



**2018/19 SESSION
of the
BERMUDA SENATE
OFFICIAL HANSARD REPORT**

5 June 2019

*Sitting number 14 of the 2018/19 Session
(pages 501–514)*

**Sen. The Hon. Joan E. Dillas-Wright, MBE, JP
President**

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BERMUDA SENATE**OFFICIAL HANSARD REPORT****5 JUNE 2019****10:01 AM***Sitting Number 14 of the 2018/19 Session*

[Sen. the Hon. Joan E. Dillas-Wright, President, presiding]

PRAYERS

[Prayers read by Sen. the Hon. Joan E. Dillas-Wright, President]

CONFIRMATION OF MINUTES

[Minutes of 22 May 2019]

The President: The Minutes of the 22nd of May 2019.
Senator Jardine.

Sen. James S. Jardine: Madam President, I move that the Minutes of the meeting of Wednesday, the 22nd of May 2019, be taken as read.

The President: Is there any objection to that motion?
No objection.

Sen. James S. Jardine: Madam President.

The President: Senator Jardine, carry on.

Sen. James S. Jardine: Madam President, I move that the [Minutes of Wednesday, the 22nd of May 2019](#), be confirmed as the correct record of that meeting.

The President: Is there any objection to that motion?
No objection.
The Minutes of the 22nd of May 2019 are confirmed. Thank you, Senator Jardine.

[Minutes of 22 May 2019 confirmed]

MESSAGES

The Clerk: There are no messages, Madam President.

The President: Thank you, Clerk.

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: We have three.
Senator Campbell, you have the floor.

FINANCIAL STATEMENTS OF THE INFORMATION COMMISSIONER'S OFFICE FOR FISCAL YEAR ENDED 31ST MARCH 2018

Sen. Vance Campbell: Thank you, Madam President.
Madam President, I hereby present for the information of Senate the [Financial Statements of the Information Commissioner's Office](#) for the fiscal year ended 31st of March 2018.

The President: You have a second. Carry on.

ANNUAL REPORT AND ACCOUNTS OF THE BERMUDA MONETARY AUTHORITY FOR YEAR ENDED 31ST DECEMBER 2018

Sen. Vance Campbell: That is correct.
Madam President, I hereby present for the information of Senate the [Annual Report and Accounts of the Bermuda Monetary Authority](#) for the year ended 31st of December 2018.

The President: Okay. And the third one is yours, as well.

Sen. Vance Campbell: That is correct, Madam President.

The President: You can carry on.

CONSOLIDATED OVERALL REPORT OF THE EFFICIENCY COMMITTEE, APRIL 2019

Sen. Vance Campbell: Madam President, I hereby present for the information of Senate the [Consolidated Overall Report of the Efficiency Committee, April 2019](#), which was appointed by the Premier in March 2018 to review the functioning of all government departments and recommend improvements in the efficiency of operations. Thank you, Madam President.

The President: Thank you, Senator Campbell.

NOTICES OF MOTION

The President: There are none.

PETITIONS

The President: There are none.

STATEMENTS

The President: There are none.

INTRODUCTION OF BILLS

The President: There are none.

FIRST READING OF PUBLIC BILLS

The President: The following public Bill has been received from the Honourable House of Assembly and is now read for the first time:

PREMIER, MINISTERS AND OPPOSITION LEADER PERSONAL STAFFS ACT 2019

The President: Its title is the Premier, the Ministers and Opposition Leader Personal Staffs Act 2019.

PRIVATE BILLS

The President: There are none.

QUESTION PERIOD

The President: There are none.

ORDERS OF THE DAY

The President: We have no orders of the day today.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Would any Senator care to speak?

ADJOURNMENT

The President: Madam Kathy Lynn Simmons, Attorney General, and Government Leader in the Senate, you have the floor.

Sen. the Hon. Kathy Lynn Simmons: Thank you, Madam President.

I move that the Senate do now adjourn until Wednesday, June 13th.

The President: June 12th?

Sen. the Hon. Kathy Lynn Simmons: The 12th.

The President: All right.

Would any Senator care to speak on the Motion to Adjourn?

Sen. Marcus Jones: Yes, I would.

The President: Senator Jones, you have the floor.

Sen. Marcus Jones: Good morning, Madam President.

The President: Good morning.

2019 TRANSPORT GREEN PAPER

Sen. Marcus Jones: Good morning, fellow colleagues, and good morning to the greater listening audience.

One of the things that I wanted to take note of on the motion to adjourn is the 2019 Transport Green Paper. This is a very important consultation piece which was brought forward by the Government. We know from that particular work which was done, I believe it was a little over a year, that the committee was put in place and stakeholders within the transport industry were consulted in regard to transportation in Bermuda.

Now, we know from that particular report, Madam President, that there were close to 2,500 people who were surveyed. There were several tens of thousands of visitors who were surveyed and asked various questions about transportation in Bermuda. And we realise that, of the visitors who were questioned about transportation in Bermuda, 46 per cent were not satisfied with the quality of transportation on this Island.

We also found out from that particular survey of the air visitors, 80 per cent of our air visitors used the taxi form of transportation. Another 40 per cent of those same visitors used our bus transportation. So, a large number of our visitors, and even our residents who are commuting to go to work or our children to go to school, were tapped into and questioned about the quality of transportation in this country.

And I will reveal my interest. As a former taxi driver and a present minibus driver, who has to take our visitors all around this Island, I have been bombarded by my fellow taxi drivers and minibus drivers in the industry who have many questions and many concerns. And it is definitely a subject of discussion that is very important to many of our entrepreneurs and drivers in this country.

Now, the backdrop of all of this, as we all know, is the challenges that we have with the buses. As recent as yesterday, the number of the bus cancellations totalled 46. And in the last couple of days, it has hit in the 30s and the 20s. And many of our workers cannot get to work. Our students cannot get to school. During the peak hours is when we suffer the most inconvenience.

So, my whole purpose in even raising the topic and bringing it to the attention of my colleagues here in the Senate and to the greater audience of the public around [Bermuda] is just to ask a couple of questions and to raise the level of awareness and concern in this forum that is before me here today.

