon-Pamplin: Mr. Speaker, I do have a point of order.

The Speaker: Okay, I was waiting for that. Go ahead.

POINT OF ORDER

Hon. Patricia J. Gordon-Pamplin: Thank you, sir.

The Honourable Member will recall that the change in the Municipalities Act that was more recently done under the PLP administration took away double votes from people. So, you could vote if you are a resident in the city and can prove that you are one by virtue of your land tax assessment and the like.

The Speaker: Thank you.

Hon. Zane J. S. De Silva: Mr. Speaker, you know, the Honourable Member must listen.

The Speaker: Minister, continue.

Hon. Zane J. S. De Silva: I never talked about the residents owning, because we know that the residents that live in this town . . . very few own buildings over this side. So, let me go back to where I was, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: See, the Honourable Member talked about dwindling away voting rights and we took them away. Let me tell you what, Mr. Speaker, I will go back to where I was. There are several people, Members of the OBA Opposition, who have several votes. Now, why do I say that, Mr. Speaker? Because someone like, for example, the former Member Grant Gibbons, owns several. Now, you might say, *Well wait a minute, the Act says one man cannot vote more than once.*

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Well, I tell you what, Mr. Speaker, I happen to own several trusts myself. And I can tell you this, you ain't going to tell me that not only the former Member Gibbons, there are many Members of that OBA Government that own buildings in this town that are owned by trusts. And not all owned by the same trust. And guess what? If they are, you have trustees, you have beneficiaries. And guess what? If I tell my son—

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: If I tell my son, *Son, there is an election next week. I want you to do "X."*

An Hon. Member: Act right.

Hon. Zane J. S. De Silva: What do you think he is going to do?

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And if I have "Trustee Y" that has control over another building and I say, *Now, listen, . . .* I mean, if you looked at some of those members of the corporations in the past, Mr. Speaker, maybe even now, you start calling off some names, some friends of former premiers of the country, Sir John Swan, all his buddies around here. And you know what happens. Look at what happened. Check out the move. There is a monstrosity of a building that goes up down on the eastern side of Front Street, and what happened?

An Hon. Member: That was approved by the PLP—

Hon. Zane J. S. De Silva: But check this . . . yes! It was approved by the PLP! In fact, he was one that took advantage of the booming economy that this PLP Government was responsible for between 1998 and 2008! Booming!

[Desk thumping]

Hon. Zane J. S. De Silva: He took advantage of it. And guess what else he . . . guess how else he took advantage of it? Not only was he riding the cloud of a great PLP Government—

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: You know what else he done? Where is the entrance to the Corporation down at the docks today? Where is it?

Silence.

It is outside of Cabinet Office. The leader of the country's office is right there, and what did they do? They moved the entrance to the docks, right?

An Hon. Member: That is right.

Hon. Zane J. S. De Silva: From in front of his building, it only looked . . . look, you play golf sometimes.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Right? Look, a long putt away. That is how close it is.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Right. Tiger Woods' putt to win the US Open was longer than that, Mr. Speaker. Okay? But you know what? It is a serious thing. Right? He moved—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Aah! The Honourable Member said you should not let him do it. We could not, because the Corporation ruled it!

[General uproar]

Hon. Zane J. S. De Silva: If we had the, if we had the—

[Gavel]

Hon. Zane J. S. De Silva: If we had the corporations under control, he would not have done it!

[Gavel]

Hon. Zane J. S. De Silva: But that is exactly why we have to change it!

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Thank you! Roped you right in, didn't I? Pulled him right in like a jigger right in his mouth.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Pulled him right out, Mr. Speaker. I did not even need a jigger. One hook got him.

[Inaudible interjections]

Hon. Zane J. S. De Silva: He fell right in it, Mr. Speaker.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Now . . . but, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Can you imagine—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Can you imagine—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Can you imagine, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Right, a corporation in Washington moving something like that from one man's building in front of the White House.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: But they done it here and that is one of the reasons why that Corporation will be changed tonight. Because you know what? One of the reasons . . . they asked why, why are we changing things, why? Because we need a mayor and a councillor that follow the vision of the Progressive Labour Party.

[Inaudible interjections]

Hon. Zane J. S. De Silva: That is what we need.

[Inaudible interjections]

Hon. Zane J. S. De Silva: That is what we need, Mr. Speaker.

An Hon. Member: They are looking for a marionette.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Mr. Speaker . . .

Well, no. You know about marionettes. Julian Hall got you straight that night, didn't he? Or was it Derrick Burgess? Right?

So . . . but the thing is, Mr. Speaker, that is exactly why we need a change. We need . . . how much time do I have, Mr. Speaker.

An Hon. Member: One minute.

Another Hon. Member: Two minutes.

The Speaker: About 10 minutes.

Hon. Zane J. S. De Silva: Ten minutes, okay.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Oh mercy!

[Inaudible interjections]

Hon. Zane J. S. De Silva: Now, Mr. Speaker, Mr. Speaker—

[Inaudible interjections]

Hon. Zane J. S. De Silva: It is interesting. It is interesting. I gave you that one example, thanks to the Honourable Opposition Leader. I gave you one example of why we need to just pull the strings on the Corporation.

An Hon. Member: No, moved the gate.

Another Hon. Member: Yes, we moved the gate.

Hon. Zane J. S. De Silva: That is it. Oh, they moved the gate, all right. And guess what? Guess who paid for that movement of the gate, Mr. Speaker, and probably added a couple of million dollars of value to that building? The taxpayers of the country. That is who paid for it.

The Honourable Member said, *Who paid for it?* The taxpayers of the country paid for it. Millions of dollars. Just like that pumping station that is sitting down there on the other side of . . . what is it called, that supermarket on Front Street—

An Hon. Member: Supermart.

Hon. Zane J. S. De Silva: Supermart, on the other side, paid millions of dollars, millions of dollars for a pumping station to move it from A to B and put all that stuff out in the water. Instead of building a sewage plant! Derrick Burgess, the Honourable Member . . . see instead of . . . see, this is why we need to change it.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: If you go to Dockyard, where the dump used to be out there, what is that—

An Hon. Member: Sally Port.

Hon. Zane J. S. De Silva: Sally Port—where I used to go with half a load of trash and come back with a full load every Saturday, Mr. Speaker, when you talk about making do.

[Laughter]

Hon. Zane J. S. De Silva: And the Honourable Member Pat Gordon-Pamplin—

[Inaudible interjections]

Hon. Zane J. S. De Silva: Pat Gordon-Pamplin said her mama used to make a dollar out of fifty cents. Well, when I went to the dump up there . . . you remember, Mr. Speaker, you are from Somerset—

The Speaker: We used to go up by one push bike, and come back three. That's right.

Hon. Zane J. S. De Silva: What? I had many a push. And how about the go-carts we used to make out of the wheels we used to find.

The Speaker: Yes, that is right. Somerset boys did that one.

Hon. Zane J. S. De Silva: Made out of wood and put a little string on the front; might come off Scaur Hill moving. Anyway, I digress.

But, Mr. Speaker, if you go out there now, there is a first-class, state-of-the-art sewage plant. Thank goodness for the vision of Derrick Burgess.

Ms. Susan E. Jackson: It is a good one, too.

Hon. Zane J. S. De Silva: And even the Honourable Member Susan Jackson said it is a good one.

Well . . . See? This is why. This is why Honourable Members Jackson and Cannonier and Members on this side, right, . . . if the Corporation would have had the luxury of the vision and the wherewithal that Derrick Burgess had, and instead of spending a million dollars on a pumping station would have put in a sewage plant, you would not have grease balls flying all over our beaches with tourists kicking up and the locals kicking up about it.

See? That is why we must make changes because . . . they do not like to hear this. We have visionaries on this side of the House, Mr. Speaker.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: Visionaries!

And if you think that the sewage plant up at Dockyard is a good example, you just wait till you see what we do. And Colonel Burch is another visionary. He has got some plans for sewage in this country.

[Inaudible interjections and laughter]

Hon. Zane J. S. De Silva: Hey, look. The Honourable Member over there, the Opposition Leader says, *Fix Grand Atlantic first*. Well, we would not have to fix it if you would not have cried bogeyman for three years!

Hon. L. Craig Cannonier: Oh, cry, cry, cry.

Hon. Zane J. S. De Silva: And in fact, Mr. Speaker, I keep it right here—

[Inaudible interjections]

Hon. Zane J. S. De Silva: I keep it right here. Look, Mr. Speaker, a souvenir. Look at that. An OBA ad prior to 2012, "OBA views on Grand Atlantic." Look, Charlton.

Some Hon. Members: Ooh! Ooh!

[Inaudible interjections]

Hon. Zane J. S. De Silva: Now, look. They have to try to find a way, and his quote . . . and I . . . see, when I talk about quotes, Mr. Speaker, I table stuff. Look, you have to try and “³find a way of putting [some] lipstick on a pig.”

An Hon. Member: Wow.

Hon. Zane J. S. De Silva: Nalton Brangman. Look, “⁴Do we need to see the first one collapse in the water before someone says Oops.”

An Hon. Member: Whoa!

[Inaudible interjections]

Hon. Zane J. S. De Silva: And, look, the Honourable Member that is still in this House (well, he is not here right in his seat), Sylvan Richards. Look, “⁵I knew it was a disaster [in the making] . . . nothing good will come of this” ever.

An Hon. Member: Wow.

Hon. Zane J. S. De Silva: Now, and look at the picture, Mr. Speaker, look. They have drawn a picture of Grand Atlantic—

An Hon. Member: Falling into the sea.

Hon. Zane J. S. De Silva: —about one inch. You know, the Honourable Member, the Premier at the time, or Premier to be . . . this is your ad! And he is looking at it like that cannot be right. We thought the same thing. We said, *This cannot be right.*

[Inaudible interjections]

Hon. Zane J. S. De Silva: It is constituency . . . no, Dockyard. I do not know where he is. Look, where was Sylvan, too, down in . . . where is Sylvan, too? Here you got Nalton Brangman. You do not see OBA views on Grand Atlantic. Right out of the *Royal* rag.

The Speaker: Minister, let me help you. Talk to the Chair. Talk to the Chair.

Hon. Zane J. S. De Silva: Yes. Well, Mr. Speaker, I believe in showing evidence.

[Inaudible interjections]

Hon. Zane J. S. De Silva: So, Mr. Speaker, look.

The Speaker: Yes.

Hon. Zane J. S. De Silva: How are we making out for time, Mr. Speaker?

The Speaker: A couple of minutes left.

Hon. Zane J. S. De Silva: A couple of minutes left. But look at that. Two inches from the edge and the Honourable Member says, *Before you fix sewage you better fix Grand Atlantic.* Well, guess what—

Hon. L. Craig Cannonier: Who said that?

Hon. Zane J. S. De Silva: You just said it.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Honourable Members should not drink—

The Speaker: Talk to . . . talk to the Chair.

Hon. Zane J. S. De Silva: Honourable Members should not drink when they come to the House—

The Speaker: Talk to the Chair.

Hon. Zane J. S. De Silva: They got short memories.

The Speaker: Talk to the Chair. Talk to the Chair.

Hon. Zane J. S. De Silva: Mr. Speaker, let me give you some other reasons why we need to do what we are doing.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Yes, we are going to do that.

Mr. Speaker, you know, some bathrooms down on Front Street opposite Ye Olde Cock and Feather . . . what is it called now? Pickled Onion?

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: There are bathrooms across the street, right on the docks. Bathrooms. Beautiful place to put bathrooms, in’it? On Front Street.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Well, at least the ones on Front Street work, I think.

[Inaudible interjections]

³ [Bernews](#) 8 April 2014

⁴ Ibid.

⁵ Ibid.

Hon. Zane J. S. De Silva: But see? That is the lack of vision, Mr. Speaker. How could you . . . you have got Albuoy's Point out there, you got some old ones around the corner there, and they put some new ones right on the dock!

An Hon. Member: And that is acceptable!

Another Hon. Member: Unbelievable!

Hon. Zane J. S. De Silva: And, Mr. Speaker, the \$18 million that the Honourable Member Grant Gibbons and the former Minister Fahy said down there, *Don't you guys worry about it. We've got it covered. We're businessmen. We know what we are doing.* Well, we know what happened, don't we?

