



2025/26 SESSION
of the
BERMUDA SENATE

OFFICIAL HANSARD REPORT

23 MARCH 2026

Sitting number 19 of the 2025/2026 Session
(pages 725–822)

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

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10:04 AM**

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

The President: Good morning, Senators.
The Senate is in session.
Shall we pray?

PRAYERS

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

The President: Please be seated.

CONFIRMATION OF MINUTES

The President: Vice President John Wight.

Sen. John Wight: Good morning, Madam President.
I move that consideration of the Minutes of the meeting of Wednesday, 18 March 2026 be deferred.

The President: Is there any objection to that motion?
No objection.
The Minutes are deferred.
Thank you, Vice President John Wight.

MESSAGES

The Deputy Clerk: There are no messages, Madam President.

The President: Thank you, [Ms. Beale].

REPORTS OF COMMITTEES

The President: There are none.

ANNOUNCEMENTS

The President: We have three announcements this morning.

Two are in the name of the Honourable Crystal Caesar, spokesperson, and I will call on [the] Minister of Justice and Attorney General to read in her stead.

CORPORATE INCOME TAX (TAX REFUND RESERVE FUND) AMENDMENT REGULATIONS 2026

Sen. the Hon. Kim Wilkerson: Thank you, Madam President, and good morning to the listening public.

Madam President, I hereby present for the information of Senate the Corporate Income Tax (Tax Refund Reserve Fund) Amendment Regulations 2026 as made by the Minister of Finance in exercise of the powers conferred by section 50A of the Corporate Income Tax Act 2023.

Senators may access copies on their tablets and/or on the Parliament website.

The President: Thank you, Minister Wilkerson.
You have second one?

Sen. the Hon. Kim Wilkerson: I do, Madam President, thank you.

The President: Please proceed.

ECONOMIC SUBSTANCE AMENDMENT REGULATIONS 2026

Sen. the Hon. Kim Wilkerson: I hereby present for the information of Senate the Economic Substance Amendment Regulations 2026 as made by the Minister of Finance in exercise of the powers conferred by section 11 of the Economic Substance Act 2018.

Senators may also access copies on their tablets and/or on the Parliament website.

The President: Thank you, Minister Wilkerson, Minister of Justice.

The third announcement is in the name of Senator Lauren Bell, the Junior Minister of Economy and Labour.

Senator Bell, you have the floor.

ECONOMIC DEVELOPMENT STRATEGY 2023–2027

STRATEGIC PRIORITY 5: INVESTING IN PEOPLE UPDATE

Sen. Lauren Bell: Yes, good morning, Madam President, fellow Senators, and listening audience.

I hereby present for the information of Senate the Economic Development Strategy 2023–2027 Strategic Priority 5: Investing in People Update.

Senators may access copies on their tablets and/or the Parliament website.

The President: Thank you, Senator Bell.

NOTICES OF MOTIONS

The President: The first Notice of Motion is in the name of Senator Crystal Caesar, but this will be taken by Minister of Justice, Minister Wilkerson.

You have the floor. You have to—

[Pause]

GOVERNMENT FEES AMENDMENT REGULATIONS 2026

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

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 the consideration of Senate the Government Fees Amendment Regulations 2026, proposed to be made by the Minister of Finance in exercise of the power conferred by section 2 of the Government Fees Act 1965. And I give notice that I will move that the said draft Regulations be approved at the next day of meeting.

The President: Thank you, Minister Wilkerson.

The second Notice of Motion is in the name of Senator Lauren Bell, Junior Minister of Health.

Senator Bell, you have the floor.

HEALTH INSURANCE (STANDARD HEALTH BENEFIT) AMENDMENT REGULATIONS 2026

Sen. Lauren Bell: Thank you, Madam President.

I have the honour to attach and submit for the consideration of Senate the Health Insurance (Standard Health Benefit) Amendment Regulations 2026. And I give notice I will move that the said draft Regulations be approved at the next day of meeting.

The President: Thank you, Senator Bell.

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

HEALTH INSURANCE (MUTUAL RE-INSURANCE FUND) (PRESCRIBED SUM) VALIDATION ACT 2026

CUSTOMS TARIFF AMENDMENT ACT 2026

CORPORATE INCOME TAX AGENCY AMENDMENT ACT 2026

ECONOMIC SUBSTANCE AMENDMENT ACT 2026

The President: The following public Bills have been received from the Honourable House of Assembly and are now read for the first time.

Their titles are the Health Insurance (Mutual Re-insurance Fund) (Prescribed Sum) Validation Act 2026; the Customs Tariff Amendment Act 2026, Governor's Recommendation Signified; Corporate Income Tax Agency Amendment Act 2026; and the Economic Substance Amendment Act 2026.

And these Bills, which have been received from the House, will be taken up later in the meeting.

FIRST READING OF PRIVATE BILLS

The President: [There are none.]

QUESTION PERIOD

The President: There are no questions this morning.

ORDERS OF THE DAY

The President: As is the practice, the normal practice, I will call on Senator, the Vice President (sorry) John Wight, who will take the Chair, and he will be assisted in this process by Senator Tawana Tannock.

I call on . . . excuse me.

Ministers, I do . . . it is one of those mornings.

[Laughter]

PROCEDURAL MATTER

[Standing Order 35]

MUNICIPALITIES REFORM ACT 2026 THIRD READING

The President: I do want to bring to your attention an issue that has come up.

I am obliged to bring to your attention a procedural error which occurred at the meeting of

Wednesday, 18 March 2026. You will recall that during consideration of the Bill entitled the Municipalities Reform Act 2026, there was objection to the third reading by three or more Senators. At that point, Senate proceeded to a division vote on the third reading, which was defeated by a vote of six to five. With that vote, Senate concluded its consideration of the Bill and Senate then proceeded to take up consideration of the next item on the Orders of the Day.

After reflecting on this proceeding on the day after the meeting, the Clerk and I took a close look at the Senate's Standing Orders for procedure on the third reading of Bills to determine whether the correct procedure had been followed. We saw that Standing Order 35, [Procedure on third reading] in particular, applies to the third reading motion.

Standing Order 35, reads as follows: "35A Bill having passed through the Committee of the whole Senate, or by leave of the Senate, having been read a second time without referral to the Committee of the whole Senate, may forthwith be read a third time and passed unless at least three Members object to the motion for the third reading, in which case the third reading shall be deferred to the next day of meeting."

In accordance with Standing Order 35, once there had been [an] objection from at least three Senators, the correct procedure would have been for me, as President, to recite the provisions of Standing Order 35, requiring the third reading to be carried over to the next day of meeting. At that point, Senate could have agreed to carry over the third reading, or the Senator in charge or another Senator could have taken the option of moving to have Standing Order 35 suspended. If that motion was approved, Senate could have then gone on to do the third reading motion on the Bill.

In order to correct the procedural error, we must rescind the third reading vote on the Bill on 18 March [2026], such that [the] Minister in charge can now re-put the third reading motion and Senate can proceed from that point. Therefore, I will move to correct this as follows.

BILL

¹THIRD READING

[Rescinded]

MUNICIPALITIES REFORM ACT 2026

The President: Senators, I move that the third reading vote on the Bill entitled the Municipalities Reform Act 2026 [taken] at the meeting of 18 March [2026] be rescinded.

Is there any objection to that motion?
No objection.

[Motion carried: The Third Reading and passage of the Municipalities Reform Act 2026 taken on 18 March 2026 was rescinded to correct a procedural error.]

The President: Thank you, Senators.

Senators, I will now call on the Minister in charge, Madam Attorney General, Senator Wilkerson, to put the third reading motion for the Bill at this time. And remember, Senators, there is no debate during the third reading.

Senator Wilkerson, you have the floor.

Sen. the Hon. Kim Wilkerson: Madam President, if I may, I would defer the third reading until the next meeting of the Senate, if that's appropriate.

The President: Is there any objection to that motion?
Senator Tannock.

Sen. Tawana Tannock: Good morning, Madam President.

What is the rationale for deferring it, Madam Attorney General?

The President: Minister Wilkerson.

Sen. the Hon. Kim Wilkerson: Yes. Madam President, we have a full agenda of other matters. This procedural irregularity and your ruling have taken us certainly by surprise, and we would like the opportunity to consider it.

The President: Is there any objection to this motion?
Senator John Wight, Vice President.

Sen. John Wight: I just find it disappointing to hear. We have everybody here who was here on Wednesday.

The President: Mm-hmm.

Sen. John Wight: This is a procedural matter that should just take a matter of minutes. To defer to a later meeting when there may not be a full complement of Senators to vote on what is a very important vote for Bermuda, I think is inappropriate. So, I would . . . I am opposed to the deferral.

The President: Mm-hmm.
Senator Lindsay Simmons.

Sen. Lindsay Simmons: Madam President, I have to agree with my Senate Leader that we were just given this information just now. And this is an important Bill, like Senator Wight said, and it is our job to be here and to give us time to think about how we are moving forward should not just be dropped in our laps like this. I

¹ See Third Reading Recommitted at [page 816](#)

think that we should have time to at least look over this. Thank you.

The President: Senator Rogers.

Sen. David Rogers: For clarity, what would change between us taking the vote today or taking it another day? Would there be new information given? Would there be any change in . . .

[Inaudible interjection]

Sen. David Rogers: So, then it's totally inappropriate to—

[Inaudible interjections]

The President: There is no debate on the third reading.

Sen. David Rogers: Right. So, there's no—

The President: So, there will be no rationale for delaying it.

Sen. Lindsay Simmons: Madam President?

Sen. David Rogers: I am sorry. There was no . . . So, I cannot support delaying the vote?

The President: Senator Lindsay Simmons.

Sen. Lindsay Simmons: Madam President, the Government is carrying this Bill, and we should have the opportunity to defer to a later time, even today. We need time to sit down and think about what is being put forward to us. This is something that just came to our laps today. We didn't have time to look at this. So, I think that my Senate Leader is correct that we should have time to discuss this as a team.

[Crosstalk]

Sen. the Hon. Kim Wilkerson: Madam President—

The President: Vice President—

Sen. John Wight: Sorry. Madam President. With hearing “later today,” I would be okay with later today. If we are all in session today, let's do it today is my recommendation. So, I would prefer to have done it now, and I don't quite understand the reasons for delaying it to later today. But I would say any time today is agreeable from my perspective.

Thank you, Madam President.

The President: Senators, I would also remind you that there has been debate on this Bill. What is put before

you today is a decision to correct the procedure of the third reading. It is not to debate the Bill in its entirety.

So, I just want to ensure that you all understand that the Bill has been debated, a decision was made, the error was in the third reading. And so today it's a matter of deciding whether we just, as I read to you, correct a procedural error.

Minister of Justice Wilkerson.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

As my colleague has said, and I believe there is an agreement, it is new information, and we propose that the third reading can be taken at the end of today's . . . the two budget heads that are scheduled. Thank you, Madam President.

The President: Is there any objection to that motion?

Sen. John Wight: I would just ask the Minister, what's going to change between now and later today? It's all procedural. I am not sure what the risk is.

Sen. the Hon. Kim Wilkerson: If I knew what was going to change, I would be able to predict that. I don't know. I want the opportunity to discuss that.

The President: Senator Tannock.

Sen. Tawana Tannock: Yes, Madam President.

So, I think I may . . . well, maybe the listening public's less confused than I am, so I can't say I am as confused as they are. But, okay, so what . . . can you tell me if I have this right? It will be read for a third time, and then we will vote again, and that's what will happen when we go through this procedure. Is that correct?

The President: Yes, that will be the . . . on the third reading.

[Crosstalk]

Sen. Tawana Tannock: So, the third reading of the Bill will be held again. So, it is not like we are saying that the procedure was wrong; but we are keeping the vote as it was. We actually have to vote again.

The President: Yes.

Sen. Tawana Tannock: Okay. Thank you.

The President: Minister Caesar.

Sen. the Hon. Crystal Caesar: Yes, just asking, just, Madam President, the fact that there are questions being asked around what's happening procedurally, I think that that behoves us to give consideration that all of us have an opportunity to think about it.

It's not that it's incorrect. It is that this procedure, in particular, has been highlighted to us, and I think all Senators need to be clear as to exactly what is happening. And the fact that there are questions indicates that there is some misunderstanding, or lack of understanding. And so, we are just asking for the opportunity for us all to be on the same page, that we know what we are doing procedurally. That's it.

The President: The decision before us then is to have this discussion on this later on in the day.

And so, Senator Tannock.

Sen. Tawana Tannock: Does that go to a vote?

[Crosstalk and laughter]

Sen. the Hon. Kim Wilkerson: Madam President, with respect, our teams are here to support me in the Ministry of Justice's budget debate.

The President: Senators, we are going to delay it.

Sen. the Hon. Kim Wilkerson: Thank you.

The President: The decision has been suggested that we will do it later in the day, and we will do that.

With that said, we will move [on].

ORDERS OF THE DAY

The President: The first Order of the Day is resolution into Committee of the whole [Senate] for further consideration of the Appropriation Act, together with the Estimates of Revenue and Expenditure for the financial year 2026/[27].

I call upon Vice President John Wight to take the Chair, and he will be assisted—I beg your pardon.

Minister, I do apologise.

Sen. the Hon. Crystal Caesar: Let me move us into Committee first, and then you can call [Senator] Wight into [the] seat.

Madam President, good morning, and good morning, listening public. I move that the Senate do now resolve itself into a Committee of the whole [Senate] for the further consideration of the Appropriation Act 2026, together with the Estimates of Revenue and Expenditure for the year 2026/27.

The President: Thank you, Minister.

I call on Vice President John Wight to take the Chair of the Committee. Thank you.

[Crosstalk]

Senate in Committee at 10:24 am

[Sen. John Wight, Chairman]

COMMITTEE OF SUPPLY

APPROPRIATION ACT 2026

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2026/27

The Chairman: Thank you, Madam President.

ANNOUNCEMENT BY THE CHAIRMAN

SENATE VISITORS

The Chairman: Before we start, I would just like to recognise in our Chambers today, David Roberts, the Permanent Secretary for the Minister of Justice; and Irene Muiru from the Ministry of Justice, so welcome to you both this morning.

[Committee of Supply, continuing]

The Chairman: So, Senators, we are now in Committee of the whole [Senate] for further consideration of the Appropriation Act 2026, together with the Estimates of Revenue and Expenditure for the year 2026/27.

The Ministry under consideration is Justice. The heads for debate under this Ministry are: Head 87, on page B-80 of Budget Book; Head 25, on page B-95; Head 74, on page B-99, and Head 75, on page B-103. The number of hours allocated to these heads are four.