Now, we know that back in March the Transport Minister was able to unveil a bus schedule for the country to adopt. And within six weeks, that particular schedule was trashed and found to be wanting, and found to be not up to standards, which causes the entire public to sigh in despondency because we know that so much time was spent in putting this schedule together. Over \$1 million was spent on the consultant who actually put the schedule together. We do not have a relevant, working bus schedule for this country as it stands today.

So, with the bus drivers [having] embarked on a Work to Rule stance, we realise that transportation in this country is under much duress. I would even venture to use a phrase that is used in military terms that maybe this Government is experiencing *battle fatigue*. The burden of governing is becoming very tough and heavy to carry.

Sen. the Hon. Kathy Lynn Simmons: Madam President.

The President: Madam Attorney General.

Sen. the Hon. Kathy Lynn Simmons: I would politely suggest that the Senator limit his comments to factual statements, as opposed to these fatuous musings this morning as to the state of the Government.

The President: Senator Jones.

Sen. Marcus Jones: Thank you, Madam President.

The President: Withdraw that statement about *fatuous*.

Sen. Marcus Jones: So, as I said earlier, having been bombarded by many within the industry, the transport industry, questioning me, possibly knowing my role as a Senator, possibly thinking that I have an inside track on the thinking and the musings of the Government, which I do not have, we only have the facts that are in front of us which indicate whether this industry is successful or whether it is failing. We are only talking about the facts, whether it is in the news-

paper—not just anecdotal examples, but we see it on a day-to-day basis.

Now, one of the things that the Government has done, which I realise was a temporary measure, was to get more taxis on the roads during the hours of the evening. Everyone knows that [between] the hours of twelve midnight and three o'clock in the morning there is a shortage of taxis. So we see that the Minister has released temporary permits for 20 taxis.

And my question would be, Even with the additional taxis that are out there during those times of the night, is it really going to solve the problem? Especially when the real problem of getting taxis to where the demands are is that communication is bad, because we do not have, for example, a central dispatch company or a system where a central mechanism is in place so that we know where the taxis are around the country so that we can join up demand with supply.

So, I do not believe that we need, necessarily, a Green Paper to tell us that we need a central mechanism in place so that we can have the data, so that we can find the trends, so that we can follow the movement of traffic, so that we can identify where the problems are. And we know that there are four central dispatching companies in this country. I think something that the Government should do, and do sooner rather than later, is to look and see how we can get these four dispatch companies together. We know that they have functioned independently. We know that the taxi drivers function independently.

But with a Transport Green Paper that [contains] a survey that shows a failing grade where our visitors and residents alike are being inconvenienced and are up in arms, this Government needs to do what it can do to bring forward a system and put a system in place that solves the problem.

One of the things that came out of this Green Paper was the fact that there are regulations and laws in place, but they are not enforced. For example, how many of us know of taxi drivers who do not even use their taxis to transport people and do their trade? They use their taxis for transportation. And we find out, through this particular Green Paper, that since 2010 the TCD [Transport Control Department] has not been monitoring and regulating the taxis to the point, Madam President, where they know how our taxi industry is operating.

This brings me even to the issue, back to the 20 special permits that are being issued by the Minister. We want to ask the question, Will the drivers with those 20 permits be working seven days a week? What happens if, say, for example, 10 of those special permits that have been issued to cover the demand at night decide that on Monday and Tuesday nights they are not going to work? They want a day or two days off. So, there is no way for the TCD to monitor who is out there on the roads. So, by flooding the market with more permits [but] not having proper regulations and

monitoring the industry, you are not solving the problem, Madam President. You are just, in fact, diluting the value of the industry by putting more taxis out there, but you are not actually solving the problem. So, what I am encouraging this Government to do is to start again to enforce the regulations of the operations of the taxis in this country.

Now, we also know by legislation that taxis are supposed to be on the road for 16 hours. We recognise the challenges that taxi owners have. Some taxi owners do not want their taxis out there late at night. They cite the fact that, you know, drunken patrons in their taxis can do more harm to their vehicle than if they decided just to keep their cars driving during the daylight hours. We know that there was an issue of insurance for drivers driving at night. All of these issues come up.

But I strongly believe that if the TCD would again take up the mantle of regulating and monitoring the taxi drivers who are out there, making sure that those drivers who do not want to be a part of the industry, just using their cars for transportation . . . they need to be alerted. They need to be told, *Either you get with it, or get out of the business altogether*. So, in a nutshell, it does not take a Green Paper for this Government to enforce the laws that are already in place.

Now, we also know that, with a central dispatching company, or a central dispatching mechanism, the Government will be able to collect much data, [and will] be able to see the trends. We know that each taxi driver was supposed to have a GPS system in their taxi. But many of us know that a lot of these taxi drivers take their taxis to the TCD . . . it gets passed, it gets licensed with the GPS in it, and then the GPS is taken out. This defeats the purpose of having a system in place that can digitally and, with computer technology, be able to facilitate efficient supply of transport through taxis for this country.

And I realise it is always a financial thing. The taxi drivers feel that they are overwhelmed with taxes as it is, that they have to pay every time that they license. So, this is something that the Government can subsidise so that they can lighten the load for the taxi drivers. But again, this Green Paper really highlights the importance that we become a First World development country that can handle our transportation business at a high quality.

One of the other concerns of my fellow taxi drivers and minibus drivers is that this Government is going to, at some point, take too much of the private sector business. It has always troubled me that the Government has set up a booth right there on the cruise terminal, selling bus tickets and tokens, in direct competition with the minibuses. It looks like the competition is causing many to feel discouraged, that they are now competing with their government, as opposed to opening up the valve and allowing the private sector to carry some of the load, to pick up some

of the gaps that have been clearly seen within the public transportation system. And that is definitely an area where the Government can look to get assistance from the private sector.

We have heard many say that the minibuses are sitting on the sides of the arrival quay, waiting for business. They can be sitting there for hours. Meantime, the visitors are sitting at the bus stop, waiting for buses for half-an-hour, 45 minutes. So, if there was some way that the Government could integrate their public system to include the minibuses, to include the private sector . . . I cannot tell you how many of our fellow Bermudians who would have otherwise been out of work, Madam President, have been able to find good business, used their entrepreneurial skills to be gainfully employed. Without this arm of enterprise, many of our fellow Bermudians would be unemployed today.