[Inaudible interjections]

An Hon. Member: We read the fine print, they said.

Hon. Zane J. S. De Silva: Oh, yes, sir. How many buildings have they demolished around the city, Mr. Speaker?

And I will put my hand up. I will declare my interest. I knocked down a few of them. But they have knocked down many during their time, buildings that could have gone to entrepreneurs. And while we are on buildings, let us talk about St. George's for a second. Okay?

You know why St. George's is like a ghost town, Mr. Speaker. You have got a bunch of land down there, a bunch of buildings that are owned, by who?

An Hon Member: Aah!

Another Hon. Member: There you go.

[Inaudible interjections]

Hon. Zane J. S. De Silva: When was the last time he said, *Well, you know, that owner who owns most of those buildings, you know what we should do . . .* and I will say it on the floor of this House. They do not want to open up those buildings to entrepreneurs. They do not want to let anybody open up businesses.

I will tell you what, if their land tax is \$1,000 a month or \$1,000 a year, quadruple it times 10. You do not want to let your buildings out to rent in a city we are trying to revitalise. Well, then let us pay up. And you take that money and we will build some for our entrepreneurs that want to be.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: That is what we will do. But see? That is the sort of thing that happens. And we have got to change things.

Now, Mr. Speaker, let us not forget the Corporation of Hamilton formed a secret trust. And what did they do with that secret trust? Everybody . . . See? People seem to forget.

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: When they saw this coming, they formed a secret trust, transferred all the land into it.

An Hon. Member: That is correct.

Hon. Zane J. S. De Silva: When we . . . hey, when we got in, what did we have to do? We had to take it back out of that trust.

An Hon. Member: That is right.

Hon. Zane J. S. De Silva: How much of the taxpayers' money, did they waste during that period? Banners all over the city. Newspaper ads—full newspaper ads at the time, Mr. Speaker—were between \$2,500 to \$3,500 per page. Every day! Thousands . . . probably ended up millions.

They tarnished . . . remember we had consultants that we paid. Tarnished their names, Mr. Speaker. I tell you what, I bet you if MJM had gotten that contract you would not have heard a peep. They did not like who was hired. That is the narrative. If they do not like the colour of you, if they do not like your last name, they come after you, Mr. Speaker. That is what they do.

Now, I heard a story about the fire hydrants this week. We had a building that burnt to the ground a couple of months back. Burnt to the ground. Why? Darn fire hydrants did not work! And then, Mayor Gosling got up at the town hall meeting this week, he got up at the town hall meeting and said, *Wait a minute. We did not take them over until 1982.*

[Inaudible interjections]

Hon. Zane J. S. De Silva: Well, since 1982, Mr. Gosling, you have had, the Corporation has had, to get the darn fire hydrants working!

An Hon. Member: Yes.

Hon. Zane J. S. De Silva: And you wonder why we are going to take over?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Well, we are going to turn it into a quango. I like to say "take over."

[Inaudible interjections]

Hon. Zane J. S. De Silva: And, Mr. Speaker, let me end on this note. We are getting close to the end, Mr. Speaker. We are getting close to the end?

The Speaker: Getting close to it.

Hon. Zane J. S. De Silva: This hogwash—hogwash!—about a land grab. The Honourable Member Pat Gordon-Pamplin had the audacity to talk about this is like the land grab down at Tucker's Town.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Are you serious?

[Inaudible interjections]

Hon. Patricia J. Gordon-Pamplin: Yes.

Hon. Zane J. S. De Silva: Are you serious?

Hon. Patricia J. Gordon-Pamplin: Serious as a heart attack.

[Inaudible interjections]

Hon. Zane J. S. De Silva: Who did that land belong to? Who was it taken from? Who does this land belong to in the city?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Like, really, Mr. Speaker?

[Inaudible interjections]

The Speaker: Members, Members, Members. Just need one person talking.

Hon. Zane J. S. De Silva: Who does this land belong to?

The Speaker: Just one person.

Hon. Zane J. S. De Silva: What? So the land belongs to the Government, really. The Corporation belongs to the Government, so we are going to take our own land.

An Hon. Member: Wow.

Another Hon. Member: Ridiculous.

Hon. Zane J. S. De Silva: Hogwash!

The Speaker: Thirty seconds.

Hon. Zane J. S. De Silva: Hogwash.

And, Mr. Speaker, let me say this. When they talk about the . . . what did that Honourable Member say? *Access to capital on cash, people were licking their chops to get down Front Street.* I will tell you what, I am licking my chops.

I am going to finish right now, Mr. Speaker. You know what I am licking my chops for? Yes, I am licking my chops for Front Street to come under control of the Corporation that will get direction from this Government because then—

[Timer beeps]

Hon. Zane J. S. De Silva: —we are going to turn it into something for the people—

The Speaker: Thank you.

Hon. Zane J. S. De Silva: —of this country.

The Speaker: Thank you.

Any other Member wish to speak? I recognise the Opposition—

[Inaudible interjections]

The Speaker: Ah, ah, ah! Members!

[Inaudible interjections]

[Gavel]

The Speaker: I recognise the Opposition Whip. The Opposition Whip—

An Hon. Member: Drum roll.

The Speaker: Would you like to speak?

Ms. Susan E. Jackson: Good evening, Mr. Speaker. Yes, I would like to speak.

The Speaker: Well, let us get started.

Ms. Susan E. Jackson: I think we have established quite a bit of foundation here, so I am just going to pivot a little bit because my, . . . the first words that came out of the Deputy Premier and the Minister was *the vision*. And I just want to talk about that for a little bit.

So, I am going to start with St. George's. Now, this is a beautiful location in Bermuda. It has been designated as a UNESCO site, and I certainly can remember back when the UNESCO certification was given to St. George's. It was at a time in my life when I had an opportunity to visit other historical sites, such as St. George's, and one of them was Williamsburg which is in Virginia.

So, I took the children down there. And this is a working town. The buildings are historical. They have re-enactments; they have this wonderful . . . all of the shopping and souvenirs there are of historical significance. And it is a lot of fun. It is almost a form of an amusement park in a historical perspective. So, of course, Bermuda has the same, as a UNESCO site. St. George's has all the potential to be just that.

And, certainly, I have gone down to St. George's. I have enjoyed their Halloween tours. I have visited and been a part of a lot of the historical events that are going on down in St. George's. And I can see the potential there. I can see the residents of St. George's buying into it. I can see the vibrancy coming alive in St. George's, should we pursue this vision and bring it to life.

I also see the marina down there. I know that there are a number of sailors. And I am sure a number of you know that I spent a few years living on a boat. So I understand the community and the idea of having a marina in St. George's, a place where visiting sailors can come, the potential for racing and regattas, the idea that St. George's as a town could become a bit of a trading post, where people would come whether it is because they are doing a transatlantic or because they are just sailing to Bermuda and back to the East Coast, or they are sailing down to the Caribbean, they come here, this is the trading post. They can shop, they can spend money, they can enjoy themselves, and then continue on their way through via the water.

So, I get that vision. I get it for St. George's, absolutely wonderful. And if I move into Hamilton, which is where I live now, I can see the waterfront. I mean, I enjoy running, the idea of being able to run along Front Street where it could be paved, and [also] have some grass area where this could be a promenade of sorts. If Hamilton had the idea of alfresco dining, we could have concerts that were in a more attractive location, we could have outdoor art, we could have all kinds of festivals and the rest in Hamilton. I can see the vibrancy of it. I get the vision.

An Hon. Member: Good.

Ms. Susan E. Jackson: Absolutely get the vision.

My issue is that we are going to have to find the money in order to do all of that. And, clearly, we know—we all know—that since we have very little money in the government's coffer, we do know that the Corporation of Hamilton has a good bit of money. So, we can utilise those funds—

The Speaker: No, you do not.

Ms. Susan E. Jackson: And you know, I think we do. And one of the reasons why I think we do, and we have discussed this today, is because, you know, maybe the Corporation of Hamilton is, I am going to say, quite conservative in their spending, which is why

there may not be the development that we would all like to have.

[Inaudible interjections]

Ms. Susan E. Jackson: And the reason they are having that is because they are holding on to the coffers.

[Inaudible interjections]

Ms. Susan E. Jackson: Right? So, we know—

[Inaudible interjections]

Ms. Susan E. Jackson: So, the Corporation of Hamilton, clearly, has the assets available to make many of these dreams come true. The issue is, for me, and the real challenge is Where, and how, are we going to find the leadership? Where, and how, are we going to find the elements to make this investment in St. George's and in Hamilton sustainable?

So, if we invest in this vision, yes, it is going to create jobs. We are going to upgrade the infrastructure. We are going to create smart cities, we are going to create living, historical sites. But if the leadership is not able to build those relationships with the people that we need to build those relationships with, if we are not able to create the productivity that is going to be required of the people that are going to complete and carry out this vision, and if we are not going to be able to then create leaders who are going to be able to sustain in the future the vision and carry on, then that is where the buck is going to stop. Because if we spend this money and we build up the infrastructure, and then we are not able to bring in the sailors, or attract the historians, or find the world events to come here and enjoy our Front Street promenade, or to find the mega-yachts that are going to come here to visit—which to me is a stretch, but that is another day and another debate—then we are going to end up in financial straits.

So, we have to figure it out. I buy into it. I am good. I am good, Mr. Speaker. But what we really need to do is we need to make sure that when we make this investment we are able to sustain it. That we are able to create an environment that is going to say we know how to get the people here to enjoy it. Because no matter how much we want to have the infrastructure for our people, we are going to have to have the visitors, and we are going to have to have the foreign exchange to keep this country going.

And St. George's and Hamilton have all the potential in the world to bring it in. I can see it. I can see the vision, just like the Deputy Premier can see his vision. I get it. But my concern is how we are going to sustain it.

An Hon. Member: Have some faith in him . . . and the rest of the team.

[Inaudible interjections]

Ms. Susan E. Jackson: Now, my other concern is, when we look at things like a smart city, and we talk about city living and residences, I probably . . . I do need to get a little bit more information about that. I need to see who those people are that are going to live in these residences.

An Hon. Member: You need to see that?

Ms. Susan E. Jackson: I need to know that we are going to have the demand of the population that even wants to live in the city, and whether there are enough of them to actually create an economic stream for the city. So, I certainly would like to see some real comprehensive feasibility studies, especially before we look into some of the city living residences.

And I guess probably one of my, you know . . . the Deputy Premier did mention the issue of not having municipalities in some of the other Caribbean islands. And the Caribbean islands that you listed, I have visited. And, to me, they have lost their distinction. They have blended into the landscape of the island, and St. George's and Hamilton have very distinct and unique personalities. And if Hamilton, in particular, becomes the smart city and St. George's becomes a UNESCO site, then—

An Hon. Member: It already is a UNESCO site.

Another Hon. Member: It is a UNESCO site.

Ms. Susan E. Jackson: I mean a living, breathing, earning-lots-of-money, tourists-are-coming-just-to-be-there UNESCO site, then—

[Inaudible interjections]

Ms. Susan E. Jackson: Then, then. I just do not want us, if we do away with the idea . . . and when I am talking municipalities, I am not getting into individuals and the rest of it. I am just looking at the hierarchy of how the structure is—

[Inaudible interjections]

Ms. Susan E. Jackson: Then the independence, the uniqueness and the charm of a St. George's and the uniqueness and the charm and the innovativeness of—

[Inaudible interjections]

Ms. Susan E. Jackson: —Hamilton . . . I do not want them to get lost. I do not want Bermuda to become somewhat vanilla because we have sort of blended—

[Inaudible interjections]

Ms. Susan E. Jackson: —we blended the boundaries, and it has become just all one residential area. So, I guess, you know, that, for me, is an important feature—that we maintain that uniqueness and charm of our municipalities.

An Hon. Member: Code words.

Another Hon. Member: Yes, it is.

Ms. Susan E. Jackson: And I guess, you know, my final piece and my final question (and I may bring this up in Committee) is, you know, the question of who—

[Inaudible interjections]

Ms. Susan E. Jackson: Who would want to be, and who would be the chosen, mayors? Would they be mayors that are living in, or are from, the municipalities? Would we be able to maintain that parochialness of each of the municipalities versus having a generic council?