The Senator in charge is Minister Kim Wilkerson. The start time is 10:25 am.

Senator, how do you—Minister, how do you wish to proceed?

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

I move that the Committee do now take under consideration Head 87, Ministry of Justice Headquarters; Head 25, Department of Corrections; Head 74, Department of Court Services; and Head 75, the Department of Public Prosecutions.

The Chairman: Thank you, Minister.
Please proceed.

MINISTRY OF JUSTICE

Sen. the Hon. Kim Wilkerson: Mr. Chairman, I am pleased to present the budget brief for the Ministry of Justice Headquarters. The mission statement and department objectives for the Ministry of Justice Headquarters begin on page B-80 of the Estimates Book.

The Ministry will plan and prioritise its operational programmes and activities to achieve tangible outcomes within the upcoming fiscal year. All resources will be utilised to enhance deliverables while remaining responsible with fiscal allocation.

Current Expenditure

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the Ministry of Justice current expenditure allocation commences on pages B-79 through B-83 of the Approved Estimates of Revenue and Expenditure for the year per the Budget Book. The total expenditure is estimated to be \$63,241,000 for 2026/27 and represents an increase of \$5,501,000, or 10 per cent higher than the prior year's estimate for 2025/26.

This change is due primarily to an increase in salaries, legal and consultancy costs.

Mr. Chairman, overall expenditure allocations to the Ministry, by department, are as follows:

- Ministry of Justice Headquarters, \$8,220,000;
- Judicial Department, \$11,023,000;
- Attorney General's Chambers, \$7,242,000;
- Department of Corrections, \$26,882,000;
- Department of Court Services, \$5,471,000;
- Department of Public Prosecutions, \$4,403,000.

Mission Statement

Sen. the Hon. Kim Wilkerson: The mission statement is overall, *To uphold the rule of law and deliver fair, transparent and accessible justice that protects rights, empowers people and strengthens trust in Bermuda's legal system.*

Department Objectives

Sen. the Hon. Kim Wilkerson: The four department objectives are:

1. To effectively implement Government's justice and legal policy priorities under the direction of the Minister, ensuring alignment with Bermuda's strategic goals and measurable delivery outcomes.
2. To deliver efficient, transparent and people-centred legal and justice services that improve access, responsiveness and confidence in the justice system.
3. To uphold Bermuda's legislative and regulatory framework for anti-money laundering and counter-terrorist financing (AML/CFT), effectively identifying, preventing and mitigating risks to protect the integrity of Bermuda's financial system and its global reputation.
4. To strengthen partnerships with justice stakeholders, the legal fraternity, civil society and international counterparts to promote trust, transparency and shared responsibility for justice outcomes.

Revenue Overview

Sen. the Hon. Kim Wilkerson: The only department under this Ministry's portfolio whose mandates directly

entail generating revenue is the Judicial Department. The Judicial Department's revenue stream is projected to yield a total of \$5,556,000. This amounts to \$745,000, or 15 per cent more, than the 2025/26 original estimates. This growth is driven primarily by increased court fees, parking fines, and civil fees.

Mr. Chairman, we note that this particular head is not under consideration this morning.

HEAD 87—MINISTRY OF JUSTICE HEADQUARTERS

Sen. the Hon. Kim Wilkerson: I will now present the budget for the Ministry of Justice Headquarters, along with the business units under its purview. The budgets for individual department [heads] within this Ministry will be covered separately in their respective [budget] briefs.

Expenditure Overview

Sen. the Hon. Kim Wilkerson: Mr. Chairman, a total of \$8,220,000 has been allocated to the Ministry of Justice Headquarters, which represents a \$1,464,000, or 22 per cent increase, from the previous year and constitutes 13 per cent of the overall budget allocated for the Ministry.

Mr. Chairman, the Ministry of Justice's Headquarters is subdivided into eight programmes or business units as follows:

- 97000 Administration
- 97010 Financial Intelligence [Agency] (a grantee)
- 97030 Legal Aid Office
- 97050 Parole Board
- 97060 Treatment of Offender's Board
- 97070 Justice Protection Programme
- 97080 Financial Sanctions Implementation Unit
- 97100 Law Reform Commission

Mr. Chairman, each business unit is addressed in turn below as follows:

Administration, 97000

Sen. the Hon. Kim Wilkerson: The original estimate [for] 2025/26 was \$1,322,000. The estimate for 2026/27 is \$1,880,000, which represents a 42 per cent.

The Administration business unit provides for the administrative and personnel costs associated with the daily operation of the Ministry Headquarters, for which a total of \$1,880,000 has been allocated.

Mr. Chairman, this represents a notable increase, of course, 42 per cent, compared to the original estimates from last year, driven by increased expenditure on salaries, consultant and contractor services, travel costs, and criminal injury compensation.

Legal Aid Office, [97030]

Sen. the Hon. Kim Wilkerson: [This is] with a 21 per cent increase, 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 Office is: *To provide high quality legal representation to those who qualify for assistance under the Legal Aid Act 1980.*

The Office fulfils this role by providing clients who qualify for the scheme with quality professional legal services in a timely and efficient manner.

Mr. Chairman, the Legal Aid Scheme is administered by the Legal Aid Committee under the authority of the Legal Aid Act 1980. For 2026/27, its budget allocation is \$2,686,000. This is a 21 per cent increase over the year before. This increase is mainly due to salaries, legal services, grants and contributions.

Mr. Chairman, \$1,600,000, or 60 per cent, is allocated to salaries for administrative, legal aid staff, and consultants fees. [Also,] \$750,000, or 28 per cent, covers external legal services, while the remaining \$336,000, or 12 per cent, funds administrative expenses, including rent, operational costs, committee fees, professional indemnity insurance, and Bar Association dues.

Mr. Chairman, the Legal Aid Office delivers two key services: the administrative team supports applicants in completing legal aid forms and conducts legal aid needs assessments under the Legal Aid Act 1980 before submitting applications to the Legal Aid Committee for their consideration. Once decisions are made by the Committee, the team notifies applicants and counsel and issues legal aid certificates. The accounts officer processes all legal and expert service invoices received, ensuring they are reviewed, taxed, and approved by the Committee prior to payment.

The current legal team, when at its full complement, consists of two junior counsel, two Legal Aid counsel, a senior Legal Aid counsel, and the Legal Aid paralegal. The Legal Aid Committee assigns in-house counsel to represent persons who are granted legal aid certificates by the Committee unless there is a potential conflict or for some other reason external counsel must be assigned. This year, the Legal Aid Office will undergo a full review as well as develop a strategic plan aimed at improving efficiency and ensuring continued access to justice for all Bermudians.

Mr. Chairman, I pause it there to say that there is a clear view that there is a need for reform of the framework for Legal Aid.

The performance measures for the Legal Aid Office for 2025/26 were:

1. to process and grant legal aid certificates to qualified applicants within seven days of

receiving their completed applications and supporting documents;

2. to process and grant temporary legal aid certificates in urgent situations within 24 hours;
3. to assign 75 per cent of new cases to in-house Legal Aid counsel; and
4. to grant approximately 140 new legal aid certificates.

Mr. Chairman, I am pleased to report that the Legal Aid Office met, and in most cases, exceeded these performance goals for the fiscal year 2025/26.

A key performance goal for 2026/27 will be to assign 85 per cent of new legal aid certificates to in-house counsel. This will be challenging, but with the imminent relocation of the Legal Aid Office to a larger, more suitable space it is anticipated that the recruitment of more permanent in-house counsel and more modern systems will enable the Legal Aid Office to meet this goal. The larger space will allow for the recruitment of more [Legal Aid] counsel to manage cases in-house, which will result in cost savings and broader public access to justice.

Mr. Chairman, the number of new legal aid certificates granted each year fluctuates due to unpredictable socio-economic and other factors. In 2025/26, Mr. Chairman, 268 applications were processed which was more than the projected 225. Of those applicants, 154 were qualified and granted certificates. Decisions on 18 applications remained pending further information. Overall, performance indicators show increases in applications processed and certificates granted compared to the previous year, along with a reduction in deferred applications.

Operating Expenses

Sen. the Hon. Kim Wilkerson: For the current fiscal year, Mr. Chairman, expenses incurred (excluding salaries) were as follows:

- legal fees (for external counsel) training and consultant services—\$917,000;
- telephone and courier expenses—\$8,100;
- memberships fees, board and committee fees—\$19,000;
- apportioned for insurance, training, rent and maintenance—\$244,000;
- allocated for cleaning—\$13,700; and
- allocated for office supplies, printing, books, and professional law periodicals—\$44,600.

Legal Services

Sen. the Hon. Kim Wilkerson: Mr. Chairman, between the period 1 April 2025 and 31 March 2026, the Legal Aid Office processed a total of 268 new applications. They were

- 196 criminal matters;
- 43 civil matters; and
- 29 matrimonial matters.

Out of the 268 new applications for funding, 154 matters were approved, 96 were declined, and 18 were deferred.

The Work of In-House Legal Aid Counsel

Sen. the Hon. Kim Wilkerson: Individual client cases managed by in-house counsel generated cost savings of approximately \$1,225,000 in legal fees which would otherwise have been paid to external counsel.

Mr. Chairman, the Legal Aid Office represented clients who were granted legal aid certificates with respect to a broad range of legal matters over the past year including: family court matters; civil claims (such as employment and personal injury); landlord and tenant disputes; human rights claims; constitutional applications; and criminal trial and appeal matters. Two junior counsels were employed in-house and over the past year both have demonstrated growth and skill development in family and criminal law cases.

The Legal Aid Committee, Mr. Chairman, recognises that for some members of our community, faced not only with financial challenges but also with cognitive or mental health challenges, representation by in-house counsel is necessary to ensure their voices are heard. In these circumstances, legal aid certificates are granted at the discretion of the Committee when it is in the interests of justice.

In addition to clients charged with criminal offences, the Legal Aid Office continues to represent individuals who are granted certificates in relation to complex and emotionally difficult cases involving child custody, access and maintenance.

Mr. Chairman, cost savings to the public were also realised through the strategic use of Legal Aid counsel to assist individuals who are before the court and require counsel in circumstances where individual certificates are not practical, [such as]:

- In-house Legal Aid counsel ensured that members of the public received quality representation and timely access to justice by appearing as duty counsel for individuals in many courts, thereby safeguarding the rights of individuals and ensuring that cases are dealt with fairly and expeditiously by the courts.
- The Legal Aid Office provided counsel each week to assist individuals [appearing] in the Mental Health Treatment Court, Drug Treatment Court, DUI Court, and the Juvenile Court. Effective counsel in these courts is critical to the success of individuals appearing before them. Individuals, and the Judiciary, rely on counsel to provide legal and moral guidance as they work to address root causes of crime. Mr. Chairman, I would just add here that not only are the Legal Aid counsel in the Treatment Courts, they are also part of the preparation meetings prior to the court hearings where they interact with the cross-ministerial individuals

which may be from the Department of Court Services, social workers, nurses from Mid-Atlantic Wellness Institute as well as sitting across from representatives from the Department of Public Prosecutions who may be prosecuting the case. There is the opportunity for all of those individuals as part of the pre-assessment case work to sit together and talk about people who are in the treatment programmes and make recommendations and have opportunities to hear more about how they are progressing on their various treatment journeys. And it is extremely impressive, Mr. Chairman.

- The Legal Aid Office made counsel available, 24 hours a day, 7 days a week, to advise and assist all persons arrested and detained by the police over the past year, including attending at the police station when necessary to assist adults and young people during police interviews on serious matters.
- The Legal Aid Office ensured that no one who appeared in plea court was required to enter a plea or otherwise compromise their legal rights, without the advice and assistance of legal counsel.

Mr. Chairman, there continued to be great demand for Legal Aid counsel in the Juvenile Court to represent young people being tried for serious matters. Legal Aid counsel appear as duty counsel for the Juvenile Court every week and are assigned to represent young people who are ultimately granted legal aid certificates by the Committee.

Child safe-guarding provisions, which protect the rights of children and ensure their voices are heard in all types of cases before the Courts, have resulted in Legal Aid counsel frequently being called upon to assist children who come before the courts as witnesses, victims, and the subject of family court litigation regarding their care and custody.

Internally, Mr. Chairman, the Office continues to build a strong team as the administrative staff and counsel work to meet their shared goal of providing excellent legal representation and broad public access to justice. Together the team has developed effective solutions to challenges presented over the past year.

External Counsel

Sen. the Hon. Kim Wilkerson: Mr. Chairman, external counsel fees remain the largest area of expenditure for the Legal Aid Office, except for salaries, and continue to be challenging to accurately predict.

Last year the legal fees paid to external counsel were higher than predicted for several reasons, including the following:

- There was an increase in the rate of murder and other serious violent crimes, as well as

conspiracies to import firearms, ammunition and illegal drugs into Bermuda.

- Multiple defendants were charged and tried together in many serious cases. Each defendant is entitled to independent counsel who is free from any potential conflict of interest. In most instances, therefore, in-house Legal Aid counsel are only able to represent one defendant, whilst the other two, three or more (in some cases) who may all qualify for Legal Aid, must be represented by external counsel.
- Although the Legal Aid Committee requires brief fee proposals from counsel to ensure fees are carefully managed, strictly necessary and reasonable, it is difficult to predict when trials will occur and whether unanticipated preparation, legal research and court appearances may be made necessary by any number of factors outside of the control of counsel.
- In the past fiscal year, external counsel submitted claims for serious trials and appeals that had been budgeted for and completed in prior years which also presents a challenge for the accurate prediction of external legal fees within any given fiscal year. The past fiscal period included payment of fees to external counsel for re-trials, multi-defendant criminal trials, and other types of complex litigation.

Training and Development

Sen. the Hon. Kim Wilkerson: Mr. Chairman, training and development, along with succession planning are amongst the most important objectives of the Legal Aid Office over the next year.

As the number of experienced barristers who are willing and able to [represent] Legal Aid clients is expected to continue to decrease over the coming years, it is imperative that we train and develop the next generation of Bermudian barristers to ensure that our courts continue to operate [efficiently] and that all persons, regardless of wealth, have access to justice in Bermuda. And, Mr. Chairman, this is a particular challenge also recognised by the Bar Council in relation to the small number of criminal defence partitioners currently in the jurisdiction.

The Legal Aid Office is an ideal training ground for pupils and junior counsel both due to the diversity of legal work and the opportunity to assist and learn from senior barristers engaged in complex litigation before our courts and tribunals. The Legal Aid Office will play an integral role facilitating the Ministry's goal to train and retain qualified Bermudians for the legal profession, (and as I have just said) especially for the Criminal Defence Bar.