So, in summary and in closing, Madam President, I am encouraging this Government to think long and hard, and quickly, about finding a way to combine the services of the minibuses and the taxi service under one centralised system so that they, and we, as an industry, can know and understand the movements and the trends and the data-gathering that are necessary for an efficient public transportation system. Understanding the financial part of it can be a little bit onerous for individual taxi drivers and minibus operators.

Also it is important that we have a system in place that our locals can be proud of, that businesses, when they come into this country, can find transportation to get them anywhere on this Island and not ruin what can be an enjoyable vacation exploring this Island, [and prevent it] from being one that can be very inconvenient, pricey and expensive, and take away from what could be a quality vacation on our Islands. Thank you, Madam President.

ANNOUNCEMENT BY THE PRESIDENT

APOLOGY

The President: Thank you, Senator Jones.

Before I open it, I just want to apologise to the Senate body. I had omitted indicating that Senator Richardson is away on a course and he is not with us today. So, I just wanted to make sure that you all knew that he was abroad.

Would any other Senator care to speak on the motion to adjourn?

Senator Kempe, you have the floor.

[Adjournment, motions thereon continuing]

PLP CABINET REDUCTION

Sen. Nicholas Kempe: Thank you, Madam President.

There have been some recent revelations, I guess in another place, which have caused me to reflect back on the last almost two years of this Government's term. And when I was canvassing both in the lead-up to 2012 and the lead-up to 2017, there was certainly a sense amongst many long-time PLP supporters in my area that, I guess, the PLP needed a time-out. And that was almost their reason for either supporting the OBA or not supporting the PLP in the 2012 election. And that their fears of *friends and family* and this kind of stuff were being placated by the fact that this kind of change of support in 2012 would, hopefully, get their party to learn a valuable lesson, and that errors of the past would not be repeated this time around in Government.

So, seeing some of the recent events, I decided to go back and kind of look at a number of areas that have caused me to reflect on how they are disappointed that a lot of things in many ways have not changed from the last term and the lead-up to 2012.

So, starting with the very first Cabinet, which was announced on July 20th, 2017, the Premier said, "We have reduced the size of Cabinet to 11. I recognise that fiscal responsibility must start at the top." Of course, the way this was framed led people to believe that there were somehow savings, and that this reduction would lead to a more prudent management of the public purse. And, unfortunately, in September, in this Chamber actually, it was confirmed that the team was 11 full-time Ministers.

When you compared that to the previous Cabinet of seven full-time Ministers and five part-time Ministers, this new Cabinet, albeit one-member-smaller, was actually costing taxpayers an extra \$150,000 per year.

Now, one would say, *Okay. We have a smaller Cabinet and fiscal responsibility starting at the top.* So, did this Government control spending under the Premier and Finance Minister at the time, who announced this smaller Cabinet? No. The 2018/19 Government spending increased by \$39 million when you compare the actuals from 2017/18 to the revised 2018/19 figures that we all debated in this Chamber not too long ago.

Fast forward to a year later, and we see that a former PLP Premier received \$1.2 million from the public purse for financial losses, as revealed by the Minister of Health in another place.

Move forward to November of 2018. And again, there is a new Cabinet shuffle, Madam President. And the Premier said that, in efforts to streamline the Government, the Government had moved forward with a reduction of the total number of ministries, from 11 to 10. Now, there are two things here that draw attention. Of course, by stating this fact in such a way, it again, one year later, seems to want to mislead people into the fact that there is some kind of

savings at the Cabinet level. But, of course, ministries are going from [11 to 10], but ministers went from 11 to 12, an increase. This increase cost another \$220,000 to the public purse.

Now, with these changes, this reduction of ministries, it was alleged that this would bring about a greater efficiency and alignment of responsibilities, that the aim would be to streamline the size of government. Now, in the 2019/20 Budget, did we see any of these increased efficiencies and streamlining? Did we see any savings to the public purse from fewer ministries? No. All we saw was more taxes and the same operational expense line.

Fast forward a little bit further, Madam President, and in March 2019, it was revealed in another place that there was a slew of political and PR consultants who had been appointed to the various ministries, some seemingly unbeknownst to the Premier himself. It was revealed that the consultants were on PS-36 pay grade—

Sen. the Hon. Kathy Lynn Simmons: Madam President.

The President: Madam Attorney General.

Sen. the Hon. Kathy Lynn Simmons: I would welcome the Senator specifying what he is referring to as opposed to making these broad statements. We have a very short morning, and if you wish—

Sen. Nicholas Kempe: I am sorry. Is this a point of order?

Sen. the Hon. Kathy Lynn Simmons: I am making a point of order.

Sen. Nicholas Kempe: Under what?

Sen. the Hon. Kathy Lynn Simmons: I do not need to refer to that, we know what a point of order is. I am suggesting that you specify—

Sen. Nicholas Kempe: Madam President, she is taking my time, and she does not refer to a point of order.

POINT OF ORDER

[Misleading]

Sen. the Hon. Kathy Lynn Simmons: Point of order. You are misleading the Senate.

Sen. Nicholas Kempe: How?

Sen. the Hon. Kathy Lynn Simmons: With inaccurate information. You are making general statements without specifying what you are referring to.

¹ [Royal Gazette](#), 3 October 2017

The President: Both of you speak through the Chair, please.

Sen. Nicholas Kempe: Madam President, if she would like me to quote a source for any particular piece, as opposed to providing some vague debunking of my facts, I would be happy to provide them.

The President: Would you state your source?

Sen. Nicholas Kempe: On which? I have stated a number of facts. I am not sure which fact she—

Sen. the Hon. Kathy Lynn Simmons: All of them.

Let's start with the statements which were made on streamlining; let's start with the statements that were made on reduced expenditures; let's start with—

Sen. Nicholas Kempe: They are all verbatim quotes, Madam. They are in the public sphere.

Sen. the Hon. Kathy Lynn Simmons: Then you can quote them.

Sen. Nicholas Kempe: The *Gazette* has reported them. They are on *Bernews*.

Sen. the Hon. Kathy Lynn Simmons: The *Gazette* is not a quote. The *Gazette* is not a factual source you can quote.

Sen. Nicholas Kempe: Madam President!

The President: Senator Kempe, you did quote that there was information from the other place.

Sen. Nicholas Kempe: Yes.

The President: I do not know if that is your source.