So, with that, Mr. Speaker, I am going to take my seat.

Thank you.

The Speaker: Thank you, Honourable Member.

Does any other Honourable Member wish to speak?

No other?

[Crosstalk]

The Speaker: Honourable Member from [constituency] 36 are you on your feet to speak?

Hon. Michael J. Scott: I am, Mr. Speaker.

The Speaker: The Honourable Member Mr. Scott, you have the floor.

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

Mr. Speaker, so we are engaged in the Municipalities Reform Bill. It has as its purpose and in its Explanatory Memorandum [that] this Bill is to abolish municipal elections, provide the appointment of members of the Corporation, and to make consequential amendments to the 1923 Act. It will abolish elections, and they are to be replaced by selection and appointment of members apart from the references to persons in clause 5.

How is it, we ask . . . and Colonel Burch, the Honourable and noble Member, gallant Member, has invited us to stay on message. How is it that, as we have been urged by the pilot of this Bill, the Minister and Deputy Premier, the abolishing of elections can be conflated with removing the commitment of the Government to St. George's, the old Town? How is it that it can be conflated, as all Members of the Opposi-

tion, from the Honourable Member Messrs Richards and Simons, and then Mrs. Gordon-Pamplin, have created these conflated arguments of accessing revenue is the aim of the Government, accessing the Hamilton port is the aim of the Government and the waterfront, said Mr. Simons, and this remarkable theory by Mrs. Gordon-Pamplin that this is a comparison and an equivalence with the land grab of Tucker's Town from black Bermudians in the 1950s. So, how is this conflated?

[Inaudible interjections]

Hon. Zane J. S. De Silva: Unbelievable.

Hon. Michael J. Scott: How is this conflated? It reveals two things. So, when Mr. Richards stood up and began to speak, the tone of his speech revealed much.

An Hon. Member: Yes.

Hon. Michael J. Scott: It was low-pulsed, low-toned, and unconvincing.

An Hon. Member: Lethargic!

Hon. Michael J. Scott: And lethargic.

It was. So, the two parties are railing. I thought this was meant to be a big bust-up debate, with all of the heat that was in the ink wasted in newspapers, and all of the pronouncements by Mr. Gosling—

An Hon. Member: Yes.

Hon. Michael J. Scott: —and the worry on the part of my colleagues, the Members for [constituencies] 1 and 2. It concerned them. But I am grateful for the prism provided by Mrs. Ming, and I am grateful for the prism provided by Kim Swan. The message was *change is needed*.

Now, you know, it is sometimes not good to start your speech in reaction to the speech of Members from the other side. But I heard Mrs. Gordon-Pamplin lament that this is a reversal of history and what is being aimed at is the consolidation of the City of Hamilton's assets into the consolidated fund. That was her thesis. All driven (and drivel) to make a bad case. The case of the Opposition has been low grit, and it has been false. And it has been unconvincing.

But, you know, when Mrs. Gordon-Pamplin said that the idea was to consolidate these assets back to the consolidated fund, a piece of history . . . and I was grateful to the Minister of Tourism for the history he gave. In 1815, a great human cry was being created between St. George's and Hamilton, when the city fathers asked the Government, Mr. Speaker, to set aside 155 acres of land in this Pembroke Parish

for them, for merchants. And that was done. So, this story began with the Government setting aside and granting land to the city fathers. And the privileges that went with it.

Hon. Walter H. Roban: Financial.

Hon. Michael J. Scott: The privileges of easements, the privileges of owning the water rights—

[Inaudible interjections]

Hon. Michael J. Scott: The privileges of owning Her Majesty's bottom from here to the Hamilton's Harbour out as far as Dockyard, in my constituency. I mean, *major privilege*. And what does it produce to a Government who is seeking, in the PLP Government, seeking to manage assets and infrastructure?

[Inaudible interjections]

Hon. Michael J. Scott: It produces tension.

[Inaudible interjections]

Hon. Michael J. Scott: The Corporation of Hamilton, Mr. Speaker . . . I will read into the record. I will read into the record the boundaries to which it assigns, but the Port, the Port of Hamilton, for example, I mean, it includes—

[Inaudible interjections]

Hon. Michael J. Scott: The Port of Hamilton includes—

[Inaudible interjections]

Hon. Michael J. Scott: —Her Majesty's Bottom. I mean it goes from—

An Hon. Member: It is the "Queen's Bottom."

[Inaudible interjections]

Hon. Michael J. Scott: All the waters and wharfs of the shores.

With your permission, Mr. Speaker, in Hamilton Harbour out to Granaway Deep, the Little Sound, the Great Sound, Grassy Bay, North Side and as far as an imaginary straight line drawn from Ireland Point to Crawl Point. So, I mean, the waters, the jurisdiction, those issues are important here.

So, when Minister Burch, Colonel Burch, the Honourable and gallant Member, you know, now has responsibility for just trying to get refuse moved off of our streets, approaches this, this entity, this mighty entity created in 1815 with all of the powers and privileges and rights that were assigned to it, and says,

May I use your refuse truck for a moment? And they . . . all they do is throw their weight around and say, No. I think I understood the Honourable and gallant Member's complaint there.

This is what the issue is. Look, what is the city for? Think of Michael Bloomberg's New York. What happens there? It is a place for commerce. It is a place where the people of that city make money and the people in it, as the Honourable Tourism Minister said, are not deprived because of their slavery past or poor democracies of property votes and land votes that give you two votes. I mean, we are meant, Madam Renee Ming and Mr. Swan, to see, when you ask and when you meet with Mayor Francis and try and struggle to come up with ideas for revenue, you need to reach those conclusions. And that is what the Government wants to achieve in this case.

It is meant to be a place where revenue is generated and you are not struggling. But whenever you make change or whenever you set out to make change, there is resistance. Charles Gosling, the mayor of this city, is resisting big time.

An Hon. Member: Again.

Another Hon. Member: And why do you think that is?

Hon. Michael J. Scott: Why do you think that is? Because his only model . . . listen, an 1815 model has now had its purpose, achieved its function. After all, the Government of the day gave 155 acres, Mr. Speaker, and half of the waters that go as far as Dockyard.

An Hon. Member: Yes.

Hon. Michael J. Scott: It gave the ports . . . and I do not want to say yet "gave," because it was set aside. I am still trying to figure out the real legality.

I heard Mr. De Silva over there, the Minister, say that it has been put in trust. If there is fear that we are going to grab the land, that means that the Corporation has it, I take it. So, what is the fear? What is the fear? If you own it, then you have it and we cannot commit illegal acts of taking it away from you; if, indeed, you own it. But remember how it began. It began as Crown lands.

An Hon. Member: That is right.

Hon. Michael J. Scott: It began as Crown lands. That is the history. And all that is left today . . . it began as Crown lands in 1815, so that there could be established a city. And I began to say about the controversy, Honourable Member from constituency . . . people of St. George's in 1815 and 1819, when it actually took place, were angry. They did not want the city seat to move from St. George's to Hamilton. Oh, but

the city fathers, the merchants up here called them, and they said it is coming up here.

[Inaudible interjections]

Hon. Michael J. Scott: So, this disquiet today in 2019, it pales in significance to the level of anger that pertained in 1819. I am telling you. That was not a good day.

But the model is now outmoded. All of the privileges are still in place. All of the hegemony of the mayor's parlour is still in place. And it is misplaced, and it is misused, and it is misapplied. And thank goodness the PLP, the administration of the future, is engaged successfully against the party across the way, the Ministry of the party and administrations of the past. Thank God we are beginning to act and act anew. As our case is new, so we must act anew.

There is no question about these matters that the message is "change is required." Better models are required. The objectives of the city fathers of 1815 have been accomplished. It is almost biblical. They have been accomplished, and nothing else. And they keep harkening back to these old forms and precedents. That is all they have got going in their quiver. It is the reason why we have seen such disaster and . . . sewage going not where it should go, and poor elections that left . . . when Mayor Outerbridge came in with his team. I mean, they actually came in recognising and being purveyors of the debate we are having tonight. They said things need to change. Things are really . . . the city is not growing.

But back to . . . and I wish to hold the argument for St. George's. Revenue drivers, growth, opportunities for descendants of slaves and descendants of the city fathers—white city fathers of that place—need to be aligned better as they must be in the city of Hamilton. Better aligned. Better alignment. Why on earth is anybody jumping up and complaining about these alignments today, in this country, in this world? Why?

It is remarkable. You are carrying the water of a past modality that makes no sense. After all, it was 1815 when it was established. It is over as a modality. The city has been established. All of the streets have been established. It is over as a model. Deploy into the 21st century, millennials . . . the Honourable Members . . . every Honourable Member in here who is a parent and has children coming along called millennials, you know you owe it to them. You owe it to them to ease up and let this thing go.

So, stop carrying the water of those who would live in the past. I mean, these weak arguments, this feckless, feckless fixation on attacking the PLP that we are making a land grab. It is nothing of the sort.

Frankly, much change must take place. I mean, it is so clear. The standard of argument from the Government bench, the standard of argument in

the Explanatory Memorandum of this Bill is a beginning, and it needs to get a lot further down the road in terms of reforms. Go to page 14 of the Budget [Book] which we are discussing and debating and look at the number of times that the Minister of Finance has called for the dogmas of the quiet past to be changed because of the stormy present. It mentions reforms five or six times. This should be added to the list, municipalities reform. And, frankly, we are taking it along . . . and I agree with the Minister of Tourism. We need to be even more vigorous in our reforms in this matter.

And so, I urge my colleagues from constituencies 1 and 2 to faint not nor fear. These are right steps. Say to your constituents, you need not be jumping up and down for the preservation of the past. After all, as Minister De Silva has pointed out, the maintenance of idle capital land capital in St. George's . . . that has got to stop, surely. When is that going to change for the benefit of the young black boys, young black girls, young white boys and young white girls—all the constituents of that town? When is that going to change in their favour?

But to hang on to these models of the past is not going to do it. And Members opposite ought to be embarrassed to have been carrying any of the message or defending these positions of the past with these feckless arguments that seek to conflate a negative story about the PLP that we are out to land grab. Those are not even your thoughts. Those are not even your ideas. I know they are not.

When I heard the Honourable Member Mr. Richards speak, it was . . . there was no conviction. It was clear he has merely been detailed to carry some theme.

[Inaudible interjections]

Hon. Michael J. Scott: No. That is what I say, and that is what I mean. That is what I mean. And as a matter of logic, as a matter of logic, as a matter of logic—

POINT OF ORDER

[Imputing improper motives]

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

The Honourable Member is imputing improper motive. There is no way . . . I think the Honourable Member needs to withdraw that comment. Nobody sends us to carry any message. He might be accused to that, but it does not happen here.

[Inaudible interjections]

Hon. Michael J. Scott: Oh, stop, Pat Gordon-Pamplin.

[Inaudible interjections]

The Speaker: Members! Members!

Hon. Michael J. Scott: More fecklessness.

The Speaker: Members! Just a minute.

Hon. Michael J. Scott: More feckless. You have been carrying water—

The Speaker: Just a minute. Members, Members!

Members, be guided in your comments. If the comments cannot be supported, please do not use them.

Hon. Michael J. Scott: Those arguments are feckless. They are not the arguments of the people that I have been watching on the opposite side for all these many years. They reflect the direct narrative of what we have been hearing from Mayor Gosling and the people at Penno's Wharf, where you went to a meeting. *You make the argument for me, you know. You make the argument for me.* These are not arguments of yours.

By the way, they are arguments of the past. By the way, they are irrational. By the way, they have no place in a modern Bermuda, City of Hamilton, or a Town of St. George's. There are many things that have to be done, and we are on the right course with this Bill in accomplishing them. Change is where we should be with this Bill. A modern, thriving, growing city or Town of St. George's should be the aspiration and aim for both the leadership and policymakers of St. George's and the City of Hamilton and your children of those cities and that town. To do anything less would be to sell our people, sell yourselves, as well, short.

The amount of influence that the City of Hamilton has as a direct consequence of the area of the municipality, if you just look at any map, from King Street up to . . . all of Front Street, the Wharf, the Port of Hamilton, it is immense. And they do not know how to manage it themselves.