Recruitment was successful last year in bringing on board a second more senior barrister and a junior barrister as Legal Aid counsel. Further development and growth are anticipated as we remain dedicated to

ensuring access to justice for all Bermudians into the future.

Mr. Chairman, we will, over the coming fiscal year, continue to make crucial investments in our legal aid plan, whilst always keeping under review our delivery model, best practices, and potential amendments to the Legal Aid Act which reflect the collective commitment to justice, high service standard and the essential development and retention of first-rate Bermudian barristers.

Mr. Chairman, between my counterpart, [Opposition] Senate Leader Cunningham, we did agree to break the brief and share time to take questions as opposed to leaving them at the end of the brief. So, at this point I will pause to hear if there any questions in relation to the first portion of the brief in relation to the Office of Legal Aid.

The Chairman: Very good. Thank you, Minister.

Senator Cunningham, [do you have any] questions?

Sen. Victoria Cunningham: Thank you, Madam Attorney General, I was waiting for the end of the head, but I appreciate you.

Yes . . . I will start by thanking you for delivering the brief and what is to come. And to the staff and the department I especially appreciate having the brief in front of me. Sometimes reading the numbers and trying to translate them into what they actually are can be tough. And I anticipate some questions from slightly further back.

But one of my questions—and thank you for that long introduction on the Legal Aid, and I think that's obviously very key to Bermuda. But you talked about the performance measures, and I just . . . looking from the Budget Book, it seems that the numbers are different, so perhaps there have been changes in the numbers that have come through. I assume, you know, it's not a definitive February 20, obviously, we have still got the rest of the month, so I know some of those numbers are different.

But a question relating to the Legal Aid is how . . . so what percentage of these Legal Aid matters, and I think you said you wanted it to 85 per cent of the certificates, but are done in-house versus the external counsel, recognising that last year was possibly, well, hopefully an anomaly year, and we don't see that again with murders and drugs and the rest of it, but is there kind of a split between internal counsel and external counsel?

The Chairman: Minister, would you prefer that Senator Cunningham ask all her questions at once and then you respond, or would you prefer to respond question by question?

Sen. the Hon. Kim Wilkerson: I'll take the next few questions on this point.

Sen. Victoria Cunningham: Okay. I am just trying to think if I had any others on Legal Aid. I also actually appreciated that one of my questions was on the breakout of the Legal Aid spend between admin versus the counsel, so I appreciated a lot of that was covered.

Can I go back to the . . . no, I can't, because you haven't talked about it yet. No, the Law Reform Commission, you talked about the strategic plan as a whole within the Ministry.

Sen. the Hon. Kim Wilkerson: That was with relation to Legal Aid, sorry.

Sen. Victoria Cunningham: Oh, okay, okay.

Okay, so with the strategic plan and obviously the need for reform under Legal Aid, when do you expect that to be done, and will it be brought to this, or to this Chamber?

Sen. the Hon. Kim Wilkerson: Thank you. To the extent that clearly the changes relate to, as is prefaced, changes to the Legal Aid Act, they will absolutely come here, because they will be legislative changes. So, the work, the when . . . it is on my chart sheet, and we will be undertaking the review over the summer months.

Whether we will be able to return legislation, if there are legislative changes, here is another question. What I have come to learn is that Legal Aid touches more members of society than I expected. I myself was surprised to learn that matrimonial matters could be handled out of Legal Aid. So, there are some moving parts. For example, with the amendments to the Landlord and Tenant Act [1974] that sit outside of my Ministry, but with a move toward tribunals for landlord/tenant disputes, there should be a shift in the resources necessary to deal with those kinds of matters within Legal Aid. So that should ease up some of the strain on Legal Aid counsel in that regard, and it would help with a go-forward planning about how we tool up in terms of the expertise that is necessary.

But I think the critical thing is understanding how much Legal Aid impacts the general society. There will need to be some, and I think it will be a fair amount of time on public consultation around what Legal Aid should look like in a country with . . . of ours. What do we believe Legal Aid should really be? We should reconsider, as you have seen in the savings, that the model to require more services to be in-house as opposed to external has worked, but we should be monitoring over the next year. Has it continued to work? Does it meet the needs based on the types of cases that we are seeing, which are becoming more complex? So, thank you for that question.

And I think your first question was about the split between—

Sen. Victoria Cunningham: Internal and external.

Sen. the Hon. Kim Wilkerson: And was that . . . was the question in terms of, I think we mentioned the funding, but I think it . . . is your question whether we have a guideline as to how much should go out versus stay in? No.

Sen. Victoria Cunningham: Okay. No, and it was based on if you are granting the 154 certificates or 140 certificates, what percentage would be internal versus external?

Sen. the Hon. Kim Wilkerson: Yes. So that was the actual data show which went out, and which were in. But in a case where we would have granted the certificates in, I think it's the public followed a four-defendant murder trial. And I think more than two of those defendants received legal aid certificates, but our Legal Aid senior counsel could not represent them all. So that would have been an example of a certificate being granted, but the counsel necessarily had to be external.

Sen. Victoria Cunningham: I sat on a jury with three defendants.

[Laughter]

Sen. Victoria Cunningham: And then finally, I will let my colleague speak. But finally, so we . . . the legislation was changed for, as an example, for the no-fault divorces. Have you seen a reduction in the number of Legal Aid cases coming out of the matrimonial courts because of that change?

Sen. the Hon. Kim Wilkerson: I do not have that to hand, but I could get that.

Sen. Victoria Cunningham: I just thought it was interesting as we, obviously, you are not changing legislation on gun crime, but as we change things, does it free up some of the legal aid?

Sen. the Hon. Kim Wilkerson: My understanding from conversations with matrimonial counsel outside of legal aid is that the regime hasn't eased. And so, I think that that's worth a further review as well.

Sen. Victoria Cunningham: Okay. Thank you.

The Chairman: Thank you, Minister. Thank you, Senator.

Are there any other Senators who wish to ask a question? Yes, Senator Tannock, I see your hand up.

Sen. Tawana Tannock: Yes. Thank you, [Mr. Chairman]. Thank you, Attorney General, for your brief on Legal Aid.

So, I do note that the full-time number for the Legal Aid employees was initially estimated to be at 12 in 2025/26. And then that was reduced back down to

the 10 that are currently there. If we are looking at increasing the services that the Legal Aid Department provides, why was the decision taken to reduce the estimated number of employees? So, it was proposed, it was 10, then proposed to 12, then it's back down to 10.

Sen. the Hon. Kim Wilkerson: Yes.

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: I am not sure where the disconnect is. The go-forward is to be able to increase the number of counsels, not decrease.

The Chairman: Thank you, Minister.

Sen. the Hon. Kim Wilkerson: Which is the point of the Legal Aid Office [having] recently moved into a larger location to be able to have the space to house more counsel, not less. Thank you.

The Chairman: Thank you.

Senator Tannock, do you have a follow-up question?

Sen. Tawana Tannock: Okay. Yes, so then maybe I am reading this incorrectly. So, I have employee numbers, legal aid, original 10, revised estimate of employees 12, for 2026/27, estimate 10, difference between those two years, zero. So that reads to me like there is no increase, even though one was proposed.

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: Yes, that's right. We were not able to hire in the additional counsel, although we hired in one senior counsel, one junior, the hope was to hire in one more senior counsel, and that didn't come to fruition in this last year.

The Chairman: Senator Tannock.

Sen. Tawana Tannock: Yes, thank you.

So, I guess my question is, so there has been . . . So, because we are not estimating, we are not stating that we are trying to hire anybody else, right? Because there's no estimate for this year to take on somebody else. So, [does] that mean that a decision has been made to not . . . no longer hire anybody else for that department?

Sen. the Hon. Kim Wilkerson: No, that's not correct. We are actively looking to hire in additional counsel.

Sen. Tawana Tannock: Thank you, Attorney General, but I don't see it budgeted for. I see the estimate sits at 10, which is the current number. So, I don't see the budget for additional counsel.

The Chairman: Yes, I think on [page] B-82, there's a reference to the number of full-time equivalents, which I think Senator Tannock is referencing here.

Sen. Tawana Tannock: Sorry, [page] B-82. Yes, sorry, my apologies. Thank you, Senator Wight. Thank you, Senator Cunningham.

Sen. the Hon. Kim Wilkerson: So, there is a vote for consultants, and because we never know when we are going to be able to get the talent in the door, so it's moving money from one pot to another. Thank you.

The Chairman: Thank you, Minister.
Senator Cunningham.

Sen. Victoria Cunningham: So, following on from Senator Tannock, just to close out this point, so then we see under professional services that last year the original was \$1.94 million, revised being \$1.91. So that speaks to the uncertainty. And so now going forward, we've estimated the \$2.12 [million], but what you are saying is we don't know how much caseload for external is going to be. So, we have put in an estimate, and we will see where it is at the end of the year.

Sen. the Hon. Kim Wilkerson: Yes, and if we're able to, as opposed to sending work out to King's Counsel, which will fall under that, hiring a very senior local barrister, it comes from that. Yes, it's moving the allocation around.

The Chairman: Senator Tannock, any follow-up question?

Sen. Tawana Tannock: Well, actually, it's a separate . . . it is a question on Legal Aid, but on a separate issue.

I wanted to ask Madam Attorney General if there are statistics on how many of the persons receiving legal aid in criminal matters are repeat offenders?

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: I do not have that information to hand.

Sen. Tawana Tannock: Thank you.

If we could get that information, because what I'm trying to figure out is if we have repeat offenders who are qualifying for legal aid, which means that they have processed an application, and they are below the financial threshold to not qualify, and they are repeat offenders, then I think that there is something there. There is a disconnect there that we are missing out on, because if you consistently are charged or accused of criminal offences, and you consistently meet the standard to apply for legal aid, what do we do in that instance?

And I know we don't have those numbers, but it would be great to know, because I would like to know if we have persons who continually get legal aid who are repeat offenders, does any type of intervention take place? Is that person flagged by perhaps social services or . . . I don't even know, rehabilitation? What happens if we have somebody who avails themselves of legal aid repeatedly? Is there any flag in the system to say this person needs assistance, this person needs intervention? Let's look at what's going on here.

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: That is a great question. I think the brief already talked to the fact that often certificates are granted to people who have mental capacity issues, but I think the Senator's question goes further as to whether there is any obligation on the part of the Legal Aid Office to make a referral. Legally, I don't think that there is, but it is a good question.

I would also remind, however, that just because someone is a repeat offender, you know, each time someone is in need of legal services, they are innocent until they are proven guilty. Right? And so, there isn't a view that, you know, you have been in trouble four times, you're not eligible. But I understand that the Senator's comment goes to the point of whether there's more of a holistic connection in services. And I don't know the answer to that.

The Legal Aid Office obviously has no legal obligation to make a referral under any sort of mandate. Where there are cases, for example, complex child custody cases, cases of that nature, generally DCFS would already be involved in assistance to that family. But other than that . . .

The Chairman: Thank you, Minister.
Senator Tannock.

Sen. Tawana Tannock: Thank you. Thank you, Madam Attorney General. I appreciate that. And I guess my approach is that legal aid isn't free. Right? Somebody pays for it. We all pay for it. And so, I think that as taxpayers, payroll taxpayers, as people who pay social insurance, who are supporting legal aid, right? We are paying for legal aid. It's not free. I think it would be beneficial for those of us who see dollars going to Legal Aid to understand what's happening to, I suppose, mitigate.

So, what I mean by that, and I appreciate the presumption of innocence, and I appreciate that everybody should have the right to representation. But if we do have an instance where we see persons who have been accused and been convicted, and they have come back to Legal Aid, maybe there should be something in the system that flags that, says, Listen, on the second time, you go to see a social worker. Or on the third time you go to see a social worker. Some way of saying, how can we reduce the cost to society of this

person's repeat offending? Is there an intervention method that we can look at to address the roots of whatever's happening here?

The Chairman: Thank you, Senator Tannock.
Minister.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

I would say, though, that if a person is a repeat offender who is convicted (right?) and they're continually convicted, there are interventions at that stage. I was making the point that the interventions aren't at the Legal Aid Office. So, there would be interventions at that stage. For example, we have talked about the mental health treatment courts, the DUI courts, and so on. So, at that point, the interventions are made.

And certainly, if a person is sentenced to a period of incarceration, at His Majesty's pleasure, at that point, there is a case assessment in order to make the interventions that they will need during the period of incarceration as part of a case plan.

The Chairman: That's helpful, Minister. Thank you.

Sen. Tawana Tannock: Thank you, Minister.

The Chairman: Any further questions from Senators?
Senator Cunningham.

Sen. Victoria Cunningham: Sorry, I have another one on, I don't know if it would fall under training or just development in general. So, you talk about, you know, having multiple defendants and conflict of interest and wanting to hire more counsel. Has the Ministry thought of ways to actually attract, because I am assuming a lot of these students will go away to school and be lured in by either international business or the big, you know, global law firms or whatever. How does the Ministry seek to attract that talent and keep it internally?

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: That is a fantastic question. And that is the question that really is under consideration by the Bar Council at the moment. It's understood that we need to have more, particularly criminal barristers here. And there are . . . I won't speak in front of Bar Council's proposals, but there are some proposals being formulated. And certainly, I would speak now that, you know, the Chambers, Attorney General's Chambers, we have a pupillage programme. And it's done really, really well. If we look at the Bermudians who are working currently with the Department of Public Prosecutions, and we have some of those coming back to the advisory. But I think a stick to keep more people engaged in the criminal profession is certainly something that is under consideration, because we recognise it's important.

The Chairman: Very good. Thank you, Minister.

Sen. Victoria Cunningham: And actually, kind of to that, and maybe I shouldn't ask this question, but is there an expectation of members of the Bar Council to provide services on a pro bono basis to ease up the expenses for the external council? Or are they all, they are charging their maybe slightly lower rates?

Sen. the Hon. Kim Wilkerson: There is a proposal under review, certainly it came into the Law Reform Commission, which we are going to talk about a little later, from the international business sector, where their lawyers are primarily in-house lawyers, and many corporate citizens in Bermuda have a desire to be able to contribute in meaningful ways, you know, and this is one of them. So, there are some considerations around the rules for Bar Council to permit that. But that is certainly, yes, under consideration.

The Chairman: Thank you, Minister.
[Are there] any further questions?
Senator Tannock.

Sen. Tawana Tannock: Yes, this is my last one with regard to Legal Aid. Does the Legal Aid Office still prepare an annual report? And if so, when was the last annual report? And if they no longer prepare one, why has that decision been taken?