Sen. Nicholas Kempe: Yes, and I could pull up the Hansard, as well. Quotes have also been taken from the *Royal Gazette*, which has reported on the other place. If these statements are false, I would happily accept what the exact wording is. But this is the wording, verbatim, that I have taken.

Sen. the Hon. Kathy Lynn Simmons: He has not quoted anything, Madam President, with respect.

Sen. Nicholas Kempe: Okay.

July 20, *Royal Gazette* [sic] reporting, Mr. Burt said at the time, and I quote, ²"We have reduced the size of Cabinet to 11. I recognise that fiscal responsibility must start at the top."

September 27, 2017, again, there the only quote was in response to a Parliamentary Question which was answered by the Attorney General herself. September 2018, quote from the Minister of Health. ³"In addition to a \$600,000 payment," Dr. Brown had since been given another \$220,000 in financial supplements, and the Ministry estimated he would receive another \$420,000.

November 8, 2018, from the *Royal Gazette*, ⁴"Mr. Burt said the changes would bring 'greater efficiency and an alignment of responsibilities that reflects necessary priorities.' He added, 'Our aim, in the long term, is to continue to streamline the size of government.'"

My [reference] to the budget is from our Budget Debate, and I have the budget figures here if we would like those to be quoted, as well.

Sen. the Hon. Kathy Lynn Simmons: Yes, please, Madam President.

The President: Pardon?

Sen. the Hon. Kathy Lynn Simmons: Yes, please.

Sen. Nicholas Kempe: Summary of Consolidated Fund, estimates for 2019/20 to 2021/22. Current account expenditure excluding debt and Sinking Fund, 2017/18—\$892,000, \$867,000. Revised estimate 2018/19—\$931,000, \$988,000. That is a \$39 million increase.

Madam President, may I proceed before all of my time is taken up?

The President: Continue, Senator Kempe.

We are allowing him to continue with his statements.

Sen. the Hon. Kathy Lynn Simmons: That is fine, Madam President. Thank you. I will continue to ask for his quotes.

The President: That is fine.

You have six minutes left, Senator Kempe.

EFFICIENCY COMMITTEE—CHAIRMAN'S REMUNERATION

Sen. Nicholas Kempe: I will move on to the recent revelation that really struck me in this line of thinking. The now-Minister for the Cabinet, who sits in another place, was made Junior Minister of Finance in October 2017. As per parliament.bm the remuneration for a junior minister who sits in the House is \$67,000, an increase of \$11,000 annually from a Member of Parliament who does not hold one of these positions.

² [Royal Gazette](http://www.royalgazette.bm), 3 October 2017

³ [Royal Gazette](http://www.royalgazette.bm), 28 September 2018

⁴ [Royal Gazette](http://www.royalgazette.bm), 8 November 2018

March 2018 to March 2019, thereabouts, he was chairing the Efficiency Committee and earning an additional \$5,000 a month on top of the junior minister's salary, as per what was disclosed in the House of Assembly on Friday.

Now, what strikes me most about this is that, during that year-long period of receiving remuneration outside of his role as Junior Minister of Finance, a register of interest form was filed in December 2018. And in question 2, and this is available on parliament.bm, for the Attorney General, remunerated employment, office, profession, et cetera, "Do you have any employment, office, trade, profession or vocation (apart from membership of the House/Senate . . . for which you are remunerated or in which you have any pecuniary interest?" And "No" was [circled].

These additional payments, these political and PR consultants, all of these little featherings, Madam President, seem to only come to light when the Opposition asks pointed questions in the House of Assembly, either through Question Period or through Parliamentary Questions. And it really makes me struggle to understand how we can have all of these high-lofted ideals and things put forward, such as *efficiency* and *transformational* and *transparency* coming from the Government, repeatedly, when we see that there seems to be this kind of self-interest of certain Members, certain select Members, it seems.

The Junior Minister, or now Minister, seemed to feel in the House of Assembly on Friday that, and I quote (we all know), "Junior Ministers do not do much." So, getting an extra \$11,000 a year, chairing a committee for another \$5,000 a month, this Junior Minister was getting close to \$127,000 in a year for chairing a committee and, whilst there are many backbenchers both in Government and Opposition who serve on myriad of joint select committees because of their political purpose, they do not take any additional pay for that.

The union representatives on the Efficiency Committee did not take any additional pay, because they felt that it was part of their existing role. And that is certainly commendable. The report is not, from what I have read, a glowing endorsement of the running of Government. And I am curious as to why the union representatives did not sign the report, but that is some commentary for another day.

Now, Madam President, I see you looking at the clock, and I have had to circle back a bit.

The President: You have three minutes.

Sen. Nicholas Kempe: I will sign off. Thank you.

The President: All right. Thank you, Senator Kempe.

Would any other Senator care to speak on the motion to adjourn?

Senator Hayward, you have the floor.

Sen. Jason Hayward: Good morning, Madam President.

The President: Good morning.

PLP GOVERNMENT COMMITTED TO IMPROVING THE LIVES OF BERMUDIANS

Sen. Jason Hayward: Good morning, colleagues.

Yesterday marked the end of my two-year term as the President of the Bermuda Trade Union Congress [BTUC]. And as many persons know, I do wear multiple hats in this community. And I am often asked, *How do you manage?* And I say that the majority of my role is to improve the lives of other people. Every role that I have is either voluntary . . . and it is aimed at improving the lives of others.

The next question that follows is, *How are you finding politics?* And then somebody makes a somewhat negative comment about politicians in general and says, *But you're not like them.* But I am a politician. I was appointed as one; I serve as one. And what I explain to persons is, *It's a lot of mud that you have to walk through to do things in the best interests of people in the country.*

There is a lot of . . . it is a tough-skin environment. There is a group of people who are always trying to bring you down no matter what you do. When you do positive things, it is never good enough. People take for granted the level of energy that each and every one of us puts into trying to make Bermuda a better place.

But what I can reflect on in my tenure as the President of the BTUC is that we put out a bold workers agenda. The first item on the workers agenda was the development and implementation of a living wage. Madam President, I worked on the LAC [Labour Advisory Committee] subcommittee responsible for the implementation of a living wage. I then sat on the Joint Select, Parliamentary Select Committee, representing not only my party, but representing the Senate also. And we were able to produce reports. Both committees were able to produce reports that were utilised by the House. I am pleased to say that we now have draft legislation that will be brought before us shortly. There was a lot of work put into getting that particular output.