I heard the Honourable Member who took her seat just before I stood say that there is a requirement that there are effective managers of this asset. What has been clear . . . up until after the city fathers of 1815 got there, they moved things along for the relevant period of that agenda. But the modern management of the two municipalities has suffered. And we have all watched it. And it is so disingenuous of Members of the opposite side to attribute anything other than poor management of these important assets.

This city is capable of revenues that are both vital and immense. Immense! And they should be used in a way to ensure that they are doubled, tripled, or quadrupled. It can be done. And it is not going to happen with the current power, aldermen, and councillors there on Nellie's Walk. And it is has already been admitted to by the Members of constituencies 1

and 2 that it is a daily struggle, or a yearly struggle, for them to come up with the right model. So, take on some help. Take on collective visions of not just the few, but the many, Mr. Speaker.

So, it is time to vote. And I commend these observations with this one message as a person comes, not from the Town of St. George or the City of Hamilton. I come from an area that actually houses where a quango resides. It comes from a place where a quango resides. And I know there even—and I live under no illusion—that the tension between a government and even a quango is not always the best. But the tensions between these municipalities and the Government have been appalling in terms of getting things done. So, let us not be under any illusion that—

[Inaudible interjections]

Hon. Michael J. Scott: Mr. Speaker, I am not able to hear myself while Mrs. Gordon-Pamplin is burbling. I wish she would be quiet.

The Speaker: Just speak to the Chair, speak to the Chair.

Hon. Michael J. Scott: I am trying to.

The Speaker: Speak to the Chair.

[Inaudible interjections]

The Speaker: Members, Members. Members!

Hon. Michael J. Scott: So, evidence has been already given, though, there has already been testimony in this House of the success that takes place at King's Wharf and Heritage Wharf with the feet that come in by the thousands by the cruise liners.

More needs to be done to ensure that that model is even improved upon whenever we use quangos, because I have been watching that quango as well. It is a much better model, Mr. Speaker and Colonel Burch. It is a much better model. And I know that you know as much about this as anyone, than this ancient, out-dated model of this "government-within-a-government" that exists with the Corporation of Hamilton thrashing around with its supposed powers, when it really does not have any.

This must come to an end, this Bill brings this to an end, and this Bill produces the foundation on which we can build a much brighter revenue-[driven], growth area for the both Town of St. George and the City.

Thank you.

The Speaker: Thank you, Honourable Member.
Does any other Member wish to speak?
Mr. Pearman, from constituency . . .

Mr. Scott Pearman: Twenty-two, Mr. Speaker. Twenty-two.

The Speaker: [Constituency] 22. You have the floor.

Mr. Scott Pearman: Mr. Speaker—

The Speaker: Yes.

Mr. Scott Pearman: —the opening words of this Bill: "WHEREAS it is expedient to abolish municipal elections . . ." This legislation is stripping the democratic rights of Bermudians. What is more, what is more, the Government's actions—

[Inaudible interjection]

The Speaker: Members.

Mr. Scott Pearman: —are swimming against the tide of global progress. And, why do I say that? I say that because we live in a world where democracy is cherished, and where democracy should be cherished, because we live in a world where the people—yes, *the people*—rightly require a more direct voice in how they are governed—not less—a more direct voice in how they are governed. And, so, I say again this legislation is stripping the democratic rights of Bermudians.

It is said by the proponents of this Bill across the aisle that it is not an asset grab. No, no, it is not an asset grab by the Government, because the entities will remain, the corporations will remain. But, with respect, Mr. Speaker, that is entirely the wrong question. It is not the right question. The right question is whether this Bill will mean that the Government will place the Corporation and/or their assets on the Government balance sheets. That is the right question; and that is the question that Bermudians across this Island are smart enough to know the answer to.

Mr. Speaker, this is happening on a day when our delicate, economic balance has been thrown off balance and into turmoil. Is it wise to make decisions of this nature, of this substantive, fundamental, systemic change, at a time like this?

Mr. Speaker, this is a major violence upon the constitutional fabric of this Island. This legislation is stripping the democratic rights of Bermudians. And, I fear in my heart, that Bermudians will look back on this with regret.

"WHEREAS it is expedient to abolish municipal elections . . ."

[Inaudible interjection]

The Speaker: Members.

Mr. Scott Pearman: Expediency, indeed.
Thank you, Mr. Speaker.

The Speaker: Thank you, Mr. Pearman.
Does any other Member wish to speak?

Lt. Col. Hon. David A. Burch: Mr. Speaker.

The Speaker: Minister, you have the floor.

Lt. Col. Hon. David A. Burch: Mr. Speaker, I really have not heard so much dribble in this House before from the other side.

But, let me start with an apology, Mr. Speaker. I have to make an apology to the entire country, actually.

The Speaker: Yes?

Lt. Col. Hon. David A. Burch: And I have no hesitation in doing so, for, really, misleading them.

The Speaker: Mm-hmm.

Lt. Col. Hon. David A. Burch: You will know, Mr. Speaker, that I participated in two public meetings, one in St. George and one in Hamilton on this very subject. And at the meeting in Hamilton, I indicated that this Government had won 51 per cent of the vote. That, in fact, is incorrect, Mr. Speaker.

An Hon. Member: Give them the correct number.

Lt. Col. Hon. David A. Burch: It was 58.89 per cent of the vote.

[Inaudible interjections and desk thumping]

An Hon. Member: Yes, it was! Yes, it was!

Lt. Col. Hon. David A. Burch: And, so, without hesitation or equivocation, I apologise for misleading the people of this country, Mr. Speaker.

So, Mr. Speaker.

The Speaker: Yes?

Lt. Col. Hon. David A. Burch: Mr. Speaker, the last speaker is the last person who should stand up and talk about democracy in this country. Okay? [He] is the poster child—

The Speaker: Well, well, let's, let's, let's be nice.

Lt. Col. Hon. David A. Burch: —for being born with a silver spoon in his mouth. Okay? And he is the epitome, Mr. Speaker—

The Speaker: Let's be nice, let's be nice, let's be nice, let's be nice. Let's be nice. Be nice. Be nice.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: You are a pathetic old woman, be quiet.

Mr. Speaker.

[Inaudible interjections]

The Speaker: Members. Members!

Lt. Col. Hon. David A. Burch: Mr. Speaker, the problem in Hamilton is this “sense of entitlement,” and that last speaker is the epitome of entitlement in this country, Mr. Speaker. I [saw] ads in the paper, *Save our city*.

Save our city from [whom]? And who is “our city?” This city belongs to all of the people of this country, all of them, Mr. Speaker.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: Mr. Speaker, I know that the whole issue has to do with the messenger, and not the message. I know that, Mr. Speaker. And it is pathetic that some of those people the Honourable Member referred to have been carrying other people's water their entire adult lives. And, so, I understand they cannot deviate from what they believe. That does not make it right, Mr. Speaker.

Mr. Speaker, I always feel the need when I come to this House, because people have short memories even in this House, to remind those people on the other side that I am a direct descendant of slaves in this country. My maternal great, great, great grandparents were slaves in this country. So, I don't fear no man. I don't fear none of those people and what they suggest is going happen. And I resent and I dispute the fact that there is this implication that we do not love this country as much as they do. Really, Mr. Speaker? I don't challenge their views in that regard at all.

Mr. Speaker, it is always a mystery to me that some people in this House, and many people in this country, and certainly many of those people that were [at] the hall in Hamilton, hate being called “racist” more than they hate racism, Mr. Speaker. They hate being called a racist and they will not accept that some of their behaviour, and some of their beliefs, and some of their comments are just that. If this was said by somebody who looked like me, who sat on that side, it would be all well and good, Mr. Speaker. But the problem is who the messenger is.

Now, Mr. Speaker, they have talked about a land grab. But let me just . . . because I know that in any other country on this planet, any other country on this planet, if you had two fleets of trash trucks, two garages, two stores for parts, two engineering departments, two line marking departments, two depots within two miles of one another—two of everything within this 22 square miles—paid for by the same taxpayer, Mr. Speaker, you would not have that going

anywhere else. And you would not have it going on in Bermuda either, except for the fact that it is the PLP suggesting it.

Mr. Speaker, we are talking about economies of scale. And the challenge that they have on the other side is that they have this belief that we cannot manage anything.

Mr. Speaker, let me just give you a practical example. We headed down the road of amalgamation a decade ago in relation to the three quangos. The same entities that we have been talking about. None of those quangos, Mr. Speaker, none of their balance sheets affect the government debt. None of those balance sheets affect the government's ability to function. They are independent organisations. And we have seen already, Mr. Speaker, in just taking two baby steps (because that is what they are) in terms of amalgamation of the Housing Corporation and the Bermuda Land Development Company. Two people have left that organisation and already we are seeing economies of scale and efficiency.

And I will give you one practical example. Mr. Speaker, a decade ago we were headed down this same road and one of the legitimate faults of the Progressive Labour Party Government (and I am not revealing any secrets, because I have told every leader we have ever had) is that every time we change the Premier we forgot that we have a book of promises. And, so, you change direction. And some of that is natural and some of that is personality. So, a decade ago we changed direction. But before we did so, Mr. Speaker, I had the same responsibility I have now. And one of the things we were able to accomplish a decade ago was to have those three entities, the WEDCO, the Bermuda Housing Corporation, and the BLDC, purchase the same computer system because we were headed towards amalgamation. We did not get there, but we did get the computer system.

Now, the entities took three different approaches, as three different entities [will], about how they were going to implement and maintain that. Two of them decided to contract with a supplier to provide them with support. One of them decided that they would hire somebody in-house. And so, what we have now, Mr. Speaker, is more economies of scale because the contractor overseas has been retired, and the in-house person at the one entity now services all three. And so, the fact that they are headed towards amalgamation, those systems can talk—unlike the challenge that the current Minister of Finance has in trying to get the rest of the government to be able to do that. Those organisations can talk to one another and the systems can be amalgamated.

Mr. Speaker, it is also interesting to me the resistance from the other side, because my information is the very same Cabinet paper and proposal that the Honourable Minister, who is presenting this, that is being debated tonight, was suggested by the other side.

Hon. Zane J. S. De Silva: No, tell me it's not so.

An Hon. Member: Say it isn't so.

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: You want me to repeat it? You do not hear me being point-of-ordered, do you?

Hon. Zane J. S. De Silva: No, I do not.

Lt. Col. Hon. David A. Burch: Suggested by the other side, Mr. Speaker. The only difference, Mr. Speaker, is [that] we actually have the courage to follow through.

Some Hon. Members: Wow!

Lt. Col. Hon. David A. Burch: Now, I am going to give them some more history, Mr. Speaker, on one of their former Ministers of the Government. Half of them probably will not know who I am talking about. But I am talking about the late Sir John Plowman, who died in 2002, the 20th of June, Mr. Speaker, having never been elected to the House, but served in various ministerial capacities in the Senate, or in the Upper House, Mr. Speaker. I know for a fact that that Honourable Member disagreed vehemently with the fact that the port of the country and the airport of the country were not held under the national Government.

You hear what I said, Mr. Speaker?

In no other country in the world would you have your only port and your only airport . . . well, I mean, they fixed that for 30 years, didn't they? But, your only port in the hands of someone else. The same taxpayer that pays for the Corporation of Hamilton, pays for the rest of the things in the country.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: There is a whole lot of whispering, but no point of order, Mr. Speaker.

Mr. Speaker, now let's talk about infrastructure. And, in the case of the Town of St. George—

[Inaudible interjections]

Lt. Col. Hon. David A. Burch: I will wait, Mr. Speaker.

In the case of the Town of St. George, I think the Honourable Member from constituency 1 indicated and implied that a lot of the work that is done in the Town of St. George is provided for by the Government of Bermuda.

The Speaker: Mm-hmm.

Lt. Col. Hon. David A. Burch: And without any negative feelings, or what have you, Mr. Speaker.

In fact, the Town and the parish of St. George, a year ago, or a year and a half ago now, I think, were going to be the template for the country . . . looking at a country that is 22 square miles that really should not have three silos, operating in a silo mentality. And so, St. George was the example and was going to be the pilot project for the entire country about how we deal with sewage and how we deal with water.