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: I'll wait to get the answer. I don't know.

The Chairman: We'll wait for that answer from the technical officers.

Sen. Tawana Tannock: So, the last one that, I don't know if this helps, but the last one that I saw was in 2022. I don't know if there have been any since then, and I would like to know why.

The Chairman: Minister, anything?

[Pause]

The Chairman: We are still awaiting research here.

Sen. the Hon. Kim Wilkerson: What I can do is, if you will permit, Mr. Chairman, is I will move on to the next business unit and when I get the answer about the annual reports, because it is a good point. I have not seen one.

The Chairman: Okay. Thank you, Minister.
So, we can move on and we'll come back to this when we have an answer. Thank you.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

Parole Board, 97050

Sen. the Hon. Kim Wilkerson: The original estimate is \$120,000. It remained at \$120,000, flat.

Mr. Chairman, the Parole Board has been allocated, as I just said \$120,000. The allocation under this business unit is designated for board fees and board training programmes as we seek to modernise our approach to parole. The Parole Board serves an important role in facilitating the re-entry of offenders into society. The members of the board, which include experts in law, psychology and institutional aftercare, are charged with releasing men and women, who are eligible by virtue of certain established criteria, to serve the remainder of their sentence under community supervision. With careful thought and deliberation, the Parole Board implements conditions that will provide the highest likelihood of applicants becoming law abiding citizens and equipping them for successful reintegration.

On average, Mr. Chairman, the board meets two to three times per month and works collaboratively with other partner agencies of the justice system including court services, our correction facilities, rehabilitation programme providers and aftercare professionals to identify appropriate ways to achieve goals of reducing recidivism, preventing crime and protecting society.

In 2025, the board conducted a comprehensive review of 80 cases.

Treatment of Offenders Board, 97060

Sen. the Hon. Kim Wilkerson: The original estimate was \$98,000. The estimate for this year is \$104,000, an increase of \$6,000, or 6 per cent.

Mr. Chairman, the Treatment of Offenders Board, which has recently been transferred to the Ministry of Justice, has been allocated a total budget of \$104,000. Of this amount, \$73,000 is designated for the salary of an administrative assistant, while \$30,000 is allocated for board fees.

The Treatment of Offenders Board includes persons who possess expertise in medicine, psychology, law, and/or education. The board meets in person twice per month alternating between Westgate and the Co-Ed/Farm/Right-Living House facilities. Every month, two members of the board attend rota visits at the facilities to engage with inmates and compile reports based on their findings.

The Board acts as a fundamental cornerstone of our justice system, ensuring inmates' voices are heard and our corrections system remains focused on rehabilitative and restorative justice principles, over mere detention.

Justice Protection Programme, 97070

Sen. the Hon. Kim Wilkerson: This has been allocated \$320,000, and that remains flat over the coming year. The Justice Protection Programme has been allocated a budget of \$320,000 for fiscal [year] 2026/27 which represents no increase from the prior year.

The Justice Protection Programme, Mr. Chairman, is operated pursuant to the Justice Protection Act 2010. The programme provides protection and relocation services for critical prosecution witnesses who meet the legislative requirements for entry into the programme. Specific details are protected from public disclosure under the Justice Protection Act 2010 and as contained in the Public Access to Information Act 2010. Thus, Mr. Chairman, we proceed with great caution when representing figures and data which could be combined with other information to inadvertently identify programme participants, thereby compromising the programme's effectiveness and security.

Mr. Chairman, there were two participants at the start of the 2025/26 fiscal year. Programme participants are afforded protection whilst they provide evidence in high profile or high-risk cases before the courts.

In the 15 years since the programme has been in existence, there have been 42 participants which represented 60 people who were protected in total. The average duration of enrolment in the programme for protection, or assistance is three years. Over the 15 years of the programme's existence, a total of 11 additional applications were considered but were denied entry to the programme, as the assessed risks were sufficiently addressed by assistance that was already provided or available to those individuals.

Mr. Chairman, by way of example, payments made under the programme are vetted and structured to meet a participant's reasonable living expenses, including, where appropriate, living expenses of his/her accompanying family members. Payments are also made for other reasonable financial assistance, as well as for the purpose of meeting costs associated with relocation and settlement. This can often include providing assistance to the participant as they seek and secure employment, or as they access education and health care. Other assistance can be provided with a view to ensuring that the participant becomes more self-sufficient to sustain their needs.

Mr. Chairman, the programme's effectiveness is demonstrated by the fact that over 15 years, there have been 32 trials where the participants have testified. Convictions were obtained in all but four of these cases. This amounts to an 87.5 per cent conviction rate for cases where a witness in the Witness Protection Programme gave evidence.

The programme is indispensable to the administration of justice, the rule of law, and wider public safety, as evidenced by the marked increase in successful prosecutions, particularly in gang-related and violent offender cases. The Justice Protection

Programme's results compare favourably with equivalent programmes in other jurisdictions.

Mr. Chairman, looking ahead to fiscal [year] 2026/27, the work of this programme will continue, within its budgetary allocation, to protect the privacy and locations of the participant witnesses in the programme, towards the successful prosecution of some of the most heinous crimes in our jurisdiction.

Financial Sanctions Implementation Unit, 97080

Sen. the Hon. Kim Wilkerson: [This] unit is seeing a 9 per cent increase, from \$376,000, as the estimate in 2025/26 to \$409,000 in 2026/27.

The Financial Sanctions Implementation Unit (FSIU) plays a critical role in upholding Bermuda's reputation as a cooperative jurisdiction with a strong and effective sanctions regime. Its responsibilities include implementing and monitoring compliance with financial and trade sanctions to safeguard the integrity of Bermuda's financial system and protect national economic interests. The FSIU also advises the Minister of Justice (myself) on broader issues related to anti-money laundering, counter-terrorist financing, and counter-proliferation.

For fiscal year 2026/27 the FSIU's budget allocation, as I have already said, is increased by 9 per cent. Mr. Chairman, 93 per cent of the FSIU's budget is allocated for salaries. The remaining 7 per cent is allocated for training, travel, office supplies, telephone expenses and membership fees for its two counsels.

Staff

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the FSIU is comprised of two posts: the head of the unit and one legal counsel.

The FSIU team is responsible for:

- providing legal advice and technical support to the Minister of Justice in carrying out functions delegated to the Minister from the Governor;
- implementing targeted financial sanctions, as well as trade sanctions, including bringing relevant Overseas Territories Orders in Council into force in Bermuda;
- reviewing licence applications in respect of the various sanctions regimes and enforcing the same;
- maintaining a web-based repository of sanctions notices in effect in Bermuda;
- public outreach to industry, supervisors and government agencies to enhance awareness on sanctions obligations, including proliferation of weapons of mass destruction;
- liaising with Government House and UK authorities on sanctions matters; and
- assisting the Ministry of Justice Headquarters with Bermuda's AML/ATF global obligations.

Under the international sanctions' framework, Mr. Chairman, His Excellency the Governor is Bermuda's competent authority and holds ultimate responsibility for sanctions implementation, as outlined in the applicable Overseas Territories Orders under the International Sanctions Act 2003 and the International Sanctions Regulations 2013. Since September 2018, certain functions have been delegated to the Minister of Justice under the International Sanctions (Delegation of Governor's Powers) Notice 2018.

Mr. Chairman, Bermuda's sanctions regime must be up to date, fully implemented, and effective for the specific purposes of each financial sanction. As an overseas territory, Bermuda's sanctions regime mirrors those sanctions which are implemented by the United Kingdom. To meet international obligations, the FSIU ensures that all applicable Overseas Territories Orders that detail new sanctions, or amendments to existing sanctions regimes, are expeditiously brought into force in Bermuda. All updates to Bermuda's sanctions regime are listed in Schedule 1 of the International Sanctions Regulations 2013.

Mr. Chairman, under the Bermuda sanctions framework the Minister of Justice (myself) has the power to do the following:

- 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.
- Issue and revoke licences, authorising activity that would otherwise be prohibited under the Overseas Territories Orders, with the consent of the Secretary of State. A licence issued by the Minister can be varied or revoked at any time with the consent of the UK Secretary of State.
- Serve as the repository to which a relevant institution reports or informs if it credits a frozen account pursuant to an Order.
- Authorise persons with power to search and investigate suspected ships/aircrafts/vehicles.
- 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.

Output Measures

Sen. the Hon. Kim Wilkerson: Mr. Chairman, applications under the Russia sanctions regime continues to be the prominent regime for which licence applications are submitted to the FSIU.

In 2025/26, the Minister of Justice issued:

- Three General Licences (GLs).
- The General Licences for Legal Fees was reissued twice under the Russia sanctions regime (Bermuda General Licence 2024/09GL; and Bermuda GL 2025/01GL).

This General Licence permits payment for legal services provided to a designated person under the Russia or Belarus regimes, allowing legal firms to receive payment from or on behalf of designated persons without requiring a specific licence, provided the terms of the general licence are met. These general licences were issued in January and June 2025, respectively.

- The Oil Price Cap (OPC) GL (2025/03GL) was reissued under the Russia sanctions regime. It permits the supply or delivery of Russian oil and oil products by ship, as well as provision of associated services, subject to the price cap terms being met.

Outreach

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the FSIU continues to ensure the sanctions webpage of the Government portal is updated within 24 hours of receiving updated notifications from the UK Government. These updates are required to notify the public of additions or de-listings to the various sanctions' regimes in force in Bermuda. Thus, upon notification from the Foreign, Commonwealth [and Development] Office [FCDO] and HM Treasury's Office of Financial Sanctions Implementation [OFSI], the FSIU updates the webpage and notifies supervisors to immediately advise their supervised entities of the changes.

Mr. Chairman, in August 2025, the FSIU transitioned from an Outlook mailing list-based sanctions notification system to a subscription-based sanctions notification service. Under the new system, persons may subscribe directly via a weblink. This enhanced subscription model supports more timely, consistent, and effective compliance with Bermuda's sanctions obligations. Persons can subscribe to the FSIU Bermuda Sanctions Alert Subscription Service by visiting the international sanctions measures web page of the Government portal at www.gov.bm/international-sanctions-measures.

Mr. Chairman, I would just pause and add that since the new subscription-based notification system has not been up, it clearly enables the FSIU to measure more data and it can clearly see the number of subscribers, the number of subscribers who then open certain of the pages which update to show the various licences. I would encourage Members in the Chamber if you haven't visited the site, visit and subscribe. I personally am very proud of it, and I think the team have worked hard to put that up. And I think it is certainly a benefit to the jurisdiction.

Mr. Chairman, the FSIU will continue its outreach to ministries, departments and industry to raise awareness of sanctions obligations. During the reporting period, outreach was provided to the Customs Department. The FSIU is also developing a virtual tool to

help entities better understand their obligations and regularly responds to queries from both industry stakeholders and government agencies seeking guidance. The FSU also continues to work closely with UK counterpart authorities, overseas territories counterparts and domestic operational partners to ensure a consistent approach is used in the effective implementation of targeted financial sanctions and trade sanctions in Bermuda.

Mr. Chairman, I will pause here in the event . . . before moving on to the Law Reform Commission in the event there are questions in relation to the last three business units.

The Chairman: Thank you, Minister.

Any Senators wish to ask a question?
Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I just have a few. So, obviously, we had the Parole Board, the Treatment of Offenders Board. I should say those two boards. On the Parole Board, you talked about 80 cases that they heard. What percentage or how many of those cases actually made parole?

[Pause]

The Chairman: Senator, do you have further questions you wish to ask?

Sen. Victoria Cunningham: I can continue on the Justice Protection Programme, and I understand the need for discretion. So, obviously, a trial can take an inordinate amount of time, right? So, I assume that these expenses can carry from one budget period to another. I am just wondering, kind of, what is the longest duration? I don't know if you can tell me that. But, you know, what's the average duration of someone in the programme? And do we have the ability now to have witnesses attend virtually from anywhere?

And then I just have a comment on the financial sanctions. Congratulations to the Government on the portal.

The Chairman: Very good. Thank you, Senator Cunningham.

Minister, over to you with those questions. Thank you.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman. I do not have the answer to the first question, the out of the 80, the number out of that 80 granted parole . . .

[Crosstalk]

Sen. the Hon. Kim Wilkerson: On the second question, the brief talks to the fact that the period on average for the witness protection permitted for three years. And

we do know that there are may be cases that have run longer. And particularly, we understand that a witness may have to go into protection well before the case starts, right? And so, I think that that is, it can be fluid depending on the matter.

While witnesses can't attend to give evidence virtually, there is that possibility. Yes, there is a possibility. That was the answer to the question. What I wanted to go on to say is that there is a question of whether, you know, a witness would want to show up at all, even a witness who is in protective custody. And so, this, these are matters that are under consideration. And you may recall that that was part of some of the considerations in the jury reform consultation. And so, it, yes, it is . . . it is an issue. *It is an issue.*

The Chairman: Thank you, Minister.

Any other Senator wish to ask any questions?
Senator Tannock.

Sen. Tawana Tannock: Yes, thank you, Mr. Chairman.

So, I am going to say this up front, so I don't sound like a broken record. I am going to ask about the latest Parole Board reports. So, basically, for every . . . every . . . everybody that's established by an Act that has a duty to, to . . . to lay a report before the House, and I don't see one, I will ask for one. So, just in advance, so I will ask for the same thing for the Parole Board. When was the last annual report? And if we don't have one, why not? Because as I mentioned, these are statutory requirements. And will the boards and their committees be held to task and responsible and changed if they are not meeting their statutory requirements?

The Chairman: Thank you, Senator.

Sen. the Hon. Kim Wilkerson: Thank you. I am pleased to report that both the Parole Board and Treatment of Offenders Board annual reports are up to date. They were laid in this Chamber. So, outstanding is the current report. And we expect that those, because of the schedule, I do not expect that they are going to be laid this week, but I expect that they will be laid when we, when we return on the, I think, I believe the 1st of May.

The Chairman: Thank you, Minister.

Sen. Tawana Tannock: That's great news. Thank you, Attorney General.

So, I got excited when, and I don't know why, because I should have known this, but I got excited when I heard "justice protection," because that was going to be my main thing. And I was like, *Oh, wait, they've put it here*, because I literally thought you were talking about the protection of the people, of lawyers and judges who are in our courts. And I was like, *Oh, it's witness protection.* So, I don't have any comments,

because I understand the sensitivity of that subject. However, I will be raising what I think is a gap in justice protection, which I don't see any money towards. So, maybe it's there, and I just don't see it, when we come up to the courts.