The majority of the unionised workers in this country, Madam President, make above a minimum wage. They are at living wage levels. So, the work that was done was not even to service my membership, but it was to service the wider population of people in Bermuda, those who need the assistance, those who struggle day-to-day, those who make what we would consider to be *starvation wages*. They exist in our community. That is why I wake up and attend this Chamber and am actively involved in the Progressive Labour Party, to improve the lives of those individuals.

On the workers agenda was also the development of a workforce development plan. I had the pleasure of chairing the committee responsible for producing Bermuda's first National Workforce Development Plan. That workforce development plan, hopefully, better aligns our workforce development system and connects people with jobs. Recognising that many persons are unemployed in our community and remain unemployed and find it difficult to find re-employment, we said that the current system was not working and things needed to be done. I am pleased to report that there is draft legislation for the implementation of a workforce development board which will carry out the remit of ensuring that the National Workforce Development Plan is implemented effectively.

Madam President, all of my members have jobs. Nobody in my immediate family is unemployed. But I worked hard with the committee to ensure that we had a plan in place that services the people of this country who need it. I had that opportunity because I entered politics. This is the reason why I wake up—to improve the lives of others. I recognise we have to walk through toxic mines. But we are trying to make the lives of individuals better.

The workers agenda addressed youth unemployment. Part of the workforce development plan has a component dedicated to youth unemployment. Part of it was ensuring that we address age discrimination in employment, especially for those 65 and older. You will see that a committee that I chaired [produced a] report that was tabled in Parliament, in the other place, some weeks ago, and that draft legislation will come before us regarding shifting the retirement age.

We recognise that when persons reach the magic age of 65 they are cast out of the workforce. We recognise that they still have a lot to contribute and offer this country after the age of 65. We recognise that some persons when retiring are placed in financial hardship. But what we needed to do and wanted to do is ensure that we provide a path for those individuals to continue employment after 65.

I am a long way away from 65, Madam President. But I do care about that group, that population group. That is why I get out of bed and do what I do. That is why I entered into politics.

Madam President, we recognise that our labour laws are outdated. And so, we put in the workers agenda to reform labour and pension legislation. Madam President, legislation will be before this Chamber shortly where you will see updated labour legislation, legislation which will create better processes for employer and employee relations in this country.

All of these things, Madam President, bring better outcomes for the people of Bermuda. This is the dialogue that is had within the caucus. It is centred on how we can continually improve lives.

I was pleased to attend the Bermuda College graduation. And then, I was pleased to see the volume of students who were beneficiaries of the Government's grant. That was a decision that the Government made that will, undoubtedly, improve the lives of our young people. They were very much appreciative. Even in the young person's address to her fellow classmates, she indicated that they are the current and the future. They remain optimistic about their future.

I know at times we hear in this Chamber that our young people feel as though there is a level of hopelessness. But that is not what was articulated at Bermuda College. That excitement that those young persons had after attending graduation from Bermuda College . . . I believe all of them firmly believe that they are on paths to success. And this Government wants to support them on their path to success.

Madam President, these are the things that we spend most of our time on. There is a narrative that this Government is out to service friends and family. And let me agree with that. We are out to service friends and our family, because this country are our friends and our family. And all that we have done and all that I just explained is to make their lives better. We are not enriching anybody through the political process. Let us not make that out as though that is the norm, as though individuals are just being enriched. We are enriching the lives of people in our community. That is what we are trying to do.

Madam President, we say at times that, you know, we want to work together, collectively. But I think each and every one of us knows that there is no desire for the two parties to work together. The Progressive Labour Party and the One Bermuda Alliance have no desire to work together.

POINT OF ORDER

[Imputing improper motive]

Sen. Marcus Jones: Point of order. Point of order.

Madam President, I believe that the Senator is inadvertently imputing bad motives on this side of the political aisle. I can say, [for] myself if for no one else, that I have a deep desire to work and collaborate with this Government.

The President: Senator Jones.

Senator Hayward, carry on.

Sen. Jason Hayward: Madam President, we see it time and time again. The statements that were made today were not collaborative statements. If individuals really want to work together with the Government, the easiest thing that the Senator could have done this morning when he was discussing the Green Paper is to pick up the phone and call the Minister and give his suggestions directly to the Minister. These are the things that we can do. We can improve our communi-

cations. But what we do is we try to score political points and see if we can get in the newspaper the day after the Senate.

But in the midst of all this toxic environment, there is a group of people—and I cannot speak for that side of the aisle, but on this side of the aisle—who is committed to improving the lives of Bermudians. And we will continue to be steadfast on our mission.

Thank you, Madam President.

The President: Thank you, Senator Hayward.

Would any other Senator care to speak on the motion to adjourn?

Senator Campbell, you have the floor.

OBA GOVERNMENT'S SILENT VOICE

Sen. Vance Campbell: Thank you, Madam President.

Madam President, what we have seen today, at least the earlier part of today, is the ultimate in Monday-morning quarterbacking or, more accurately, Wednesday-morning quarterbacking. What we have seen from the Opposition who sits in this Chamber is a flood of op-eds and interviews proclaiming doom and gloom over just about every piece of legislation that this Government has brought to these Chambers and in another place, expressing, supposedly, concern for Mr. and Mrs. Bermuda and small business.

But yet, since we were given a history lesson earlier today, Madam President, I would like to give my own history lesson.

The same group, or a Member who sits on the other side in this Chamber, sat silent, Madam President, when the OBA gave up control of one of our major assets and the revenue associated with that asset—that is, the airport—for several decades, Madam President. Not a peep was heard from the Senator during the debacle of the Pathways to Status, a rushed piece of legislation for which the OBA, the then-Government, ignored the voice of the people, Mr. and Mrs. Bermuda, whom they now claim to care greatly about. No op-ed—

Sen. Nicholas Kempe: Point of order, Madam President.

The President: Senator Kempe, what is your point of order?

POINT OF ORDER

Sen. Nicholas Kempe: Senator Campbell seems to be referring to positions that Senators prior to us held. And we cannot certainly speak to or reflect his comments that seem to be directed at us.

Sen. Vance Campbell: Madam President, I am referring to the Senator who just spoke, if I may be that clear and that direct.

The President: Yes. Carry on, Senator Campbell.