And last year there were town hall meetings, in the Town of St. George, presenting to them the progress that we have made in that regard. Mr. Speaker, I mentioned at the public meeting that we sent our principal water engineer and the incoming chief engineer—both Bermudians, I might add—to a conference in the Bahamas, just before this past December, to talk about infrastructure in the region. And not only infrastructure in the region, but the funding of same because, Mr. Speaker, this is an entity that will generate funds.

We are not, in this country, used to paying for sewage as a general rule, we have pits. But we are used to paying for water. We pay for it from Water Truckers, and we pay for it from Watlington, and we pay for it to the Government of Bermuda. And so, Mr. Speaker, we have expanded the plan now to look at the country nationally, because even though we call it a country, 22 square miles is not a heavily lift to be able to sort out water and sewage.

And so, that is the direction that we are heading in, and St. George's is going to be the template. And why St. George's, Mr. Speaker, apart from the fact that they are a World Heritage Site, and you want to participate? They also have a new hotel coming online. And so, looking forward, Mr. Speaker, part of the plan is to be able to cater to their needs in relation to water and sewage.

And so, Mr. Speaker, rather than the suggestion that we have just come up with this idea to take over the corporations, what we are talking about, Mr. Speaker . . . because the other side are happy to say that, *We don't have no money. The Government don't have no money.* And I am going to stray out of my lane again. (Is he here? Oh, he is here.)

[Laughter]

Lt. Col. Hon. David A. Burch: I am going stray out of my laying still, Mr. Speaker, about the fact that we don't have no money. And I am going to repeat what I said at the public meeting, which is: I am certain that every Member of this House—every Member of this House—has debt, Mr. Speaker. And many of us are going to leave this place—some going upstairs, some going down to the barbeque—owing somebody debt.

[Laughter]

Lt. Col. Hon. David A. Burch: And I expect that I am going to be one of them. You know, I am going leave this place and I am going to owe people a whole lot of money, all the money that I can get away with.

[Laughter and inaudible interjections]

Lt. Col. Hon. David A. Burch: It will not be \$3 million, I can assure you of that, Mr. Speaker, because—

[Laughter]

The Speaker: What, you are going to pay that one off before you go?

Lt. Col. Hon. David A. Burch: —I am going to spend it! I am going to spend it before I leave, Mr. Speaker. I am going to [give] notice.

An Hon. Member: Are you going up or down?

Lt. Col. Hon. David A. Burch: I am going up!

[Laughter and Inaudible interjections]

Lt. Col. Hon. David A. Burch: A lot of my friends are going down to the barbecue, but I am going up, Mr. Speaker.

[Laughter]

Lt. Col. Hon. David A. Burch: And so, Mr. Speaker, it isn't a question of not having money. And I am surprised at the complaints that *we don't have any money* when I remember five years ago there were complaints that we had \$1.1 billion worth of debt and that is what the PLP left for the incoming Government, and by the time they left, it had doubled. And when they went to get more, the first time they went to get more, everybody cheered and thought how wonderful this was. And I am thinking to myself, *What planet am I living on?* And then, I got it again. It is about who is delivering the message, Mr. Speaker. It is always who is delivering the message.

But the difficulty with the people in this country who feel entitled and feel that we are unable to manage . . . the reality is, guess what, Mr. Speaker? They are going to have to live with it for a long time, a mighty long time, Mr. Speaker, because we are determined.

I heard comments in this House about, *We don't care about the people of this country.* Really, Mr. Speaker? Political parties exist, at least, ours does anyway, because we believe in a fundamental philosophy for our entire existence. Yes, we have issues amongst ourselves over how we do things and all the rest of it. We are like a family, though. Every family has it. But, we joined this party, Mr. Speaker, not for what we can get out of it, because we should check

ourselves into the Space Centre if that were the case, because there ain't nothing coming out of this other than the satisfaction of being able to do things in this country, not only to effect change, but to help the people of this country, Mr. Speaker.

That is our legacy. That is where we start; that is where we end. And how do I know that, Mr. Speaker? I know that because in 2012, I lost by 10 votes. And I knew more than 10 people who said they were coming out to the poles. And so, it then became personal, Mr. Speaker. When you lose by 10 votes, you are going to look for those 10 people and the other 100 or so, and have a conversation with them, Mr. Speaker.

[Laughter and inaudible interjections]

An Hon. Member: And that you did!

Lt. Col. Hon. David A. Burch: And that I did.

The first I did, though, Mr. Speaker, was I understood the rules. I lost. It does not matter if you lose by one vote—you lose.

So, I said to the people of [constituency] 27, *Oh, no, no, no! We cannot just pick up where we left off. I lost. You all must go away and decide if you want to go with the horse that lost, [or] get a new horse? Or do you want to stay with the horse that lost and make up for that lost ground?* And until they did that, I did not lift a finger.

It did not take them long though, Mr. Speaker. They decided in early in January 2013 that they were going to stay with the horse that had lost because they knew that with the work we were going to do . . . the 10 people that did not come out, we were going to make sure that not only did those people come out, all the rest of the people in the house came out, too.

And so, Mr. Speaker, the only difference is, and I say this because not only are we concerned about the people in this country, and not only is that our legacy, but you know what the other most important thing that this party believes in? It is educating the electorate. So, when they hear fiction from the other side about how much they care about them, the memory is so recent of what they lived through from 2012 to 2017 that we do not even need to remind them. They tell us, in more colourful language than I can use up here, Mr. Speaker, asking about what they are hearing over the air waves.

Mr. Speaker, this plan is designed to effect economies of scale in this country. And it is not the only one, so they might as well tighten their seatbelt because there is going to be other things that are going to be coming along that are going to assist and support the benefit of the people of this country. And so, when you say, *Save our city*, well, it is my city, too.

And let me just end on this, because even if you dismissed and discounted everything else I have

said about why we should do this, think about the last two or three years, Mr. Speaker.

You know the most irritating thing the Corporation has done, which is grounds in and of itself for somebody to do something about them because they are still doing it. Think about if you ride a bike or have a car, all the parking that they are taking away in this city, it drives you to despair! And I would have thought, Mr. Speaker, the very same people that are walking around telling us, *Save our city*, the merchants of Hamilton, would have been up in arms, especially ones on . . . I walked down Reid Street. I thought, *What have they done?* There was nowhere to park, Mr. Speaker. And you know what I then decided? I am not going into your store.

So, part of their reduction in sales has to be as a result of the efficiency of the award-winning Corporation of Hamilton in taking away all the parking in the city, so nobody can get into their store. You drive around, and you drive around once, and you say, *Oh, no, no; I am going to find somewhere where I can get parking.* And so, I go Back O' Town.

[Inaudible interjection]

Lt. Col. Hon. David A. Burch: Yes, force people to park in our parking lot, Mr. Speaker.

Mr. Speaker, I am going to end on this, and I am quoting a whole lot of OBA and UPB people tonight. I did it in relation to Sir John Plowman, and now I am going to quote Sir John Swan, who, I don't know if he coined the phrase, but he used it often for the 12 years, or however long he was Premier of this country, okay? It was his clarion cry, his most favourite comment whenever the Opposition said anything. And that was, *The Opposition can have their say, but the Government will have its way.*

Thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Thank you, Honourable Member.

I see nobody . . . Oh, Opposition Leader?

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

Actually, I have enjoyed this debate on this particular issue. It has been quite vibrant, and it has certainly been colourful. And so, I have appreciated most of what has been said this evening. I will declare my interest.

[Inaudible interjection]

Hon. L. Craig Cannonier: Town of St. George? No, definitely not a town boy, but certainly a St. Georgian, through St. David's growing up, and going to school over in St. George's, having been some of the first black kids that went to St. George's Prep when they started integrating the school there, being amongst

some of the first blacks in that school to win titles in sports—gymnastics, cricket, football. We used to go up to the west and beat up on everybody. And I was the captain of those football teams, and cricket teams, and the gymnastics team. Going up and down Shingleton Alley whenever it rained, we would make our little paper boats and little leaf boats and as the water ran down the gutters of St. George's, we would watch them race along. You know the deal.

[Inaudible interjections]

An Hon. Member: All downhill.

Hon. L. Craig Cannonier: Oh, yes, all downhill.

And so, coming from St. David's, however, Mr. Speaker, I used to always say, *I'll never live in St. George's!* There was a serious rivalry between St. George's and St. David's. And a lot of people are not aware, but a lot of the old St. David's folks they were for Somerset because, they couldn't stand them St. George's bunch.

Some Hon. Members: Yes.

Hon. L. Craig Cannonier: However, as the new generations came along—

[Inaudible interjection]

The Speaker: They knew were good cricket was.

Hon. L. Craig Cannonier: —we started integrating a bit better and playing with one another a bit better, unlike my father who used to go over and raid some of the gardens in St. George's and row away from the police because they were still trying to get the bridge and things together.

[Inaudible interjection]

Hon. L. Craig Cannonier: Oh yes.

So I find myself today, fast forward, actually living in St. George's out by the bay. And I love it.

And I am from the east saying that I would never live in St. George's. But I love it. What a beautiful place. And my fellow St. Georgians up in the House who happen to be in Government, from constituencies 1 and 2, I take to heart what was said, that St. Georgians are the best, and St. Georgians represent St. George's best.

So, I have watched, and we all have watched, the history of Bermuda. And let me just say this here, while I talk about the history. And I want to make sure that the Government understands. St. Georgians do not need any history lesson from you. They know their history. They certainly do not need a history lesson from you. They know the deal. And I am living down in St. George's right now, and I am hearing serious con-

cern about moving forward with this here. It's not me saying it. I am repeating what they are saying.

And I am sure that constituencies 1 and 2, and those Members who represent them, are hearing what I am hearing as well. And I am sure that they are hearing some folks that are for it, but, by majority, we are hearing some serious concerns about how do we move forward.

And one of those concerns was, certainly, *Listen, we would have thought we would have at least had some more consultation as to how this is going to work out.* And you have heard some of my colleagues basically speak to some of the concerns about the complications, as they believe it, and the legislation already coming to the House, and the like. And, really, two town hall meetings, one in St. George's by the Government and one in Hamilton, certainly does not constitute prior consultation to St. Georgians.

And, if you recall, when it was Premier's Question Time back on Friday, I asked the question based on the difference in the responses to this legislation from St. George's to Hamilton. I was asking the question, because I recognised, just like my colleagues . . . well, when I say "colleagues," my fellow St. Georgians, had suggested St. Georgians would definitely like to have their own Act. And that was what I was alluding to when I was asking that question.

So, I am heartened to hear it coming from . . . because I had not heard a word. And I certainly was going to talk about it if they did not speak. I did not hear a word come from them during the consultative process. So I am glad to hear that we are actually on the same page when it comes to that.

Now, I will not say in constituency 2. I know some of the Members that were out with the Honourable Member Swan, canvassing with him. I spoke to some of them. I saw them. You know, St. Georgians tend to go to the supermarket down there and the likes, and we were all talking with one another. I do know that some of the members are pretty upset. And I know they have probably been talking to them and letting them know that they are upset about the situation. And they really want to understand how to move forward with this here. Because, certainly, when the vote was cast in St. George's it was unanimous that they did not want quango, nor did they want to be taken over, period.

And it was interesting to watch the meeting that the Corporation had themselves, and then some of the variances in those who were trying to say, *Well, you know, that first meeting with the Corporation . . . well, maybe we can hold out until we get some answers, because we haven't gotten any answers.* So, at the following meeting, the same people that were concerned that they were not getting any answers were even more upset after the second meeting.

So, I recognise that St. Georgians can be clannish, because they certainly stick together—for sure. And I even heard when the Honourable Member

from constituency [1], Renee [Ming], said that St. Georgians represent St. George's best . . . I have to agree with her. She knows what she is talking about. And I know that the Minister is certainly not from St. George's. And any money that may be coming from Public Works, I know that that Minister is certainly not from St. George's. So this is going to be *really* interesting to see how thing thins unfolds for St. George's. It is going to be real interesting.

One thing I know about St. Georgians, if you go back, election after election after election, it just takes one issue to upset them and that thing flips. It will flip as quickly as it will for one side to the other side. You just have to take a look at the history. So this is going to be interesting, real interesting, to see how this pans out.