However, I want to thank—I'm sorry, I want to congratulate the Sanctions Unit on rolling out the electronic website and the updates. However, I do want to mention the fact that we've had the war in Ukraine, and we now have the war in the Middle East, and our frequently asked questions that are on that website date from 2018. The guidelines and guidance that are on that website are from 2021. As somebody whose bread and butter is the maritime industry, and in particular insurance and shipping, that is concerning to me, because I do my best, as I think most of us do, to ensure that we are not falling off our sanctions.

Now, I have to commend Ms. Foggo and her staff, because if I reach out, they respond. However, if somebody does not reach out, and they are looking for general guidance, there has been no guidance or update in terms of written guidance or frequently asked questions since 2018 and 2021. Those are the ones that are currently published on the website. Can we get an idea of when those items will be updated?

The Chairman: Thank you, Senator.
Minister.

Sen. the Hon. Kim Wilkerson: Thank you. I actually am not sure what website you are referring to. The sanctions website is . . . the subscription service is up to date. It's a rolling . . .

Sen. Tawana Tannock: Yes, so the subscription services is up to date with, you know, this person is on the list, that person is on the list. But there are two documents. One is guidance, so how to report a frozen asset or what constitutes a frozen asset. And then the other one is a frequently asked questions, and I can't remember what is listed on those.

The general guidance, so not who is a sanctioned entity, but literally how we operate, what you are supposed to report and when, and all of that, those haven't been updated.

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

I do not know. My understanding is that the guidance on the site is up to date. If it were required to be updated, it would be updated. And I believe, Senator Tannock certainly is aware that we are preparing for our 5th Round Mutual Evaluation by the Financial Action Task Force, and that policies and procedures are up to date is one of the critical requirements. So, I would be surprised that they are not up to date, but I will certainly take that under advisement.

The Chairman: Thank you, Minister.

Does any other Senator wish to ask any questions?

Senator Tannock.

Sen. Tawana Tannock: Thank you, Attorney General. I have just sent you an email.

[Pause]

The Chairman: I don't think the Minister has a response.

[Pause]

Sen. the Hon. Kim Wilkerson: Sorry. I am being advised that the FSIU guidance documents . . . are currently being updated, so they obviously listen to Senator Tannock.

[Laughter]

Sen. Tawana Tannock: Thank you, Madam Attorney General.

And I just have one last question, and that's really, and I don't know if this is outside of your remit, but I remember there was this grand to-do in the paper about the UK government giving £300[,000] over this financial year to enhance our Sanctions Unit, and I wanted to know if that money was received, and I don't think we would see it in this budget . . . or would we see it, or do I see it and I haven't recognised it?

The Chairman: Minister.

[Inaudible interjection]

Sen. Tawana Tannock: I'm sorry. Sorry, Madam Attorney General.

[Pause]

Sen. the Hon. Kim Wilkerson: Thank you for the question.

The funding from the UK, which was referred to, was not just funding for the FSIU. It was funding for all of the relevant agencies that are part of the National Anti-Money Laundering Scheme, so that went across the Financial Sanctions Intelligence Unit, the Financial . . . the FIA (the Financial Intelligence Agency), the Sanctions Unit, Coast Guard, Customs, and all other competent authorities to ensure that all of the respective Bermuda agencies and supervisory teams are fully trained and up to speed as we prepare for the 5th Round Mutual Evaluation.

The Chairman: Thank you, Minister.
Senator Tannock.

Sen. Tawana Tannock: Thank you. Thank you, Attorney General.

So, just so I understand, so those funds, when we see the budgets for the offices that you mentioned that were recipients, are those funds incorporated in the figures that we see? How are we tracking those funds? Where do we see those funds?

Sen. the Hon. Kim Wilkerson: No, those funds are not . . . those funds are not . . . What you see here, this will be the Government's revenue and expenditure, so those additional funds won't be seen here. And the way that those funds are being deployed, for example, we have had specialised training. We have had consultants who have flown into the Island to conduct mock assessments with our teams. We have had, additionally, certain of our Bermudian agency members are travelling to international trainings, so those funds are from that allocation, not from the day-to-day.

The Chairman: Thank you, Minister.

Does any other Senator wish to ask any questions? No. Hearing none, Minister, back to you. Thank you.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

Law Reform Commission, 97100

Sen. the Hon. Kim Wilkerson: The original [estimate] was \$171,000. The estimate has increased quite substantially to \$451,000 for the coming year.

Mr. Chairman, the Law Reform Commission has been allocated \$451,000, the amount is a whopping 164 per cent more than 2025/26. This increase is mainly attributable to the salaries of staff, additional support to staff up the Office of Law Reform and so the staff members will be in the form of a research and policy officer, parliamentary counsel and administrative assistant.

The Law Reform Commission is an independent public body established by statute, namely, the Law Reform Commission Act 2009. The functions of the Commission are to study, and to keep under review, the laws of Bermuda with a view to their systematic development and reform. Bermuda's first Law Reform Commissioners were appointed in July 2019, and a new cohort is currently under consideration.

Mr. Chairman, I will pause there to say, in full transparency, I was one of those Law Reform Commissioners appointed back in July of 2019. And the Commission effectively was not either funded or staffed to carry out its mandate. And to those lessons have been learned and thus we have the particular funding strategic plan to take it forward.

The Ministry of Justice is sponsoring the Law Reform Commission and has historically absorbed the

Commission's costs within its headquarters' annual budget allocation.

The Commission is transitioning to a hybrid model [of] independent Commissioners, and they should be supported by a fully staffed Office of Law Reform. This transition includes comprehensive training for both incoming commissioners and support staff to ensure they are well-equipped for their roles. Oversight will be provided by the Law Reform Policy and Strategy Counsel, and the Permanent Secretary. Every effort will be made, within the budget allocation, to support the Commission's mandate to modernise Bermuda's laws and institutions.

Mr. Chairman, for 2026/27, administrative and operational costs will continue to be supported through the shared services of a Ministry Headquarters Administrator and careful use of Headquarters' budget allocations. However, steps will be taken to review and renew roles and responsibilities to maintain Bermuda's strong legal reputation and ensure our laws remain current and aligned with Commonwealth and global standards.

Mr. Chairman, the Ministry of Justice's 2026/27 budget reflects more than a financial statement, it embodies our shared commitment to fiscal responsibility and the stewardship of public services. Our [dedicated] public officers will continue to advance fair and equitable access to justice through legal services, policy, and legislation that upholds the rule of law and supports social progress for the people of Bermuda. I am confident the Ministry will maintain high-quality service delivery in 2026/27, driven by sustainable programmes and reforms that strengthen Bermuda's reputation for effective self-governance and respect for the rule of law.

Financial Intelligence Unit, 97010

Sen. the Hon. Kim Wilkerson: This unit has had an increase of \$125,000, or 6 per cent, moving its full allocation to \$2,250,000.

Mr. Chairman, in line with the Government's commitment to combat money laundering, terrorist financing, and proliferation financing, the Financial Intelligence Agency [FIA] was established under the Financial Intelligence Agency Act 2007. The FIA is an independent agency authorised to receive, store, analyse, and disseminate financial intelligence related to suspected money laundering and terrorist financing activities, primarily received in the form of Suspicious Activity Reports (SARs) and Suspicious Transaction Reports (STRs). The Agency is empowered to share intelligence with the Bermuda Police Service, foreign intelligence counterparts, and other relevant domestic authorities.

Mr. Chairman, for the 2026/27 fiscal year, the FIA was allocated \$2,250,000

Training and Capacity Building

Sen. the Hon. Kim Wilkerson: Mr. Chairman, in 2025/26, the FIA continued to enhance its capabilities through targeted training. Staff participated in virtual webinars and courses on topics including sanctions, virtual assets, fraud, terrorist financing and proliferation financing, hosted by leading institutions such as:

- The Financial Action Task Force (FATF).
- The Egmont Group of Financial Intelligence Units.
- The Caribbean Financial Action Task Force (CFATF).
- The Association of Certified Financial Crime Specialists (ACFCS).
- The Association of Certified Anti-Money Laundering Specialists (ACAMS).
- The Basel Institute on Governance.

In addition, the FIA enhanced its analytical and technical capabilities through the upgrade and stabilisation of the goAML reporting platform and the procurement of advanced analytical tools.

Highlights from 2025/26

Sen. the Hon. Kim Wilkerson: The FIA contributed significantly to the domestic and international fight against financial crime efforts. Key achievements included:

- Contributions to the national money laundering, terrorist financing, proliferation financing, and legal persons and arrangements risk assessments, as well as sectoral and new product risk assessments.
- Ongoing participation in National Anti-Money Laundering Committee [NAMLC] working groups and other cross-agency initiatives, notably the co-chairing of the Operational Working Group.
- Attendance at the July 2025 Egmont Plenary and the ongoing participation in three key Egmont projects.
- Attendance at the Caribbean Financial Action Taskforce Plenary and Working Group Meetings in May 2025 and November 2025 where the Director of the FIA was appointed co-chair of the Caribbean Financial Action Taskforce Risks, Trends and Methods Working Group.

Mr. Chairman, I would just pause there, we are talking in the third person, but certainly to congratulate Bermuda's own Christal Hanna for taking on that appointment.

Statistics

Sen. the Hon. Kim Wilkerson: In 2025, the reporting entities continued to file Suspicious Activity Reports/Suspicious Transaction Reports [SARs/STRs] to the FIA. This year, the Agency received a total of 1,297

SAR/STR reports. Among these, report types included 429 SARs, 711 STRs, 7 C-SARs and 150 C-STRs in coming reports. C-SARs and C-STRs are the FIAs recently created consent-related SAR and STR reporting forms.

Throughout 2025, the FIA conducted analyses and issued disclosures to local law enforcement, competent authorities, and overseas Financial Intelligence Units. In support of its work, the Agency issued 41 information requests to Egmont FIUs and 15 to local counterparts. Additionally, the authority under section [16] of the Financial Intelligence Agency Act, the FIA issued 244 requests to local banks, credit unions, corporate service providers, insurance, securities: investment business and money service business-related entities.

As a result of these inquiries, the FIA has disclosed a total of 249 outgoing disclosures (48 response disclosures and 204 spontaneous disclosures) to local law enforcement, local competent authorities, and overseas Financial Intelligence Units. This breaks down to 132 disclosures disseminated locally to various competent authorities and 117 disclosures to foreign Financial Intelligence Units.

In 2025, the FIA also received 69 incoming requests for information: 54 from local counterparts and 15 from foreign Financial Intelligence Units.

Looking Ahead

Sen. the Hon. Kim Wilkerson: For the 2026/27 fiscal year, the increased grant will be strategically used to strengthen the FIA's operational capacity and effectiveness. Key investments will include the recruitment of additional analysts and support staff, upgrades to the IT infrastructure ensuring advanced analytical tools, and enhanced training, both in-person and virtual, focused on money laundering, terrorist financing, proliferation financing, and high-risk and emerging areas such as fraud and digital assets.

The FIA will also expand its dedicated strategic analysis workflow to support policy reform and expand stakeholder engagement through public-private partnerships and targeted outreach to improve the quality and compliance of suspicious activity and transaction reports.

In conclusion, the FIA remains steadfast in delivering its mandate. The role that they play is invaluable and central to Bermuda's anti-money laundering, anti-terrorist financing and countering proliferation financing ecosystem. I extend my gratitude to the board of the FIA, and the director, as I said earlier, Christal Hanna, and staff for their tireless efforts.

Mr. Chairman, I will now move to Subjective Analysis.

The Chairman: Very good. Thank you, Minister. Please proceed.

Subjective Analysis

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the subjective analysis of current account estimates of the Ministry of Justice Headquarters for 2026/27 is found on page B-81. I will highlight the material object code increases and decreases.

- Salaries increased by \$985,000.
- Professional services increased by \$184,000, largely driven by higher legal and consultancy fees.
- Rental expenses for Legal Aid increased by \$60,000. And we have already mentioned the move to larger offices.
- Other expenses rose by \$111,000, driven by increased training, travel and materials and supplies expenses.
- Finally, there was a \$125,000 increase in grant funding provided.

Capital Expenditure

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the budget allocation for capital expenditures is found at page C-10 of the Estimates of Revenue and Expenditure. The Ministry of Justice Headquarters has been allocated a total of \$16,000 for fiscal 2026/27. This funding will be utilised to acquire new office furniture, as the existing items are fully depreciated and have no remaining residual value.

Manpower

Sen. the Hon. Kim Wilkerson: [Business unit] 97000, Administration has five staff which will consist of an executive assistant, political aide consultant, administrative assistant, policy analyst and a Ministry comptroller.

Business unit 97030, Legal Aid, has 10 staff which will consist of a senior legal aid counsel, legal aid counsel, junior legal aid counsel, administrative assistant, paralegal, executive assistant, office manager, accounts officer, and two pupils.

Business unit, 97060, Treatment of Offender's Board, has a staff of one, being an administrative assistant.

Business unit, 97080, Financial Sanctions Implementation Unit has a staff of two members, being the head of Financial Sanctions and a legal counsel. I might pause there to say that those two staff members do an incredible job. You would think it is a team of four.

Business unit, 97100. As we continue to strengthen, the Office of the Law Reform Commission by the end of fiscal year the team should be fully staffed, as I have already highlighted.

Mr. Chairman, this budget reflects a targeted investment in strengthening delivery of justice and upholding the rule of law in Bermuda. It is aligned with national priorities and through this allocation, the

Ministry will continue to drive accountability by delivering measurable and impactful performance outcomes.

This ends my presentation on Head 74 *[sic]*, the Ministry of Justice Headquarters.

The Chairman: Head 87, I think, Minister.

Sen. the Hon. Kim Wilkerson: Head 87.

[Crosstalk]

The Chairman: We have had a number of questions already on this head. Are there any other questions the Senators would wish to . . . Senator Tannock.

Sen. Tawana Tannock: Yes. Thank you, Madam Attorney General, for your extensive presentation.

My question is with regard to the Law Reform Commission, and I am glad to see that financial resources and intelligence resources . . . well, I guess full-time employees or employees will be allocated to that body.

My question is this: I noted in . . . well, I guess priorities. So, I noted in the Throne Speech last year that the Government indicated that there were three priorities for legislative reform; however, none of those priorities for legislative reform had anything to do with the Judiciary and the independence of the Judiciary which we would have heard from the former Chief Justice Hargun. And this is something that has been reiterated by the current Chief Justice Mussenden, about the need for judicial independence. And he has quite eloquently stated and quoted the reason why judicial . . . independence of the Judiciary is important for a fair system. So, my question is: We have had the former Chief Justice indicate that this is a necessity, the independence of the Judiciary, we have had the current Chief Justice indicate it; however, it was not listed in the Throne Speech, is this something that the Reform Commission will make a priority?