Sen. Vance Campbell: Thank you.

No op-eds, Madam President. No interviews when the OBA spent \$30 million-plus of borrowed money on the creation of Cross Island for the America's Cup, with no plan as to how this money would be repaid, no guarantee that the America's Cup would be returning to Bermuda, no plan as to how to use this space post America's Cup.

Madam President, not even the static of white noise, such as that emanating from a television, could be heard from the Senator when his party ramped up preparations for the America's Cup, but apparently ignored the need to pass the necessary legislation to prepare this country for, and to ensure that this country passed, the CFATF [Caribbean Financial Action Task Force] evaluation last September. Either they ignored it or they forgot about it in the furore surrounding the America's Cup. It does not matter which one is the case, because they did not pass one piece of the legislation required to ensure a successful evaluation.

I believe it was Madam Attorney General who indicated—

Sen. Nicholas Kempe: Point of clarification.

The President: Would you accept a point of clarification?

Sen. Vance Campbell: No, Madam President.

The President: Carry on, Senator Campbell.

Sen. Vance Campbell: I sat quietly and listened. It is my turn now.

It was this PLP Government that prepared us for that evaluation. I believe it was Madam Attorney General who had indicated at some point last year that we had passed 86 Bills, approximately. I stand to be corrected on the exact number, but I believe it was 80-plus Bills. And a significant number of those Bills were AML/ATF [Anti-Money Laundering and Anti-Terrorist Financing] related, compliance-related. And yes, a lot of those Bills did increase the burden on small business. But it was necessary to pass those in order for us to pass that evaluation last September. Perhaps the former Government did not want to, or did not have the intestinal fortitude to pass those Bills because of the burden that it placed on—

Sen. Nicholas Kempe: Point of order, Madam President.

The President: Senator Kempe, what is your point of order?

POINT OF ORDER
[Imputing improper motive]

Sen. Nicholas Kempe: The Member is imputing improper motives. I ask that he withdraw that comment.

Sen. Vance Campbell: Madam President, it is my opinion they did not have the intestinal fortitude.

The President: Carry on, Senator Campbell.

Sen. Vance Campbell: Thank you, Madam President. Radio silence, Madam President, from the Senator when his party failed to implement a single recommendation from the SAGE Commission. One of the first—

POINT OF ORDER

Sen. Nicholas Kempe: Point of order, Madam President.

Senator Campbell is seemingly taking a prolonged, direct attack at my person under the assumption that I was a Senator at the time the OBA was in Government. He is referring to a whole bunch of facts and events that preceded my time in Government.

Sen. Vance Campbell: Madam President, the Senator was a member of the then-Government. He ran in 2012.

POINT OF ORDER

Sen. Nicholas Kempe: Madam President, point of order. That is false. I was not a member of the Government.

Sen. Vance Campbell: Madam President, he was a member of the party that was the Government at the time.

The President: Carry on, Senator Campbell.

Sen. Vance Campbell: The SAGE Commission. One of the first things they did once they assumed the Government in 2013 . . . not one of the recommendations was implemented. We are talking about a history lesson here, because we see night and day between now and then.

When the national debt was increased by approximately \$1 billion under the OBA Government, [we heard] nothing from the Senator.

When the OBA Minister for Finance declared that Bermuda had been brought back from the brink under his stewardship, nothing from the Senator, although most informed adults, individuals in this coun-

try, knew Bermuda was still, and is still very much in a fragile and precarious state. No op-ed or interview, Madam President, informing how it was wrong—

Sen. Nicholas Kempe: Madam President, point of order.

The President: Senator Kempe, what is your point of order?

POINT OF ORDER
[Misleading]

Sen. Nicholas Kempe: The Member continues to mislead the House. I have actually written extensively about the effect of the debt over the last 20 years. There was a 27-page document I submitted a few months ago.

The President: Senator Campbell.

Sen. Vance Campbell: Madam President, I am referring to the period when his party was the Government—nothing from the Senator.

The President: Carry on, Senator Campbell.

Sen. Vance Campbell: No op-ed or interview, Madam President, informing us how wrong it was for Mr. and Mrs. Bermuda earning \$48,000, \$50,000, \$70,000 annually to be taxed on 100 per cent of their income, whilst many in corporate Bermuda paid taxes on a notional income, but then turned around and received dividends as compensation in the tune of tens of thousands, hundreds of thousands and even millions of dollars completely tax-free.

POINT OF ORDER

Sen. Nicholas Kempe: Again, Madam President, the Member is misleading the House and/or imputing improper motives. I have spoken extensively about the need to enforce the notional salaries.

The President: Carry on, Senator Campbell.

Sen. Vance Campbell: Madam President, my point that I was making [is that] he said nothing about the fact that it was wrong for these individuals to be receiving tens of thousands, hundreds of thousands and millions of dollars tax-free.

POINT OF ORDER
[Imputing improper motive; impugning integrity]

Sen. Nicholas Kempe: Madam President, that is exactly what I have criticised with the lack of enforcement of the notional salary.

The Member has been imputing my motives and impugning my integrity for not, apparently, speaking out prior to my involvement in Government, for the last 10 minutes. And he has not retracted any of the statements despite repeated points of order.

Sen. Vance Campbell: Madam President, we will agree to disagree on that point.

The President: Senator Kempe.

Sen. Nicholas Kempe: Madam President, I do not believe it is a question for Senator Campbell to agree or disagree on. But the point of order is directed at the Chair.

The President: Senator Kempe, Senator Campbell has referred to the fact that, whether you were in the Senate or not in the Senate, you did not, even as a member . . . that was my understanding.

Sen. Nicholas Kempe: So, Madam President, can we start talking about someone's silence in 1972 and use that to impugn their integrity in the present day, before someone's involvement in Government? That seems like an absurd position to go on a 10-minute tirade.

The President: Senator Campbell, carry on.

Sen. Vance Campbell: Madam President—

The President: But determine what you are referring to as to time frame.

Sen. Vance Campbell: Madam President, I think there is a big difference when you are not involved and when you are involved. But I will continue.

This morning we heard reference to, I guess the term used, if I remember correctly, was a *slew of consultants*, using words to mislead, because the current practice of this Government is consistent with past practices of all Governments when it comes to consultants.