Now, I was going to say if the . . . I know the Honourable Member from [constituency] 1 has already said she wants to see an Act. And I do not want to see an Act in the next year or the following year. It needs to happen now. We have got time, certainly. And, like I said, hold your breath. Think about who you are affecting. That is all I am saying. I have been listening to them.

An Hon. Member: Watch that space.

Hon. L. Craig Cannonier: We are going to watch that space.

The thing is, I am going to watch St. Georgians watch that space. That is what I am going to do. I ain't going to watch you; I am going to watch St. Georgians watch that space. Okay? That is who is going to vote. Okay?

Go talk to your constituencies 1 and 2 representatives and let them tell you what they are saying. Have you asked them?

Did you ask them?

[Inaudible interjections]

Hon. L. Craig Cannonier: Yes? Well, you need to ask them what the people are telling them.

Hon. Zane J. S. De Silva: I was there.

The Speaker: Hey, hey, hey. Gentlemen, talk to me. Talk here.

Hon. L. Craig Cannonier: That's right. That's the one that is most important, the person that was there.

And you had representatives there, and no one said a word. Not one word!

[Inaudible interjections]

Hon. L. Craig Cannonier: Not one word!

You should know your Members who were there.

[Inaudible interjections]

The Speaker: Members!

Hon. L. Craig Cannonier: Not one of them said a word.

The Speaker: Members, have your conversation come this way.

Hon. L. Craig Cannonier: No one spoke up; they just sat there.

So, if we are going to have some interpolations, I recall town hall meeting after town hall meeting after town hall meeting, one after the other, after the other, *the beach is going to be private; we're taking the beach away from St. Georgians*. Okay? And guess what? When they became Government . . . *Oh, the beach is for all the public*. Having a press conference talking about the beach is going to be for the public, and the same legislation that was for Park Hyatt was the same legislation that was used also, when we were there, used the same wording for the—

Hon. E. David Burt: Point of order, Mr. Speaker.

The Speaker: We will take your point of order.

POINT OF ORDER

[Misleading]

Hon. E. David Burt: I think we have heard enough of the lies coming from that side.

The Speaker: Ah, ah, watch the language, watch the language.

[General uproar]

Hon. L. Craig Cannonier: Point of order, Mr. Speaker—

The Speaker: Ah, ah, ah, ah—

Hon. L. Craig Cannonier: —this is the second meeting that he has used that word. He used last time.

The Speaker: Sit down, sit down, sit down, sit down.

Hon. E. David Burt: Mr. Speaker, I will withdraw—

The Speaker: Premier, Premier, Premier—

Hon. E. David Burt: —I apologise.

The Speaker: I know you know how to choose your words better than that.

Hon. E. David Burt: I withdraw, Mr. Speaker.

The Speaker: Thank you.

Hon. E. David Burt: The Honourable Member is clearly misleading the House.

The Speaker: That is more acceptable.

Hon. E. David Burt: And I know that he has a problem with his recollection because you remember his recollection during Jetgate.

[Inaudible interjections]

Hon. E. David Burt: The Bill, Mr. Speaker—

[Inaudible interjections]

Hon. E. David Burt: Mr. Speaker, let's be very clear. The motion on Park Hyatt and the Bill had different language, Mr. Speaker. And if he were paying attention he would know.

Hon. L. Craig Cannonier: Mr. Speaker, I hate to say this, but the Premier does not know what he is talking about. The same wording for us was used. The exact same wording. And when they became Government—I am talking about misleading the public—the Premier, who was given a whole lot of leverage, has been misleading all along here! *Oh, we got 10 ministries, we got 12 ministers representing and we're spending less money.* Misrepresenting; completely misrepresenting.

Yes, we are going to keep going. We are going to get to that flight too. I keep telling you we are coming to that flight, we are saving it.

Hon. Zane J. S. De Silva: Where is it?

[Inaudible interjections]

Hon. L. Craig Cannonier: Oh yes. And I am going to talk about the details of it too.

[General uproar]

The Speaker: Direct your conversation here.

[Inaudible interjections and general uproar]

Hon. L. Craig Cannonier: Oh yeah, we're going to get to it!

You laugh. You're laughing because you know what was going on.

[Gavel]

The Speaker: Members!

Hon. L. Craig Cannonier: So, Mr. Speaker, but yet they get down there and say, *who, we're going to*

make this beach private. So here the OBA is, *We're taking a beach.* What do they do? They come and take a whole city!

[Laughter]

Hon. L. Craig Cannonier: A whole city!

I mean, my goodness!

So, all I am saying here, Mr. Speaker, is St. George's . . . I am concerned about St. George's. I live down there, I am with those people on a day-to-day basis. I am hearing what they are saying.

Hon. Zane J. S. De Silva: Those people?

Hon. L. Craig Cannonier: Yes. That is what I said.

[Inaudible interjections]

An Hon. Member: I can't believe you said that.

Hon. L. Craig Cannonier: Listen, they know who I am—

The Speaker: Just talk to the Chair.

Hon. L. Craig Cannonier: I heard you up there talking those words "those people" tonight.

The Speaker: Talk to the Chair!

Hon. L. Craig Cannonier: You said it.

[Gavel]

Hon. L. Craig Cannonier: You'll see it in Hansard.

[Inaudible interjections and general uproar]

Hon. L. Craig Cannonier: You don't need to worry about my blackness, brother. You don't need to worry about my blackness. What you need to worry about is your ethnicity.

[Gavel]

The Speaker: Hey! Take your seat. Take your seat.

Members, Members! Minister. You are going to find yourself outside in a minute. Control yourself or leave now, because I want to hear what is going on. If you can't control yourself, take a walk, before I ask you to walk. Again, it is going to be on different terms, okay? Thank you.

Continue.

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

So I will take a different tone.

The Speaker: Now, address your comments to me, and you won't get caught up in all that.

Hon. L. Craig Cannonier: Yes, sir.

The Speaker: If you start addressing your comments to other people, you are going to get caught up. Address them to me.

Hon. L. Craig Cannonier: I'm not caught up.
I was speaking truth to them, that's for sure.

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

[Laughter]

[Gavel]

The Speaker: We will take your point of order.

POINT OF ORDER

[Misleading]

Hon. Derrick V. Burgess, Sr.: Mr. Speaker, the Honourable Leader of the Opposition is misleading the House. The language on the St. George's Beach is different. We took out "reasonable access." So it is not the same.

The Speaker: I am going to ask that you move on from that matter until a later date when evidence can be provided to show what is actually there if it is that strong of a concern. But this is not the time to do it, because you do not have the evidence with you. So just move on.

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

I think the real concern that is coming from the east, and I am hearing it over and over and over from members there, is that they are really, really concerned about the fact that they are not going to be able to participate in voting for the leadership of the now moving legislation to a quango. And that seems to be the ongoing reigning theme that is coming from St. George's.

And, you know, I guess I am a bit concerned about the fact that when we became Government it was evidenced that St. George's, the Corporation, needed money. It was looking for finances to get things moving along. And I can recall many, many a time, Ministers coming to me, saying, *Listen, you know, can we get some money to fix this, and fix that, and do that?* And I obliged, because I recognised the importance of it. I obliged millions, Mr. Speaker, to assist in aiding the Corporation of St. George's.

[Inaudible interjection]

Hon. L. Craig Cannonier: That's right.

So, the dock, all kinds of things, Mr. Speaker. The concrete dock on one side, the wooden dock on the other side, [there were] quite a few things that we aided in ensuring that finances were coming through. And, certainly, I would have loved to have been able to do more. But what concerns me is that since this Government has been Government I have not heard of any funds that have been granted to the Corporation to assist.

And I heard tonight from one of the Members saying about the disaster situation that is going on down there, but since they have been Government no aid has been given of any substance to St. George's. And I am just trying to understand that. So, if we are doing this in order to enhance things, if we are doing this to ensure that we give assistance and bring St. George's Corporation into the future, why is it now that we have not seen any finances of any substance given to St. George's?

They brought the cruise ships back. It became a bit of a challenge, but we have the cruise ships going back there. We levied that tax on the fuel to ensure, about \$300,000, I believe it was, to ensure that there were new finances coming into the Corporation—

[Inaudible interjection]

Hon. L. Craig Cannonier: Sorry?

[Inaudible interjection]

Hon. L. Craig Cannonier: Yes, yes, yes. So, it just bewilders me that here we are now moving with legislation, but 18 months into this here, when you talk to the Mayor, nothing, quite frankly, after all the bidding that they have been doing. And I would assume that the Honourable Members from constituencies 1 and 2 have been pleading on behalf of the Corporation (well, more so the Member from constituency 1 than the Member from constituency 2), that they would get some assistance, both of them being St. Georgians.

Mr. Hubert (Kim) E. Swan: Point of order, Mr. Speaker.

Hon. L. Craig Cannonier: Oh good; here we go.

The Speaker: Point of order.

POINT OF ORDER

[Imputing improper motives]

Mr. Hubert (Kim) E. Swan: The Honourable Member is imputing improper motives on myself. And I take great exception to that. I can unequivocally say that my colleague and I advocate vociferously on behalf of

St. George's behind the scenes. And, you know what? You don't have to bark loud to be effective.

The Speaker: Thank you.

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

[Inaudible interjections]

Hon. L. Craig Cannonier: I am not sure . . . that's what I am saying. I am not sure what the point of order was. It was not a point of clarification; it was not a point of order.

The Speaker: They are supporting your point.

Hon. L. Craig Cannonier: I just want to get him back down there running that golf course, that's all. You know? It would be nice having him back down there running that golf course.

[Laughter]

The Speaker: Keep talking.

Hon. L. Craig Cannonier: And just as a point of clarification, I am looking at the legislation here, the [Park Hyatt \[\(St. George's\) Resort\] Act \[2008\]](#). It is there, Mr. Speaker. I do not know what they are talking about. It is right here, ⁶“the public shall have, free of charge, reasonable access to any beach and foreshore on the Property”

It is there.

So, all of this noise and, unfortunately, the Premier is jumping up and talking about lies and misleading is unfortunate. So, you know, I think we are going to have to start doing one of those Trumpian things where you start fact checking every time something is said, because we certainly have been sitting over here listening and being patient, allowing some latitude.

The Speaker: Just keep directing your comments this way.

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

So, at the end of the day, Mr. Speaker, I am for change. I am for how we can move this thing forward. But I believe that the best way, based on when it was Premier's Question [Time], I believe that the best way forward back then, what I was suggesting was, we needed something slightly different for St. George's than Hamilton. And I believe the most prudent thing that would have been was to address St. George's . . . I'm sorry, the Corporation of Hamilton first. They were the last ones . . . the St. George's came into play first, and then Hamilton after.

And I can recall in St. George's, all of the same shops that were in St. George's, Mr. Speaker, then had a sister shop in Hamilton. In fact, I can remember, you know, dressing up in a lime green suit and coming out of St. David's there. My uncle Edmund saying to me, *All right, Bill, we are going to take this thing up to 20 miles an hour.* Old cars were slow. And we would sit there and would go to town, and I had the opportunity to see town. There was no need to come to town, because everything was in St. George's already. No need.

And I certainly applaud the Minister for moving forward. St. George's was supposed to be used as a pilot on matters of water and sewage. And I am glad to hear that that is continuing on. It needs to happen. The recommendations that we made was that the BLDC [Bermuda Land Development Company], with the plant that they had, could be running a line across to the city and drawing all that stuff into that massive plant that they already have. So, hopefully, out of the measures of scale that we have been talking about, the economies of scale, the measures of scale, that they are going to use the BLDC side that already has that plant there. And all they need to do is upgrade it and run a pipe across the city water there, in that mud—

Lt. Col. Hon. David A. Burch: Point of information, Mr. Speaker.

Hon. L. Craig Cannonier: Oh, sure. I'll take it.

POINT OF INFORMATION

Lt. Col. Hon. David A. Burch: That is the plan and the plant does not need to be upgraded. It can accommodate all of the sewage from St. George's.

Hon. L. Craig Cannonier: Yes.

The Speaker: Minister.