Sen. the Hon. Kim Wilkerson: Thank you. I do not speak for the Commission. It is an independent commission. It will set its own priorities. But I can say that both the Government and myself, as Minister of Justice, the Judiciary was not selected to be debated today. But I can say that the independence of the Judiciary is important and those are ongoing discussions that are being had between myself and the Chief Justice on how we move that forward.

And I am glad, Senator Tannock, that you prefaced your question by starting with . . . a long way of asking is, Will this be on the table for the Law Reform Commission to take up? I think yes. How they will set their priorities is another question that . . . I am not prepared to speak for them because they are also going to be an independent body. But certainly, independence of the Judiciary and how we strengthen that is important to the jurisdiction.

The Chairman: Thank you, Minister.
Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I have a question specifically as it relates to travel under the expenditures on page B-81. And I see increases of 181 per cent to \$59,000. And I was just wondering what this falls under, under which of the business units? Because a lot of it is internal, obviously, Bermuda, justice affairs, legal affairs.

And then based on that, how it actually fits to the department objectives of implementing our justice and legal policy?

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: Yes. While I wait for some specifics, I can answer it generally with respect to overall travel. That would . . . that's across the Headquarters. There is certainly a need, and we've seen it for . . . we just talked about independence of the Judiciary, members of the Judiciary have attended various conferences, and we have recognised the need for those to continue. As an example, the Registrar and assistant Registrar, [Alexandra] Wheatley and Cratonia Thompson, recently attended a family law conference in the United States. There is a recognition that more training in this regard should happen.

In addition to travel for members of the Judiciary, across the board, we are seeing that, I think we have already mentioned our team's ability and the necessity for around them in the NAMLC framework for our readiness for the 5th Round of Mutual Evaluation for various members in our competent authorities to be able to travel to, and those may be meetings of the Financial Action Task Force proper, the meetings of the Caribbean Financial Action Task Force as well, my PS is speaking, both he and I, as well as the entire front-facing team will be attending the plenaries in May and in November of this year, and those are opportunities to see how other jurisdictions have defended their ratings in the evaluations and to come see evaluations live, and as we're up, it'll be more important. We are taking advantage of every opportunity to expand capabilities in that regard, recognising how critical that is to the jurisdiction.

The Chairman: Thank you, Minister.
Senator Tannock.

Sen. Tawana Tannock: Yes, sorry, just following up from my last question. So, I guess when we talk about constitutional reform, which is something that this government has constantly said, and again in the Throne Speech that it was required, where are we with constitutional reform and issues such, well, issues that need to be reformed by the Constitution, whether that be with the Judiciary, the appointment of the DPP, whatever it

is. So, if I ask you about constitutional reform, will the answer I get be that that's going to be something that the Law Reform Commission has to decide on, or where's the decision on constitutional reform? Where does that rest, I suppose?

The Chairman: Thank you, Senator.
Minister.

Sen. the Hon. Kim Wilkerson: Thank you.

This . . . I will take the question. It's not a budget question. It doesn't refer to anything in the brief, which is what this time is for. But I think Members of the Senate and members of the listening public would know that I did give evidence in front of the House of Lords Constitutional Committee in . . . recently. It was winter.

[Laughter]

Sen. the Hon. Kim Wilkerson: In February. I remember it was a cold day, and . . . it was a cold day. I participated virtually. We took that opportunity to save travel funds, but I was able to participate virtually at 6:00 am, along with other members of other overseas territories to give evidence. And in that conversation, we did talk about Bermuda's desire and effort toward further constitutional reform. I can say that a paper has been prepared around the process toward, it's really a process for consultation on the topic. So, steps will not be taken without broad consultation. And at the moment, the government is working on finalising the process for consultation on the topic. So, that is where we are.

The Chairman: Thank you, Minister.
Senator Cunningham, I believe you had a question.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I think it's possibly my final question on this. So, the Domestic Violence Court has been mentioned. Would it fall under this Ministry as part of the budget, or where would it fall? Where can I see the line items reflected?

Sen. the Hon. Kim Wilkerson: It would have been under the Judiciary.

Sen. Victoria Cunningham: Oh, okay.

Sen. the Hon. Kim Wilkerson: But notwithstanding that, some of the, just the allocation around training is also in covering areas of . . . yes, for the standing up of the Domestic Violence Court Programme. Yes.

The Chairman: Thank you, Minister.
Any other questions on Head 87 before we move on to Head 25?

Senator Tannock.

Sen. Tawana Tannock: Thank you.

And I might have missed this, but did we address the Criminal Injuries Compensation Board under Head 87?

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: It doesn't have a separate . . . as we talked about in last year's budget, the Criminal Injuries Compensation Board falls under the Headquarters budget. It doesn't have a separate line item.

Sen. Tawana Tannock: Okay. Thank you. So, when we look in the Budget [Book] for, and we see revised forecasts for performance measures and target outcomes, I guess my question is . . . so I direct those questions to you, Minister, and not the board. And so, my question would be, why hasn't, you know, why hasn't, it looks like now for last year, 2024/25, the Criminal Injuries Compensation Board did not meet the original forecast for them to meet 2025/26, none. It's revised to four. Can we get some understanding of why the board hasn't met?

Sen. the Hon. Kim Wilkerson: The Criminal Injuries Compensation Board is meeting. It meets regularly. The zero is because it doesn't have its separate head.

And I suppose I could take this opportunity to preface, and Senator Tannock, what might be coming next is, Are they also required to issue a report? We haven't seen that report. So, I will undertake to bring that report when we return in May.

Sen. Tawana Tannock: Thank you, Madam Attorney General.

The Chairman: Thank you, Minister.

Any further questions on Head 87? Hearing none, I guess we can move on.

We have another 15, maybe 20 minutes. We can move on to Head 25, Minister, and break for lunch at 12:30 or just shortly after that.

For the listening audience, Head 25 is on page B-95 of the Budget Book.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

HEAD 25—DEPARTMENT OF CORRECTIONS

Sen. the Hon. Kim Wilkerson: It is now my pleasure to present fiscal year 2026/27 estimates of expenditure for Head 25, the Department of Corrections, which are found on pages B-95 through B-98 of the Approved Estimates of Revenue and Expenditure Book.

Mr. Chairman, the Department of Corrections' mission is, *To protect the public and provide rehabilitative services*. The department's objectives [are]

- to maintain high security standards;
- to deliver structured rehabilitative programme regimes; and
- to operate disciplined and efficient systems across all facilities.

Mr. Chairman, the current account estimates for Head 25 begin on page B-95. A total of \$26,882,000 has been allocated for Head 25 for fiscal year 2026/27. This represents an increase of \$2,172,000, or 9 per cent, over the original budget for the prior year.

Mr. Chairman, at present there are 175 full-time staff. The estimated number of full-time equivalents for 2026/27 is 218 which will be funded in the 2026/27 fiscal year.

Mr. Chairman, recruitment remains a priority. The fiscal year 2025/26 marked the start of the recruitment process for basic officers to fill vacant positions. Six officers completed recruitment training on February 27, 2026. Nine additional applicants will be offered contracts.

Mr. Chairman, the Department of Corrections continues to prioritise upgrading security across all facilities. In the current fiscal year, ongoing upgrades to the CCTV systems at the Farm, Westgate, and the Co-Educational Facilities [Co-Ed] have been advanced through capital acquisition funding. Necessary razor wire repairs and replacements have been completed at Westgate with further remedial work scheduled to continue throughout financial year 2026/27.

Mr. Chairman, operational efficiencies continue to improve in fiscal year 2026/27. The animal and garden programme at the Farm and Co-Ed Facility produces eggs and vegetables for consumption by the inmate populations reducing the cost of food purchases again this year.

Mr. Chairman, the ageing infrastructure remains a significant challenge.

During the 2025/26 fiscal year, the Ministry of Public Works published a procurement notice for the provision of a facilities condition assessment for the Bermuda Department of Corrections facilities and we await the final confirmation of the next steps.

Mr. Chairman, physical plant upgrades during the 2025/26 fiscal year included continued refurbishments and repairs to the inmate housing units at the Westgate facility. Air conditioning units at Westgate and the Co-Ed Facility were also repaired and replaced. Kitchen equipment in Westgate's main kitchen was partially replaced. Mr. Chairman, during the 2025/26 fiscal year, the duress system at the Co-Ed Facility was upgraded as the infrastructure was outdated.

The procurement process for a body scanner at the Westgate Correctional Facility is expected to conclude this year.

Mr. Chairman, I would now like to draw your attention to page B-95 of the Approved Estimates of Revenue and Expenditure Book that sets out the current account estimates for 2026/27. Here, under the general summary, you will note there are 12 business units within the Department of Corrections. Those business units with variances from fiscal year 2025/26 will be addressed in turn.

Headquarters and OTS, 35000

Sen. the Hon. Kim Wilkerson: The estimate for business unit 35000, Headquarters and OTS, is \$20,043,000, an increase of 12 per cent over the 2025/26 budget allocation.

This business unit represents 88 per cent of the department's budget allocation. This allocation will fund salaries for staff, including custody staff and operating expenses for Corrections Headquarters.

Mr. Chairman, training remains central to performance with staff participating in a variety of training opportunities in fiscal year 2025/26 both locally and overseas. Eleven staff members participated in therapeutic crisis intervention hosted by the Department of Child and Family Services which provided staff with skills to prevent crises and de-escalating potential crises. One senior officer attended the Strategic Management for the 21st Century Policing workshop, which was sponsored by the Bermuda Police Service.

Two senior members of staff participated in the UK Ministry of Justice prison programme: Next Generation Leadership Programme. This four-phased programme addresses the need to support middle and senior level managers with structured leadership training and forms part of the department's succession planning and is expected to conclude in July 2026.

Five staff members participated in the Young People and Trauma Workshop. Staff participated in training workshops offered by the Department of Employee and Organisational Development.

Thirty members of staff participated in in-house PIPA training to ensure they understand their legal duties and to build a culture of responsible data handling.

Twenty-six staff participated in workshops on bullying and harassment. The department is grateful for the sponsorship of the UK Ministry of [Justice] Prison Programme.

Five staff members, under the instruction of Lee Pilkington, head of National Locking, successfully completed locksmith training. This training allowed the department to expand the number of staff who can instal and maintain locks throughout all of the facilities.

Staff actively engaged in training seminars offered by the UK Overseas Territories Health Security Agency covering topics from leadership and emotional intelligence to strategy development.

Farm Facility, 35020

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the estimate for business unit 35020, Farm Facility, is \$454,000. This represents a 2 per cent increase when compared to last year.

The Farm Facility is an adult male minimum security facility and during the fiscal year 2025/26 they continued to deliver agricultural production and animal care programmes supporting rehabilitation through responsibility and valuable skill building.

Mr. Chairman, in the fiscal year 2025/26, the work release [initiative] continued with 14 inmates participating in the "Step Up Work Readiness Initiative." Through Step Up, inmates have assisted with clearing foliage around the Island, which encroaches on roads and main thoroughfares.

Co-Educational Facility, 35030

Sen. the Hon. Kim Wilkerson: The estimate for business unit 35030 Co-Educational Facility is \$313,000. This represents an increase of \$7,000, or 2 per cent, over last year.

This facility, with a capacity of 56 cells, has separate provisions to house 40 females, six young male offenders between the ages of 16 and 21, and 18 adult males participating in the residential Substance Abuse Treatment and therapeutic programme.

Westgate Correctional Facility, 35060

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the estimate for business unit 35060, Westgate Correctional Facility, is \$1,149,000. This represents a decrease of 3 per cent when compared to the 2025/26 budget.

Westgate Correctional Facility is an adult male establishment with the capacity to house 220 inmates classified as maximum, medium, and minimum security as well as males remanded by the courts. Most of the assessment and treatment programmes for male inmates takes place at this facility. Mr. Chairman, 28 per cent of inmates presently housed at Westgate are serving life sentences and 40 per cent are serving sentences of 10 years or more.

Mr. Chairman, in fiscal year 2025/26, infrastructure challenges persisted due to an ageing facility that has been in operation since 1994.

Mr. Chairman, supervised access to the computer lab continues including support for education, employment preparation and legal matters. Inmates seeking employment as part of their discharge planning can be provided with a monitored personal email address.

The facility has collaborated with middle and high schools to provide a forum for students to engage in honest and constructive conversations with inmates. The aim of these sessions is to assist the students in developing sound decision-making skills and understanding how to avoid choices that can have long-lasting negative consequences.

Mr. Chairman, I would add just at that point, I happened to hear from a Sandys Secondary Middle School [student] who is 13 years old who had the opportunity to have this visit to the Westgate facility about two weeks ago and it was awe-inspiring to her and her classmates.

During the Easter period, kites are made by inmates and those were donated to various schools and churches throughout the Island as well as to their family members.

Therapeutic Community Centre, 35090

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the estimates for business unit 35090, Therapeutic Community Centre, is \$683,000, which represents an increase of \$30,000, or 5 per cent, over last year. The Therapeutic Community Centre, also known as the Right Living House, is located at the Co-Educational Facility. The Right Living House is a substance abuse rehabilitation programme that is segregated from the remaining prison population. The programme has the capacity to house 18 adult male offenders with a history of substance abuse and associated criminality. The programme aims to transition residents to the broader community with tools and opportunities to live a life free of drug abuse and criminal activity. The programme also accommodates individuals serving shorter sentences with community supervision to follow, particularly those referred through the Drug Treatment Court.

The budget allocation funds staffing, operational costs, and the inmate programmes associated with the Right Living House. Over the past year, four phase three clients have participated in the work release portion of the programme and two in the Step Up [Work Readiness] programme as they transition back into the community while continuing to engage in therapeutic groups and classes during evenings and weekends. Additionally, three individuals participated in the Aftercare programme with two graduating in September 2025 during recovery month.

I should add here, Mr. Chairman, that the Aftercare programme is available even to those who have graduated. They can, after release, come back and participate in the Aftercare programme.

Mr. Chairman, in fiscal year 2025/26, residents of the Right Living House and the Aftercare programme benefited from a structured environment that addresses not only substance misuse, but also criminal addictive thinking patterns that contribute to poor decision-making. The programme emphasises effective coping and problem-solving skills.

Mr. Chairman, as the Minister responsible for Corrections, I have had the honour of attending two graduation ceremonies from the Right Living House to hear directly from the individuals who are recovering and who have made great strides in their pursuit of wellness for themselves, their families, and their communities is profoundly touching. They should be

commended for their commitment to recovering from an illness that many do not understand, alongside the staff of the Right Living House who are deeply dedicated to assisting them in their progress.