EFFICIENCY COMMITTEE—CHAIRMAN'S REMUNERATION

Sen. Vance Campbell: I will conclude with comments on the Efficiency Committee. Madam President, I wonder what is the real issue here. Is the issue because a Member of the Legislature received payment?

If that is the issue, then—

Sen. Nicholas Kempe: Madam President, I can clarify that.

The President: Senator Campbell, do you want to have Senator Kempe make a clarification?

Sen. Vance Campbell: No, Madam President, because I am running out of time, as well.

The President: You have three minutes.

Sen. Vance Campbell: Okay. Thank you, Madam President.

If that is the issue, then why is the focal point only on the former Junior Minister, when we have a Senator who also received payment as part of this committee?

And I am not attacking either. I am just saying that is a fact. We have a Senator, but that Senator is not the focal point of any discussion as to why they took payment. I believe Senators and Members who sit in another House function on many committees without compensation. And they do a lot of work, Madam President. So, I have no issue with this payment.

Is the real issue the amount? Perhaps if the Junior Minister was paid only \$2,000, as was the Senator, this would not be an issue. I do not know, Madam President. I am confused.

Sen. Nicholas Kempe: Madam President, I am happy to remove the Senator's confusion, as I did state clearly in my time.

[Crosstalk]

Sen. Vance Campbell: Madam President . . . or is it simply the fact that a member of the PLP received compensation?

No mention in all of this, Madam President, that for an expenditure of \$130,000, there was a \$12 million improvement in the state of this country as a result of their work. I do not believe that there is anyone sitting around this table today, Madam President, who would not invest \$130,000 who, in a year's time, would receive—

The President: Twelve million.

Sen. Vance Campbell: Twelve million. I do not think any of us would decline that type of investment.

Madam President, I will conclude by suggesting that there is no issue. There is just an opportunity for political grandstanding.

Thank you, Madam President.

The President: Thank you, Senator Campbell.

Would any other Senator care to speak on the Motion to Adjourn?

Senator Robinson, you have the floor.

Sen. Dwayne Robison: Good morning, Madam President.

The President: Good morning to you.

REAFFIRMING THE ROLE OF THE OBA OPPOSITION

Sen. Dwayne Robison: So, today I have heard mention of op-eds and the rush to legislation, all of the things that can be pegged to the Progressive Labour Party, as well. But my main purpose of speaking today is to re-affirm what the role is of the Opposition, because it seems as though it is being muddied up as our simply attacking and trying to obstruct the Government, which is not at all what we are doing on this side.

The Opposition, and I know I can speak for my colleagues in this regard, has the best interests of the country at heart. We want the best option for Bermuda to be passed. So, when we scrutinise the Government or provide criticism, Madam President, it is not from a place of, *Oh, it's the PLP doing it*, but a place of making sure that the people of Bermuda get the best possible options. So, we come together to scrutinise and make sure that these pieces of legislation are passed in the best interests of Bermuda. It is really that simple.

And regarding the op-eds that were mentioned, just recently there were two politically charged op-eds which were released by PLP backbenchers with barely any substance in them except for what the previous administration did wrong. And I know a lot of people have mentioned to me, Madam President, that they would rather a Government with a 25/11 majority just get on with governing and not waste time putting out op-eds directed at an Opposition that, at the moment, does not have any sway in the House regarding numbers.

Regarding the rushed legislation, just recently, we had a piece of legislation which was read three times and passed in one [sitting]. We also had a piece of legislation that was brought forward regarding the Sex Offenders Registry that was put forth before any consideration of the joint select committee that was created to investigate it.

Sen. the Hon. Kathy Lynn Simmons: Point of order, Madam President.

The President: Madam Attorney General, your point of order.

POINT OF ORDER

Sen. the Hon. Kathy Lynn Simmons: That is an incorrect statement.

The joint select committee sat. The joint select committee consulted. I made representations to the

joint select committee. What you fail to realise is that the Government does not have to embrace the recommendations of the committee. If you go back [and review] recommendation by recommendation, you will note that most of them already exist or were embraced. And the ones that were not were not relevant to this Government's mandate. So, let us be clear with respect to the role of a joint select committee.

Sen. Dwayne Robison: So, we are clear. And I also know that you do not have to take the recommendations of the joint select committee.

Sen. the Hon. Kathy Lynn Simmons: Absolutely.

[Cross-talk]

The President: Speak to the President.

Sen. Dwayne Robison: Yes. We understand that. That is literally what the point was. There was a point made earlier that we had passed legislation without taking in proper scrutiny. So, I was also drawing reference to that in which the Attorney General then made the point for me. So . . .

As far as collaboration goes—

Sen. the Hon. Kathy Lynn Simmons: Point of clarification, Madam President.

The President: Do you accept a point of clarification, Senator Robison?

Sen. Dwayne Robison: Not at this time.

Sen. the Hon. Kathy Lynn Simmons: That is fine.

The President: Carry on, Senator Robison.

Sen. Dwayne Robison: As far as collaboration goes, we have not obstructed every single piece of legislation that has passed in this House. We have repeatedly, repeatedly stated which legislation we support and which legislation we do not support. That has never been a vague thing.

EFFICIENCY COMMITTEE—CHAIRMAN'S REMUNERATION

Sen. Dwayne Robison: Regarding the remuneration of a junior minister, what we have an issue with on this side of the fence is not that a member of the PLP received remuneration. It was the fact that we believe that it is already in his remit as a Junior Minister and Member of Parliament to be chairing these committees. And that is being construed into the fact that we do not want someone from the PLP to receive funds. That is not at all what the case is.

So, hearing [from] the other side that we devolve into political point-scoring, and then having to sit

through 10 minutes of political point-scoring really proves that one side is definitely looking for op-eds. It is not this side.

So, I just wanted to speak and throw my hat in the ring on that note, Madam President. And with that, I will close. Thank you.

The President: Thank you, Senator Robinson.

Would any other Senator care to speak on the motion to adjourn?

Senator Attorney General, Kathy Lynn Simmons.

2019 TRANSPORT GREEN PAPER

Sen. the Hon. Kathy Lynn Simmons: I thought we would have a short morning, but it turns out to be quite interesting and lengthy. And thank you to Senators for your comments.

Let me start with Senator Jones. We always have an issue politically about the subject of consultation. And you mentioned previously today that the Green Paper was not necessary. The Green Paper speaks to consultation on the subject of transport in the country.