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

When I said “upgrading,” I was speaking mostly to the issues that they were having with the piping that is on the BLDC side that needed to be upgraded. And I do not think they have completed all of that upgrading. They did some of it; but they certainly have not done all of it to be able to accommodate that kind of volume. So it will be good to see.

And I know that the hotel that is being built over there will certainly, in whatever way that they can, assist. But at the end of the day, Mr. Speaker, what St. George's . . . and I am not talking about Hamilton, because I think that Hamilton should be the first one. Yes.

[Inaudible interjection]

⁶ Section 5(3)(b)

Hon. L. Craig Cannonier: We will see what happens. This is a move, this is a decision that the Government has made. Different Governments will make different decisions. At the end of the day the people will get to see how it all rolls out, and they will get to decide. It does not matter what I think. But what does matter is what they think.

So, I believe the best and prudent thing that should have been done is use Hamilton as that pilot, and then give St. Georgians—because they are still going to make some noise—give them that time to see how it is going to work. Because, if they do not, I can assure you there is going to be more noise coming out of the east, and I can assure you that as clanish as east enders can be, if they are upset about one issue, they are going to carry it into the next election. They will. I am not talking about who is going to win; I am just talking about putting their own Honourable Members at jeopardy down there, because they will speak up.

So, with that in mind, Mr. Speaker, I recognise that the Honourable Member talked about division. He talked about the fact that they made a yacht marina, and I probably should just say a little something about that.

I recall when the Corporation of St. George's wanted to bring forward this whole idea of a marina. And I rejected giving any assistance, because the financials were horrendous. And I will be frank with you, Mr. Speaker, and honest with you about this. Listen, they wanted to give it to the same people who were up in Dockyard. And I said it publicly—they were not of my persuasion—*Put this thing out to tender, I know of a lot of people who could do it.* And they were racing ahead trying to get this thing done, and it was the wrong decision.

And I am glad that I made that decision because now, hopefully, this Government will get the right people to build that marina. And I certainly hope that it is not the same one that was looking to do it before, because there will be a lot of noise made if it is not. Thank you, Mr. Speaker.

The Speaker: Thank you, Honourable Member.

Premier, would you like to say a few remarks at this point?

Hon. E. David Burt: Mr. Speaker, my remarks will be incredibly brief this evening.

The Speaker: I appreciate hearing that.

Hon. E. David Burt: Because if there is one thing that is a fact on this Bill, and I think I said it earlier, is that the House shall be collectively . . . sorry, that the Cabinet shall be collectively responsible for decisions made. And the fact is that when we go down this line, what the Minister, what our Members have said, we must be held accountable for.

And the question will be whether or not we deliver for St. George's or deliver for Hamilton. I am confident that this Government will. That is the fact, and if we were not confident, we would not be doing that, Mr. Speaker.

But, I would just like to help the Members opposite very quickly, because it is a very simple point. You cannot quote a repealed Act. Okay? The fact is that the St. George's Resort Act of 2015 was repealed by the St. George's Resort Act of 2018. And there is different language, because we purposely, at the urging of our Members from constituencies 1 and 2—which is who we listen to—removed the line “reasonable access,” Mr. Speaker. And I would hope that the Honourable Opposition Leader would get his facts straight before he gets up next time.

Hon. L. Craig Cannonier: Point of order, Mr. Speaker.

The Speaker: Point of order? We will take your point of order.

POINT OF ORDER

Hon. L. Craig Cannonier: Yes. I am looking at the 2015 [Act] right here in front of me; it has the exact same words. So . . .

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

[Inaudible interjections and general uproar]

Hon. Derrick V. Burgess, Sr.: Point of order, Mr. Speaker.

The Speaker: Premier, were you finished?

Hon. E. David Burt: Mr. Speaker—

Hon. Derrick V. Burgess, Sr.: Point of order.

Hon. E. David Burt: Mr. Speaker—

The Speaker: Wait, wait. Are you going to address it, or . . .

Hon. E. David Burt: Mr. Speaker, I am very happy to read what is in front of me. The *repealed* Act, called the [St. George's Resort Act 2015](#), says, and I quote: “⁷the public shall have, free of charge, reasonable access to any beach [and] foreshore on the Property;”

The [St. George's Resort Act 2018](#) reads: “⁸the public shall have, free of charge, access to any

⁷ Section 3(3)(a)

⁸ Section 4(4)(a)

beach [and] foreshore on the Property” Mr. Speaker, there is different language.

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

The Speaker: Point of order.

POINT OF ORDER

Hon. Patricia J. Gordon-Pamplin: Yes.

The Honourable Member, as he spoke, spoke of the comments that were made during the run-up to the elections in terms of the scaremongering with respect to the beach. That was, in fact, the St. George’s Resort Act—

[General uproar]

The Speaker: Members!

Hon. Patricia J. Gordon-Pamplin: —of 2015 that the Honourable Member just spoke about a 2018 repeal. We could not have been speaking . . . he could not have been speaking about a repeal Act to indicate that the Member was referring to St. George’s Resort during the election, because the election was in 2017. So the repeal Act to which he referred . . . it makes no sense what he has just said!

The St. George’s Resort Act of 2015 had the exact same wording as the Park Hyatt [(St. George’s Resort)] Act of 2008! The exact same wording.

Thank you, Mr. Speaker.

[General uproar]

Hon. E. David Burt: Mr. Speaker, I know that we are tired. I have read into the record the Act. And I am perfectly happy to go to my office and table them so that the Honourable Members can see the difference, Mr. Speaker.

The Speaker: Thank you.

Does any other Member wish to speak?

No other Members?

Minister, would you like to move us to Committee?

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

My, it has been an interesting debate. But I am not going to keep us too much with my closing remarks, because we need to go to Committee. But I will address a few issues that were raised.

There were a couple of questions raised in relation to contingent liabilities in relation to Hamilton and the ring fencing of assets. Well, I can actually say that there is likely to be some level of ring fencing of assets for Hamilton, because there still remains a

concern as it relates to the MIF [Mexico Infrastructure Finance] legal matter. It is still outstanding. There remains a legal case in New York that could go either way. So, the Government, certainly, is not interested in becoming legally entwined in that. And that matter also . . . I believe the Government may also possibly be a party mentioned in that legal matter.

So, there will be no entwining of the assets and liabilities in relation to the Hamilton Corporation as we go forward. So those matters are still outstanding.

A couple of other very important things were raised, and I must, Mr. Speaker, commend particularly the Members who I believe made some clear points tonight in relation to the history of the relationship between the corporations and Government because it seems that some statements were suggesting that there is some ownership and that the Government is violating some sort of private ownership, when, actually, it should be remembered that the corporations were set up by legislation from this Assembly. So, their existence, legally, was a result of decisions made in this Assembly. So I think that needs to be remembered.

I must also take note of the very passionate and extremely moving comments from the Members of constituencies 1 and 2. I think they know that I have great respect and understanding of their passion and their commitment to the Town of St. George for all of the reasons that have been stated. It is a living town, it has a rich history. And that cannot be ignored. But, certainly, comments by the Opposition Leader in relation to piloting certain key developments and his suggestion that they start in Hamilton just runs awry of the priorities of this Government.

There is a reason, as the Honourable Minister who sits in constituency 27 said that we are going to begin some of our major infrastructure initiatives in St. George, because they are important. Not only is there a distinctness to St. George’s, which cannot be denied, and so the work that the Government intends to do will start in the east.

So I think it must be made clear that this Government recognises the distinctness of the two different corporations, and, particularly, St. George’s. And I cannot certainly stand and say that I did not hear the request made by the Honourable Members who sit in constituencies 1 and 2 as to their desires for the future of their town. And I have spent a considerable amount of my time in preparation for this debate listening to that, and listening to the people of St. George.

Despite the claims of lack of consultation, there has been considerable consultation. There was consultation by my predecessor that goes back to 2018. In August and May of last year there were town hall consultations in St. George’s. The process that we started here started as far back as then, and continues with myself. And I continue the process of en-

sureing that we will be talking to the people of St. George.

There have been considerable visits to St. George by myself and other Members of the Progressive Labour Party to get understanding and perspective on their feelings around this initiative.

And there was a request for an undertaking made by the Member from constituency 1. And I can stand on my feet today and I am happy to oblige that request with an undertaking.

My remarks started that this is a journey that we are starting, a journey to modernisation. It will also include revitalisation and sustainability for the respective towns. So I can stand here and inform this House that the work that is required to give St. George's its own individual Act will start once we complete this legislative process.

I recognise from their comments and from all that I have heard over these many months of dealing with this, that it is important to listen. And because of the uniqueness of St. George's and my understanding of that, I will oblige that undertaking. I hope my undertaking will be enough for the Honourable Members, and I will work with them to begin the process of putting together that Act that will acknowledge St. George's distinctness and uniqueness as a town with a rich history that spans from the very beginning of settlements in this hemisphere to this very day. Places like Shinbone Alley places like the Unfinished Church, places like St. Peter's, Shinbone Alley, particularly, because it is one of the earliest known settlements where free blacks owned property.

I think that it is important to not only ensure that Bermudians know that, but it has an international stage which is why this Government is moving to ensure that St. George's UNESCO World Heritage Site is protected. And it is important to do that and it will come from this Government. It is a part of the change that we wish to bring to that.

So, I will conclude here by making an undertaking to my colleagues to begin the work on that distinct piece of legislation—

[Desk thumping]

Hon. Walter H. Roban: —that will acknowledge St. George's for what it truly is. The journey has begun and the journey will continue. And with that, Mr. Speaker, I ask that this Bill be committed.

[Desk thumping]

The Speaker: Deputy.

House in Committee at 12:32 am
[14 March 2018]

[Hon. Derrick V. Burgess, Sr., Chairman]

COMMITTEE ON BILL

MUNICIPALITIES REFORM ACT 2019

The Chairman: Members, we are now in Committee of the whole [House] for further consideration of a Bill entitled the [Municipalities Reform Act 2019](#).

Minister, you have the floor.

Hon. Walter H. Roban: Thank you, Mr. Chairman.

I would like to state now that I am tabling an amendment for clause 11, which is the Schedule of the Act. I am passing it out now—

The Chairman: Hang on a second—

Hon. Walter H. Roban: —and with your permission, it will be handed out, Mr. Chairman, by the—

The Chairman: You are doing the—

Hon. Walter H. Roban: I am going to do everything. I am just letting you know I have it.

The Chairman: Yes.

Hon. Walter H. Roban: But I am going to move clauses 1 through 10.

The Chairman: Continue.

Hon. Walter H. Roban: If I can do that with the permission of the Committee.

The Chairman: Continue.

Hon. Walter H. Roban: Okay.

Mr. Chairman, this Bill would abolish municipal elections, provide for the appointment of Members of the Corporations, and make consequential amendments to the Municipalities Act 1923 (“the principal Act”). It would also make certain directions given by the Minister to a Corporation subject to parliamentary scrutiny.

Clause 1 is self-explanatory.

Clause 2 abolishes [municipal] elections. Elections are replaced by selection and appointment of Members. Apart from clause 5, the remainder of this Act makes consequential amendments.

Clause 3 amends section 1(1) of the principal Act to repeal various definitions that are applicable only to municipal elections as there will be no more municipal elections.

[Crosstalk]

The Chairman: Order!

[Laughter and inaudible interjections]

The Chairman: Continue, Minister.

Hon. Walter H. Roban: Thank you, Mr. Chairman. There will be no municipal elections.

Clause 4 amends section 7 of the principal Act. Subsections (4)(b) and (8) are amended to delete references to being elected and to insert a reference to being appointed.

Clause 5 amends section 7AA of the principal Act by amending subsection (1A)(a) and inserting subsection (3A). The amendment to subsection (1A)(a) clarifies that if an act or thing done by a Corporation would otherwise not be construed as being for municipal purposes, it will be deemed to be for municipal purposes if done under a direction by the Minister. A direction will have legislative effect, and therefore be a statutory instrument and subject to parliamentary scrutiny, if it expands the meaning of “municipal purpose” by directing the Corporation to do anything that would otherwise not be for a “municipal purpose” (see the Privy Council decision of *Mexico Infrastructure Finance LLC v. The Corporation of Hamilton [2019]* [UKPC 2], at paragraphs 57 to 59, which construes “municipal purpose” very narrowly). Subsection (3A) therefore provides that directions given by the Minister to a Corporation under section 7AA(3)(aa) of the principal Act (directing the Corporation to do any acts or things that the Minister, acting under the general authority of the Cabinet, requires the Corporation to do) are statutory instruments subject to parliamentary scrutiny by the negative resolution procedure.