Psychological Services, 35105

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the estimate for business unit 35105 is \$359,000. This is an increase, again, of \$5,000 over last year's budget.

Psychological services are provided across all three facilities. Mr. Chairman, the services provided by the Psychology Department include individual and group clinical interventions, trauma-focused therapy, and risk assessments for the courts and Parole Board.

The current volume and complexity of clinical assessment and consultative demands exceed the capacity of the existing psychology team necessitating the recruitment for an additional psychologist to join the team.

Mr. Chairman, for the current fiscal year, the structured group intervention programme at Westgate, Life Minus Violence—Harmful Sexual Behaviour, [LMV-E], has continued to operate as a key rehabilitative initiative. To date, a total of 546 individual sessions have been conducted. Five cases remain ongoing—and I think that is an update to four cases remain ongoing. I know that one just completed. And are scheduled for completion (the others) by the end of March 2026.

Comprehensive psychological assessments have also been undertaken across all populations. During this reporting period, 17 psychological profile reports were completed. In support of parole considerations and applications under the Criminal Code Act 1907 section 329E, nine psychological risk assessments were prepared. Additionally, eight therapy progress reports were submitted to inform case management and decision-making processes.

Beyond direct inmate services, the forensic psychologists have contributed significantly to staff development and institutional support. Three Managing Boundaries training sessions were delivered to new recruits and vendor staff, reinforcing professional standards and ethical practice.

A further training session on young people and trauma was provided to co-ed staff to strengthen trauma-informed approaches within the facility.

Staff support remains a priority and continues through monthly meetings and active participation in multidisciplinary forums, including the Offender Risk Management Team (ORT), Mental Health Clients in Corrections (MHCC), Right Living House, and case conferences with the Attorney General's Office regarding sexual offending matters, reclassification reviews, and the Inmate Service Committee. Collectively, these services reflect a coordinated and structured approach ensuring that psychological services remain integral to safe custody and successful reintegration outcomes.

Social Services and Case Management, 35106

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the estimate for business unit 35106, Social Services and Case Management, is \$916,000. This represents a decrease of 4 per cent, when compared to the prior fiscal year.

Mr. Chairman, the department's social worker plays a vital role providing targeted interventions that address offence-related behavioural concerns as well as social and financial challenges.

Social Services offers a comprehensive range of rehabilitative and reintegration supports. The social worker also plays a key role in pre-release planning by actively helping inmates find suitable jobs and stable housing to support their successful return to the community.

During this fiscal year, the department has engaged in discussions with service providers to deliver grief recovery and domestic abuse perpetrator programmes. These pilot programmes are scheduled to commence in this fiscal year and continue throughout the 2026/27 fiscal year.

Mr. Chairman, four case managers assess inmates' risks and needs, develop treatment plans, and monitor inmates' progress throughout their sentences and provided reintegration services for inmates due for release. Additionally, they work to bridge the gap between estranged family members and assist in reunification.

During the 2025/26 fiscal year, case managers fulfilled a broad and critical mandate in support of effective offender management and institutional operations. Their responsibilities included conducting comprehensive assessments, preparing detailed parole reports, coordinating referrals, processing inmate applications, and facilitating multidisciplinary case conferences. Through these structured and collaborative efforts, case managers ensured informed decision-making, continuity of care, and alignment with established correctional standards and rehabilitative objectives.

The Chairman: Minister, as it 12:35 [pm], is this a good breaking point for you or do you just want to finish this one 35106? It is up to you.

Sen. the Hon. Kim Wilkerson: Mr. Chairman, 35106 is complete. We are just about to move on to Health Services. So, this is a good time.

The Chairman: It is a good time. Okay.

So, it is roughly 12:35 [pm], so we have spent two hours and 10 minutes on our four-hour session. So, we will have about another hour and 50 minutes left on Justice when we return at two o'clock.

So, thank you all for a productive morning. I look forward to joining everybody back at two o'clock this afternoon. Thank you.

Proceedings in Committee suspended at 12:36 pm

Proceedings in Committee resumed at 2:01 pm

[Vice President John Wight, Chairman]

COMMITTEE OF SUPPLY

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2026/27

The Chairman: Okay, Senators and listening audience, it is now two o'clock. Just to remind the audience where we are, we are on Head 25, Department of Corrections. We are two hours and ten minutes into the Justice Ministry, and Minister Wilkerson will be continuing her discussion with us on inmate services. I think we were on 35107, Health Services, Minister.

Over to you whenever you are ready. Thank you.

MINISTRY OF JUSTICE

HEAD 25—DEPARTMENT OF CORRECTIONS

Health Services

[Continuation thereof]

Sen. the Hon. Kim Wilkerson: Thank you, Mr Chairman.

Okay, resuming on Health Services, Mr Chairman, the estimate for business unit 35107, Health Services is \$1,775,000. This represents a \$31,000, or 2 per cent increase when compared to last year. The increase is related to the number of inmates requiring health care services. This budget allocation will provide funding for nursing staff and inmate health care services that are tailored to their individual needs. Health Services is managed by a senior nurse and five registered nurses, who are responsible for providing services to the inmate population at all facilities.

Mr. Chairman, to ensure prompt, continuous care, many health services are provided on-site. This approach allows the Health Services staff to closely monitor and assess each inmate's health needs, ensuring timely interventions and personalized care. Moreover, when more specialised treatment is necessary, inmates may be referred to both public and private external health care providers.

Mr. Chairman, rising levels of chronic illness amongst inmates received into custody, many of whom have unmanaged or untreated conditions, and a sharp rise in pharmaceutical costs continue to place pressure on this budget due to more complex and expensive medical treatments. Health Services, in collaboration with the Co-Ed Facility, conducted a medical emergency response drill which tested emergency policies and plans. The drill validated emergency response

protocols and demonstrated effective inter-team coordination.

Mr. Chairman, the Health Services team, managed by all doctors' clinics, including dentistry, medical, psychiatric, chiropractic, and physiotherapy, with a total of approximately 24,885 medical encounters.

Educational Services

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the estimate for business unit 35108, Educational Services is \$394,000. This is a 1 per cent increase over the year prior. This is due to an increase in the cost of new courses and associated materials.

During fiscal year 2025/26, a total of 57 inmates were actively engaged in various educational courses or classes offered both internally and in conjunction with partner agencies. The participation data below reflect enrolment up to the 31st of January 2026. Eleven students were actively enrolled in the General Education Development (GED) pathway during fiscal year 2025/26. In-person classes were held in math, social studies, language arts, and languages.

Additionally, the GED academy was delivered online through educational essentials via the CARE Learning Centre, which continues to serve as a flexible supplement to in-person instruction. Two eligible candidates took the exam during the sitting window, with one passing. Although no high school equivalency graduation ceremony occurred this fiscal year, several candidates are progressing toward completion and are expected to achieve their diplomas in the upcoming fiscal period, as additional one-on-one tutoring support has also been provided for.

During the current fiscal year, six students were enrolled in Computer Essentials, and five students were enrolled in the Cisco programme, and they remain actively engaged. System changes have temporarily delayed new enrolment confirmations, but this is expected to be resolved shortly.

In partnership with the Bermuda College, 14 students participated in various Bermuda College APACE certificate courses. The courses were subsidised by the Department of Workforce Development funding. Courses span areas such as Microsoft Excel and Project Management, providing industry-relevant credentials.

Nine students were enrolled in the Duolingo language programme. Participants are studying English, Spanish, Russian, Italian, and Mandarin. This cost-neutral programme continues to demonstrate strong engagement. One student participated in the Fast ForWord Reading programme through Bercon Limited.

The department continues to support tertiary progression and professional certification and courses included:

- Three students enrolled in the Law Training Centre, NALP, certification courses.

- Five inmates are currently pursuing accredited studies.
- Two individuals have successfully completed master's degrees.
- Two of the students are benefiting from funding for online tertiary education.

Mr. Chairman, creative programming continues to contribute positively to emotional regulation, confidence building, and constructive engagement. Three students are enrolled in the drumming class, and 12 students are enrolled in the small group audio production class. The department is grateful to the Library Association of Bermuda, which has offered sponsorship support for literacy-related initiatives.

A significant development this fiscal year is a partnership with Bermuda College to facilitate the college placement test. Twelve individuals registered, and nine took the exam. This initiative creates a structured pathway for incarcerated learners to enrol in preparatory courses at Bermuda College, aiming for long-term diploma and associate degree completion. Bermuda College instructors are expected to start delivering in-facility classes as early as summer 2026, with full implementation planned for September 2026. This marks a strategic shift toward institutionalised tertiary access and formalised academic progression.

Mr. Chairman, the forward outlook for 2026/27 includes the appointment of a dedicated GED science instructor, implementation of the Bermuda College in-facility [preparatory] classes, introduction of structured instructor-led computer literacy training, expanded sponsorship partnerships to support literacy-enriched initiatives, [and] increased GED testing coordination to improve completion. Further discussions with the Open University, facilitated by the UK Ministry of Justice Overseas Territories Prison Advisor, are planned for 2026/27. The aim is to provide a streamlined pathway, affording students access to higher learning in a secure and equitable manner.

A suitable programme has been identified to help students with learning challenges complete and obtain their high school equivalent. The department aims to enrol the first student before the end of this fiscal year.

A digital library system has been identified and will be purchased soon. Digitisation of the DOC [Department of Corrections] library will allow for a more efficient system of borrowing, as well as help better identify the needs of library users.

A new initiative, the Sankofa Education Empowerment Programme, referred to as SEEP, began at the end of 2025/226 and continues through 2026/27. This literacy, numeracy, creative writing, and communication skills programme uses historical studies of Bermuda and the African diaspora to inspire and support learning. The programme is open to all inmates across all facilities and provides additional one-on-one, in-person literacy and numeracy support to GED students to increase their chances of graduation success.

The department is exploring service providers who can deliver affordable, secure, offline laptops. This will help support education in all areas, but especially for those in maximum security who currently have no computer access and limited access to classes.

And, Mr. Chairman, if you may indulge me, I will pause there to say that we are in the Ministry, through the Department of Corrections, is in advanced discussions with the Bermuda Equal Justice Initiative, who have kindly arranged an opportunity to loan devices and law textbooks to the inmate population with the understanding that it is very important that those members of the incarcerated population who are looking to increase their studies, which we have already addressed in law studies, but also who are preparing for their defences, be given every opportunity . . . that they have no barriers to being able to do so.

The Chairman: That is very good, Minister. Thank you for updating us on that.

Sen. the Hon. Kim Wilkerson: The department remains committed to structured, accountable educational programming as a cornerstone of rehabilitation and is dedicated to expanding delivery in the next fiscal cycle.

Vocational Services

Sen. the Hon. Kim Wilkerson: Vocational Services, business unit 35109, has an estimated allocation of \$691,000, representing an increase of 6 per cent. While the department is currently without a vocational officer due to retirement, core vocational and hobby-based activities continue where operationally feasible. Inmates remain engaged in structured work-based skills development activities aligned with carpentry, sewing, horticulture, and creative production, including the supervised manufacture of approved items for sale. Recruitment will be finalised for the vocational officer position before the end of the current fiscal year, which will improve outcomes, strengthen programme coordination, establish oversight of certifications, and facilitate the ongoing expansion of vocational pathways.

And I might, if you will permit me, Mr. Chairman, in that regard, talk about the programming that we are in discussions with onboarding with former members of the corrections staff. So, there is a group of retired officers who are engaged in bringing about more of the programming activity around vocational and recreational [activities]. And one of the highlights has been the recent reintegration of the football matches between the corrections team and outside football teams. Those have been really well attended so far.

Recreational Services

Sen. the Hon. Kim Wilkerson: Further on Recreational Services, \$61,000 representing an increase of

2 per cent. And here I forecasted the conversation around football as a flagship recreational programme amongst inmates, attracting high participation. Last year's highlight was the Peace Cup tournament, which was between the Bermuda College Select and the Westgate team, which Westgate won. The event showcased sportsmanship, discipline, and positive engagement with the broader community. Additional sporting activities are planned with our community partners for the financial year ahead.

Subjective Analysis of Current Account Estimates

Sen. the Hon. Kim Wilkerson: Mr. Chairman, I would like to draw your attention to page B-96 of the Approved Estimates of Revenue and Expenditures Book. Salaries have increased by \$2,168,000, or 12 per cent. This increase includes approved salary increases which were negotiated by the various unions. Additionally, it includes funding for posts that were previously frozen. Mr. Chairman, other expenses have decreased by \$23,000, or 13 per cent. This decrease represents cost savings measures.

Performance Measures

Sen. the Hon. Kim Wilkerson: I would now like to draw your attention to page B-98, which outlines performance measures of the Department of Corrections. The forecast for 2026/27 is as follows. The average daily inmate population is currently at 164, with 51 of the admissions estimated to be first-time offenders who received a custodial sentence. The number of inmates projected to be released on parole is eight.

In fiscal year 2025/26, 45 per cent of eligible inmates enrolled in development and treatment programmes aimed at addressing offending behaviours, educational and vocational needs, and improve skills development. The department has a target enrolment of 63 per cent for 2026/27.

The Department of Corrections calculates its recidivism rates according to internationally accepted practices. Based on these standards, the rates include persons who have a conviction for a new offence within three years of their release. The actual outcome for 2025/26 was 18 per cent. For international comparison, the recidivism rate at three years is 32 per cent in Austria; 48 per cent in France; 46 per cent in Germany; 44 per cent in New Zealand; 66 per cent in the UK; and 45 per cent in the United States. But, Mr. Chairman, just anticipating the questions that might come in that regard, I do want to say that even an 18 per cent recidivism rate is still too high. We aim to do better.

Capital Acquisition and Development

Sen. the Hon. Kim Wilkerson: Mr. Chairman, I now move to [page] C-10 in Capital Acquisitions. The estimate for 2026/27 is \$638,000. This allocation will be

used for continued Westgate kitchen equipment upgrades, which commenced in financial year 2025/26; the replacement of laundry equipment at all facilities; and a corrections management system, a digital platform designed to streamline operations by managing inmate records, inmate classification and booking, scheduling, incident tracking, and housing.

Mr. Chairman, [page] C-4 shows the 2026/27 estimate for capital development is \$2,247,000. Phase two of the required upgrade to the existing security system, Black Creek, took place in the financial year 2025/26. Mr Chairman, during 2025/26, the procurement of a new intercom paging system for the Co-Ed Facility began. The original system is scheduled for a replacement upgrade with coverage throughout the entire facility. The new intercom system replaced an antiquated system and provides two-way communication between inmates and staff, should inmates require emergency assistance from their cells.