Sen. Marcus Jones: Point of order, Madam President, if I may.

The President: What is your point of order, Senator Jones?

POINT OF ORDER

Sen. Marcus Jones: My point of order is, she may have misheard me, [or] misunderstood me. But I was not saying that the Green Paper in its entirety was unnecessary. My point was that one section of the Green Paper which was suggesting centralising of the dispatching system should be done did not need a Green Paper to come up with that solution, as this has been in the public space for a long time.

The President: Thank you, Senator Jones.

Carry on, Senator Kathy Lynn Simmons.

Sen. the Hon. Kathy Lynn Simmons: Madam President, thank you.

One of the things I take great pleasure in doing when I come here is to make notes. And as the Senators speak, I listen with great interest because there may actually be something that we can take away and use.

And I quote what I made a note of. He said, *The Green Paper is not necessary*. My point being that you cannot have it both ways. The Opposition takes great pleasure in making noise about the lack of consultation. The Green Paper speaks to consultation on a very important subject. And I expect that it will be

embraced against that backdrop. But your comments and your recommendations have actually been noted.

POLITICAL CONSULTANTS

Sen. the Hon. Kathy Lynn Simmons: We seem to have a problem discussing money. And we seem to have a problem with respect to our understanding of the complexity of governance. And I have heard comments today about the size of Cabinet, the expenditures, so on and so forth. And as a Member of the Cabinet, as a Minister responsible for a huge portfolio, I can say hands-down I wish I had more money to spend, because you cannot take Bermuda back to the past. And the complexity of the issues that we are dealing with, Madam President, is huge. The financial issues, the social issues are huge. And so, let us not get caught up in who spent \$10 on Tom. At the end of the day, we need a result.

What I am hearing is that there may be a desire for more transparency with respect to expenditures. And we certainly will take that on board in the event that there may arise occasions where someone did forget to publish a contract. But let me make it clear. Consultants did not come out of the sky. We have a ministerial code of conduct which allows ministers to have two political consultants. And the ministers have the opportunity to assess their operations and determine whether additional support is necessary beyond that which is provided by civil servants. And that is what we do, without apology.

With respect to the issue of part-time versus full-time consultants—let me correct myself—ministers, hands-down, I will say that any Cabinet does not do justice to the country and the business of governance if they do not have full-time ministers. And having inherited departments that fell under ministries where there were not full-time ministers, you can see where that is a disservice to the country. And that is not meant as a criticism; it is actually a fact. This is huge. You cannot do this thing piecemeal, and you cannot do it part time.

With regard to Senator Kempe, I am sorry to have taken up your time, but I welcome a factual nexus for the comments that are made. What we must not descend to is rhetoric that does not have a backup. So, thank you for providing your quotes, and I will continue to ask you to provide your source so that the public is best served with facts as opposed to our political rhetoric.

I have good news to impart this morning, which speaks to what Senator Hayward (and I am not going to get emotional; this is really crazy) had to offer about what we do.

[Pause]

PROTECTING BERMUDA'S CHILDREN

Sen. the Hon. Kathy Lynn Simmons: On the 26th of May, I departed these shores accompanied by the Permanent Secretary and the Director of Child and Family Services to visit our children. Reference to “our children” is in reference to the children of this country who are overseas in institutions committed to advancing their wellbeing. And there has been a very unfortunate narrative and dialogue with regard to psycho-ed and all sorts of negative comments made about why, how, where, who. We have had parents speaking out. We have had the *Royal Gazette* fishing overseas and undermining the operations of the Government with respect to the services provided to our children.

It was a whirlwind visit of more than six facilities. And I saw our children. And I will say, hands-down, that I will applaud to the end of time the bonds that the Director of Child and Family Services, Alfred Maybury, has forged with institutions overseas to provide services that we do not and cannot provide for our children. We have seen residential care. We have seen psychological assessment facilities at hospitals. We have seen sex offender programmes. There is one programme that our children are sent to where they have various sexual disorders, things that I have never even heard of. I got a lesson on the effect of pornography, and I intend to come back to this Chamber with real details and to speak about it publicly.

And I say all that to say that there are things in this country that surpass political partisanship. And most of you will know that, as the Attorney General and Minister of Legal Affairs responsible for our children, I do not take the bait. There have been numerous reports, negative reports about our operations, about the staff of Child and Family Services. And I can say, hand on heart, that where there is ever a misdeed, it is dealt with by the procedures that are in place to deal with it.

I will encourage everybody on both sides of the divide, based on what I saw, that we cannot continue to do a disservice to our children with this negative and vicious dialogue. The conditions that we reference today pertained long before I took this post. My hope is that they will not continue while I am here and after I am gone.

We spoke, in the context of the budget, about the money that is spent in the education system for psychological services for our children. I actually saw the face of that with our children. And the teams that are responsible for our children are dedicated and committed, and were so happy to see that Bermuda actually cares. We are actually miles ahead.

To the *Royal Gazette*, who has a reporter in this Chamber today, please do not harass these institutions. Please do not try to obtain information that is detrimental to what we are trying to accomplish. If you

have a legitimate question, I am more than happy to answer it.

But I will say to Senators today, there is much work to be done. And in the months that come, I will be bringing legislation to protect our children. I have actually invited several of the specialists whom I met to come to Bermuda to educate the public on some of the issues, particularly the effect of pornography on our children. I was amazed that we even have a problem, a very specialised problem.

That leads me straight to Westgate with regard to our sex offenders. So, to Senators, be prepared. The legislation is coming. We have international conventions that we are signing onto, where there is a slew of initiatives aimed at protecting our children. I do not expect to have the discourse on that subject descend to what I generally hear with regard to this subject matter.

So, with respect to today's session, I welcome the spirited comments. But there is much work to do. And there are issues, Madam President, and matters pertaining to our children and the socio-economic condition of this country that we must partner and move forward on in the interest of the country.

Thank you, Madam President.

The President: Thank you, Senator Kathy Lynn Simmons, Attorney General and Government Leader in the Senate.

Senators, the Senate stands adjourned to the 12th of June next week, Wednesday.

Thank you. The Senate is adjourned.

[At 11:16 am, the Senate stood adjourned, until 10:00 am, Wednesday, 12 June 2019.]