Clause 6 repeals the following sections of the principal Act, which currently provide for municipal elections, as there will be no more municipal elections: section 9 (municipal elections); section 9A (eligibility to vote in municipal elections); section 9B (application of Parliamentary Election Act 1978 as modified by order); section 9BA (registration of municipal residents); section 9C (registration of business ratepayers); section 9D (requirements for registration in the business ratepayers’ register); section 9E (registration of persons in business ratepayers’ register); section 9F (maintenance of business ratepayers’ register); section 9G (objections to registration); section 9H (application of Parliamentary Election Rules 1979); and section 9I (false statements, et cetera). It also repeals section 17 (tenure of office) of the principal Act. The section currently provides that a Member of a corporation holds office from the date of his election until the declaration of the results of the next ordinary municipal election. Under the repealed section 9(4)(a), the next ordinary municipal election would have been a day in the week following the first Sunday in May (in other words, between 6 and 10 May 2019).

Clause 7 inserts sections 17A and 17B in the principal Act. Section 17A provides that the current elected Members’ term of office will end on 13 May 2019 (at the end of that day). Section 17B provides

that the Minister shall appoint members in accordance with the provisions of the Fourth Schedule (inserted by clause 11), and their term of office will begin on 14 May 2019 (immediately after the elected Members’ term ends).

Clause 8 amends section 18 of the principal Act to delete the references to the election and nomination of candidates, and replace them with references to appointment.

Clause 9 repeals section 18A (determination of proportion of business ratepayers’ Councillors to residents’ Councillors) of the principal Act, as this is part of the current election process.

Clause 10 amends section 19 (vacancies) of the principal Act to reflect that there will no longer be municipal elections, and to provide that notice of a vacancy will no longer be published by the Secretary or the Mayor (as the case may be) in the *Gazette*, but will rather be given in writing by the Secretary to the Minister.

Thank you, Mr. Chairman.

The Chairman: Any further speakers on clauses 1 through 10?

There appear to be none.

Minister, will you move those?

Hon. Walter H. Roban: Yes, Mr. Chairman, I wish to move clauses 1 through 10 as printed.

The Chairman: It has been moved that clauses 1 through 10 be approved as printed.

Are there any objections to that?

An Hon. Member: No.

The Chairman: There appear to be none.
Approved.

[Motion carried: Clauses 1 through 10 passed.]

The Chairman: Continue.

Hon. Walter H. Roban: Mr. Chairman, I wish to now move the amendment.

The Chairman: Continue.

AMENDMENT TO FOURTH SCHEDULE INSERTED BY CLAUSE 11

Hon. Walter H. Roban: I would like to move the following motion to amend the Fourth Schedule inserted by clause 11.

That the Municipalities Reform Bill 2019 be amended as follows:

Amends the Fourth Schedule inserted by clause 11.

The Fourth Schedule, of the Municipalities Act 1923, inserted by clause 11, is amended as follows:

1. In paragraph 1—
 - (a) after “satisfied have the” insert “requisite”;
 - (b) insert after subparagraph (1)
 - “(2) The persons with the requisite skills and experience referred to in paragraph 1(a) are—
 - (a) a person with knowledge and expertise and experience in accounting;
 - (b) a barrister, or person with knowledge and expertise and experience in legal affairs;
 - (c) a person with knowledge and expertise and experience in planning, architecture engineering or construction;
 - (d) a person with knowledge expertise and experience in human resources or collective bargaining agreements;
 - (e) a person who, in the opinion of the Minister, has suitable knowledge expertise and experience.”; and
 - (c) renumber the existing subparagraphs (2), (3), and (4), as subparagraphs (3), (4) and (5), respectively.
2. In paragraph 2—
 - (a) in subparagraph 2(4) after “determined by”, insert “the Committee after consultation with”;
 - (b) insert after paragraph (4)
 - (5) The Committee shall publish the criteria for selection of the Committee in the *Gazette*.
 - (6) For the avoidance of doubt, the publications under subparagraph (5) is not a statutory instrument for the purposes of the Statutory Instruments Act 1977.”; and
 - (c) renumber the existing paragraphs (5) and (6) as subparagraphs (7) and (8), respectively.

Clause 11 inserts the Fourth Schedule which provides for the appointment of Members and for their tenure of office. For each Corporation, the Mayor and four [Councillors] will be appointed by the Minister. The other four Councillors will be appointed on the recommendation of a Selection Committee appointed by the Minister. It also provides that the name of every person appointed to the office of Mayor or Councillor of a Corporation, and any vacancy in such office, be published in the *Gazette*. Thank you, Mr. Chairman.

The Chairman: Any further speakers?

The Chair recognises the Honourable Member Pat Gordon-Pamplin. You have the floor, Mrs. Pamplin.

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

I just have a question for the Minister, just for clarity. The Minister has the right to appoint based on the revision. But the question is, all the individual persons the criteria has been outlined—

The Chairman: Excuse me. Let’s deal with the amendment first.

Hon. Patricia J. Gordon-Pamplin: Yes, [clause 11].

The Chairman: The amendments?

Hon. Patricia J. Gordon-Pamplin: Yes the amendments. Clause 11.

The criteria is there. But the question I have is, is there . . . how does an individual that you may not know indicate to you that they may be interested? So the Minister basically has the councillors, so how is somebody who flies in from Mars let you know that they may be interested?

Hon. Walter H. Roban: Mr. Chairman, may I answer?

The Chairman: Yes.

Hon. Walter H. Roban: Well, there will be nobody flying in from Mars, . . . I understand; I am just being clear. The selection committee itself will set the term of what they want the criteria for selection to be. The pool of people selected will be people who either are on, like, the register and who work, live in . . . people who are on the register within the respective municipalities and the persons who are . . . the selection committee must come from the area. They must be people who live, are employed, or own businesses within the respective corporations.

The Chairman: Continue, Mrs. Gordon-Pamplin.

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

Maybe I did not make my question clear. What I am trying to determine is . . . I recognise what the criteria is. If an individual is interested, can that individual approach, or are they precluded from approaching either the Minister or the committee to indicate their expression of interest?

Hon. Walter H. Roban: I understand.

The Selection Committee will essentially publish a notice of nomination, and any person can put their name forward. They do not put it to me; they put it to the Selection Committee. That committee inde-

pendently goes through that process of considering the names from the community who desire to be considered to be sitting on the respective bodies.

Mr. Chairman, I would like to make one clarification. In paragraph 2(b) where it says insert after paragraph (4), and (5), where the sentence is “The Committee shall publish the criteria for selection of the Committee in the *Gazette*.” That word should instead be “Councillors” not “Committee.”

The Chairman: You want to say “selection of the Councillors”?

Hon. Walter H. Roban: Yes, in the *Gazette*. Not the “Committee”; it should be “Councillors.”

Hon. Walter H. Roban: I hope that is clear to everyone.

The Chairman: Any further speakers to the amendment?

You want to move the amendment?

Hon. Walter H. Roban: Mr. Chairman, I wish to move clause 11 as amended.

The Chairman: It has been moved that clause 11 be approved as amended.

Any objection to that?

No objection. It is approved.

[Motion carried: Clause 11 passed as amended.]

Hon. Walter H. Roban: Mr. Chairman, clause 12 revokes the Municipalities (Election) Order 2015.

Thank you, Mr. Chairman. And I would like to move clause 12 as printed.

The Chairman: It has been moved that clause 12 be approved as printed.

Any objection to that?

There appear to be none.

Approved.

[Motion carried: Clause 12 passed.]

The Chairman: You want to move . . .

Hon. Walter H. Roban: I wish to move that the preamble be approved.

The Chairman: It has been moved that the preamble be approved as printed.

Any objection to that?

There appear to be none.

Approved.

Hon. Walter H. Roban: Mr. Chairman, I 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. Are there any objections to that?

Some Hon. Members: Yes.

[Inaudible interjections]

The Chairman: All right, names.

We will have names.

Okay, two minutes, and then we will have the roll call.

[Pause for the ringing of the bell]

The Chairman: Just to let you know, I made a boo-boo, but we have made the ruling and we will have the [Division] because I should have called . . . I could have done a voice over, but the decision is made, we are going to do the vote. Okay?

The Clerk: Okay, we are here to vote on the Municipalities Reform Act 2019, regarding the Bill being reported as amended. And we have a division, and I will start calling the names.

DIVISION

[Municipalities Reform Act 2019, Report]

Ayes: 22

Hon. Walton Brown
Lt. Col. Hon. D. A. Burch
Hon. E. David Burt
Hon. Wayne Caines
Hon. Zane J. S. DeSilva
Hon. Curtis L. Dickinson
Mr. Christopher Famous
Hon. Lovitta F. Foggo
Mrs. Tinee Furbert
Hon. Wayne L. Furbert
Mr. Dennis Lister III
Mrs. Renee Ming
Hon. Diallo V. S. Rabain
Hon. Walter H. Roban
Hon. Michael J. Scott
Mr. W. Lawrence Scott
Hon. Jamahl S. Simmons
Mr. Scott Simmons
Mr. Hubert (Kim) E. Swan
Mr. Neville S. Tyrrell
Mr. Michael A. Weeks
Hon. Kim N. Wilson

Noes: 7

Hon. L. C. Cannonier
Hon. P. J. Gordon-Pamplin
Ms. Susan E. Jackson
Mr. Scott Pearman
Mr. S. D. Richards, Jr.
Mr. N. H. Cole Simons:
Mr. Ben Smith

Absent: 5

Hon. Jeanne J. Atherden
Mr. Rolfe Commissiong
Hon. Michael H. Dunkley
Hon. Trevor G. Moniz
Ms. Leah K. Scott

The Chairman: It was really a tight one there, but the Ayes have it, 22 to 7. The motion stands.

[Desk thumping]

[Motion carried by majority on division: The Municipalities Reform Act 2019 was considered by a Committee of the whole House, and will be reported to the House as passed with amendment.]

The Chairman: The Bill will be reported to the House as amended.

House resumed at 12:55 am
[14 March 2019]

[Hon. Dennis P. Lister, Jr., Speaker, in the Chair]

REPORT OF COMMITTEE

MUNICIPALITIES REFORM ACT 2019

The Speaker: Good morning, Members.

Some Hon. Members: Good morning.

The Speaker: I did not wish to be saying that, but it is good morning.

Is there any objection to the [Report] of the Municipalities Reform Act 2019 as amended?

An Hon. Member: Nope.

The Speaker: None.

So moved.

I believe that brings us to the end of the items to be done on the Order Paper this morning. So, Minister, Deputy Premier, would you like to do your third reading?

Hon. Walter H. Roban: Mr. Speaker, absolutely.

SUSPENSION OF STANDING ORDER 21

Hon. Walter H. Roban: I move that Standing Order 21 be suspended to enable me to move that the Bill entitled the Municipalities Reform Act 2019 be now read a third time by its title only.

The Speaker: Any objections?

None.

Continue on.

BILL

THIRD READING

MUNICIPALITIES REFORM ACT 2019

Hon. Walter H. Roban: I move that the Bill now be read a third time by its title only and passed.

The Speaker: It has been moved and passed.

[Motion carried: The Municipalities Reform Act 2019 was read a third time and passed as amended.]

The Speaker: Mr. Premier.

ADJOURNMENT

Hon. E. David Burt: Mr. Speaker, I move that this Honourable House do now adjourn until Friday, 15 [March] at 10:00 am.

The Speaker: Does any Member—

You all jumped from your seats. I was going to ask if any Member wished to speak to it, and you all jumped up.

[Inaudible interjections]

The Speaker: Members, have yourselves a good night. See you on Friday morning at ten o'clock!

Some Hon. Members: No, no, no, no!

The Speaker: We're going home.

[Gavel]

[At 12:57 am (Thursday, 14 March 2019), the House stood adjourned until 10:00 am, Friday, 15 March 2019]