The capital redevelopment plans for 2026/27 include

- replacement of fencing and razor wire at the Co-Ed Facility;
- Westgate elevator replacement, as the elevator has been inoperable for a lengthy period and is required to ensure the safety and efficient transport of inmates who have disabilities;
- Headquarters building indoor air quality upgrade with a new energy recovery ventilator system;
- replacement of doors and windows at both Westgate Correctional Facility and the Co-Ed Facility; and
- minor works funding for small infrastructure projects and unforeseen emergencies.

2026/27 Plans and Priorities

Sen. the Hon. Kim Wilkerson: Mr. Chairman, I will briefly set out some of the priorities for the Department of Corrections for the year ahead. As I have previously stated in this Honourable [Senate], adequate staffing remains one of the most critical operational challenges facing the department and is fundamental to maintaining safety, security and institutional order. Current staffing pressures significantly impact the department's ability to fully achieve its mission. While security obligations remain paramount, sustainable staffing levels are equally important to support the comprehensive rehabilitation framework within the facility.

The department is mandated to provide structured assessment, treatment, intervention, skills training, personal development, family engagement and reintegration planning for all inmates prior to release. With constrained staffing capacity, the balance between security operations and rehabilitative programming becomes increasingly strained. Strategic investment in recruitment, retention and workforce

stabilisation is therefore crucial not only to maintain institutional safety but also to ensure the ongoing delivery of evidence-based interventions that support successful community reintegration and long-term public safety.

Mr. Chairman, despite ongoing manpower constraints requiring extended hours and double shifts, the department remains dedicated to upholding the highest security standards and aims to ensure institutional safety is maintained. We continue to actively interdict and eliminate contraband through coordinated intelligence gathering and sharing information with partner agencies. The strategic deployment of our canine unit supports thorough facility searches along with targeted operations against high-risk offenders and gang-affiliated individuals.

Mr. Chairman, the department continues to prioritise recruitment to address vacant posts primarily within custodial ranks. While attracting custodial officers has remained challenging, we recognise that our staff are the foundation of institutional safety, stability and mission delivery. To that end, a recruitment drive is now underway to attract Bermudians who are interested in pursuing careers as corrections officers. Members of the public are invited to attend an information session this Wednesday, 25th of March 2026, from 6 pm to 8 pm at the Bermuda College North Hall Theatre.

A focused, two-prong recruitment strategy targeting both Bermuda and the wider Caribbean has been actively pursued to strengthen workforce capacity. As a result, six local recruits have completed recruitment training and have been deployed into the facilities. Nine overseas candidates have been identified for contractual engagement. The department remains committed to sustained recruitment efforts to stabilise staffing levels and to reinforce operational resilience.

Further, the department continues to actively participate in uniformed services initiatives, including the review of recruitment processes and development of a uniformed services training programme.

As a health and safety priority, the department continues to work with the Ministry of Public Works to effect repairs and replacements on ageing facility structures and equipment, including hiring external vendors where necessary.

The department will continue to partner with community stakeholders and partners to support the successful reintegration of inmates into society and to develop projects that benefit both inmates and the wider community. Astor House is a new initiative in partnership with HOME, designed to support clients following release through housing assistance and after-care.

Mr. Chairman, in October 2025, the department underwent an independent review led by the UK Ministry of Justice, supported by prison representatives from both the UK and Overseas Territories. The review examined the department's policies, processes, and outcomes against the Overseas Territories detention

standards framework and has provided crucial recommendations to improve the operations of the department. Following the review, an action plan reflecting the panel's recommendations was produced. Implementation has already commenced and will continue into the financial year 2026/27 with a review to take place in 12 months' time. I shall be tabling the final findings in this Honourable [Senate] in due course.

I would like to thank Commissioner Joell-Benjamin, and her staff, who have, throughout many challenges, remained on course delivering on their mission.

Mr. Chairman, this concludes my remarks for Head 25.

The Chairman: Thank you, Minister.

Would any Senator care to ask any questions on Head 25?

Senator, please proceed.

Sen. Victoria Cunningham: Thank you, Mr. Chairman, and thank you for another comprehensive brief on the Department of Corrections, Head 25.

Going back, you . . . the brief listed the inmate population, or I guess the maximum number of inmates for each facility, and I believe the Co-Ed Facility was 56 capacity, of 40 females, [16] young males between [the ages of] 16 and 21, and 18 residential . . .

Sen. the Hon. Kim Wilkerson: Right Living House.

Sen. Victoria Cunningham: Yes. My question is, and this is disturbing me, but is six spaces for young males adequate for what we are seeing, in my mind, as a kind of reduction in age of some of our offenders? And if we hit that six, where would they go?

The Chairman: Senator, would you like to . . . Is there another question as well? Or, Minister, how would you like to proceed?

Sen. Victoria Cunningham: Not based on that.

The Chairman: Not based on—

Sen. Victoria Cunningham: Would you like me to continue?

Sen. the Hon. Kim Wilkerson: Yes.

Sen. Victoria Cunningham: Another thing that I found challenging. We see the vital role that social service case management, psychological services, the therapeutic . . . all of these different departments within, or different divisions within the department. And we are seeing slight increases in health, educational, and vocational, but in my mind, we should be putting more effort into the therapeutic, psychological, and social services piece of this to try and stop the re-offences and get the recidivism number down. And I just think, why,

if . . . I think they were deemed in here as a vital role, especially the social services, we are looking at rehabilitating these inmates and wanting to reintegrate them into society. Why is more focus not put onto those aspects of the budget?

Sen. the Hon. Kim Wilkerson: I think it would be appropriate to answer these two first.

The first question was, at the Co-Ed [Facility], there are six spaces available for young offenders, and is that adequate? Currently, there are no young offenders at the Co-Ed [Facility]. And it is a broader question, Mr. Chairman, of how we should be dealing with youth offenders. So, the question relates intimately to the desired build-out of the juvenile court programme, and the OBA Senate Leader quite rightly points out, with her second question, that we should be getting to the *why* of offences in order to prevent them from happening.

What we have found is that, so far, many young people who . . . their issues are so complex that they are, in fact, often in need of a more structured therapeutic environment, and the Co-Ed Facility does not have those services available. So, some of those young people may have been dealt with, if they are not in the court system as such, dealt with through the Department of Child and Family Services (DCFS).

And I think, around the second question around therapeutic, moving toward therapeutic services, I think we have to look at the budget. We do split out the heads very granularly and recognise that sometimes it is a moving around. So, what we have allocated is the additional psychologist. And in addition, some of the programming that will come on board with partnership with other vendors. So, these partnerships will help to address some of those needs; so, they might not be directly identified in the allocations that you see.

The Chairman: Thank you, Minister.

Senator Tannock, you had your hand up.

Sen. the Hon. Kim Wilkerson: Oh, I correct myself. I am advised that there are two young offenders. On my last visit, there were none. But there are two.

The Chairman: Thank you. Thank you, Minister.
Senator.

Sen. Tawana Tannock: Yes, thank you, [Mr. Chairman].

So, my first question is in relation to the briefing that the Attorney General so kindly provided and the increase in the number of psychologists in the corrections system. So, when I look at page B-97, and I look at psychological services, I see that there are two employees under full-time equivalents, and there is no provision, or there does not appear to be a provision, to increase that number. So, is that because the thought is that they will be part-time and not full-time? Or are we looking for an increase in one full-time person,

because it does not show that is what they are estimating to do 2026/27, or 2025/26, even?

Sen. the Hon. Kim Wilkerson: We are looking for an increase in a full-time psychologist. There is recognition, however, that the process of recruitment takes long. And so, part of the vote for consultants will cover that in the shorter term.

Sen. Tawana Tannock: Thank you. And then, if we turn to page B-98, performance measures, your note was well taken on the recidivism rate, because I was going to mention that. But my question is, there has been a lot in the paper about officer misconduct. And I note that that is one performance measure that we do not have. We do not have any record of complaints that are launched against officers and any remediation or any mitigation that has occurred. So, we have assaults on officers (minor and major), assaults on prisoners (minor and major), but none about officer misconduct. So, my question is, if we are not recording that, then how do we know what to rectify? And the reason why I say that is, I recall also in the newspaper, that there were going to be recommendations put forth to increase security at Westgate.

So, my question is basically, were those recommendations ever received and followed through [on]? And do we see where they are implemented in the budget by, I don't know, extra security or whatever the case might be, or extra training of the prison officers, as it was alleged that new officers do not get training like they should?

So, I guess what I would have expected to see in the budget would have been some indication of what we have seen, which is that there have been instances where officers have been, I guess, alleged to have conducted less than we would expect. But I do not see anything here about the recommendations or the training. Where would we see that?

Sen. the Hon. Kim Wilkerson: Thank you, Senator Tannock. I did make reference to the entire list of training that is available to officers and that officers have actually undertaken. So, safety and security are completely . . . runs through all of that coursework.

But I do take your point on the performance measures. And I think what I hear you saying is that it might be helpful to see that expressed in a specific way in the measures. And I take that point.

Sen. Tawana Tannock: Yes, I think it is also helpful because we know if the training is working. Thank you. And I do have one—

Sen. the Hon. Kim Wilkerson: Sorry, just to round that out, when you say you do not see anything specific in the budget around safety, and I think it is enhanced security, it should be recognised that when we refer in the brief to exercises that are done with partner agencies,

some of that budget shows up in BPS and Customs; it is not necessarily here, who are combining to help do the . . .

Sen. Tawana Tannock: Searches, or . . .

Sen. the Hon. Kim Wilkerson: Yes, and these are kind of unscheduled searches and so on.

Sen. Tawana Tannock: Yes, thank you.

And so, I won't belabour the point, but if we go to [page] B-101 and then [page] B-102, and that is when we look at the probation services and the performance measures. And it is really very similar to the issues that I raised last year where we have a raft of performance measures that, when we have a target outcome for the current year, are not applicable. They are not applicable.

And I know when I mentioned and raised some of them last year, it was, *oh, well, these are new; or we are having new measurements*. I am not . . . like I said, I am not going to belabour the point. But when I look down and I see (one, two, three, four, five up from the bottom) community offenders programme, the percentage of clients receiving couples and or family counselling and related services, and I see across the board *not applicable*. Well, I think, *how can that not be applicable?* We want to make sure that when we have people who are in the community that they are getting what they require.

And then, I am not going to go line by line, but I did make a note about the total number of inmates released on parole under 84020. It said that the actual outcome in 2024/25 was 90. So, I am assuming that is 90 people released on parole. And then, in 2025/26, seven. In 2025/26, it was revised to eight. And for 2026/27, it is "N/A" [not applicable]. So, does that mean that we do not expect to see anybody released on parole in 2026/27? So that is just one of those instances about the reporting, and I do not know where . . . I just don't . . . it is very difficult. Honestly, it is very difficult to take performance measures seriously when we are being told that things are not applicable that are applicable.

And I will just raise this on the other . . . I have two things on the other page B-102. And that is . . . if I look back at last year's budget, and last year it would have been on page B-101, the performance measures are not the same on some areas. So, where they should agree. So, let's just see if I can make this easier.

Okay. Right, so if we have . . . so it would be under 84060, we have . . . this is in this year's budget, page B-102, we have the percentage of reports utilising risk assessment tools. So that is the percentage of reports that are being done by probation officers, drug treatment, I guess . . . not drug treatment, but BARC staff. And we have: actual outcome, 2024/25, 100 per cent. Original forecast, 2025/26, not applicable. Revised forecast, 2025/26, 100 per cent. Target outcome,

2026/27, not applicable. But when we go and look at last year's budget, what we then see is for that same category, we have an original forecast, not applicable. Revised forecast, not applicable. Target outcome, not applicable. But in this budget, we have it was 100 per cent. So that is just an instance in which, in the same line item, from last year to this year's budget, the numbers actually do not agree. So, it is more of a critique on the way the information is presented.

However, the last point I am going to make on this issue is on page B-102, under Court Services Administration, the percentage of total electronic monitoring devices utilised by the Department of Court Services. As we know, there have been numerous instances—

Sen. the Hon. Kim Wilkerson: Mr. Chairman, I might interrupt. We have not moved to court services yet. So, I think a number of these questions relate to court services, including the Community Offenders programme. We will—

Sen. Tawana Tannock: Okay.

The Chairman: We will undertake that in a later discussion.

Sen. the Hon. Kim Wilkerson: Thank you.

The Chairman: It can be a briefer question at that point.

Sen. Tawana Tannock: Thank you. My apologies.

The Chairman: Very good. Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

So, while we are on corrections officers, where are we seeing mental health support for our corrections officers within this? Would that be covered under their insurance, or would there be specific mental health support available for them through maybe any of the in-house units?

Sen. the Hon. Kim Wilkerson: That is a great question. And that has certainly been a concern that we are not adequately meeting the need for the mental health services of officers carrying out such a stressful job. Currently, the forensic psychologist, whose job truly is to service inmates because they are in the field, they are providing services to officers. And I think we listed some of the programming that is specifically for officer mental health. In that regard, our Ministry is working very closely with the POA; so, we hear the concerns of officers and make sure that we have the targeted training available. One of the consultants that we are onboarding is specifically engaged with officer care.

So, at the moment, she is [working] remotely and travelling to the jurisdiction on a periodic basis.

The Chairman: Senator Tannock?

Sen. Tawana Tannock: Thank you. I do actually have a follow-up to Senator Cunningham's question.

Again, in the opening of the court session, Justice [Juan] Wolffe stated that there was a mental health crisis among our inmate population. And one of his recommendations was that a psychiatrist be at Westgate on a daily basis, or as often as possible, to help treat inmates. And we have spoken a lot about psychologists, but do we have . . . and how often do psychiatrists go and give counselling or see and have appointments with the inmates? And is there any thought about having a psychiatrist on standby or full-time?

Sen. the Hon. Kim Wilkerson: There is not a psychiatrist full-time at Westgate. And so, the question becomes, do we find ways to . . . It is an ongoing conversation about the best place to deal with inmates who have significant mental health issues. And there have been conversations around the setting up of a forensic unit. The question is, should it be at Westgate or should it stand alone? And there have been conversations, just generally in the community, around whether that is something that [the Mid-Atlantic Wellness Institute] (MAWI) can assist with. So, currently if there are inmates who have those needs they are transferred to their custodial position at MAWI.

The Chairman: Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman.

I was encouraged to hear about the scheme with our, it sounded like a middle school, maybe high schools, speaking to the inmates to potentially get insights into what it is like to be inside. So, I commend you on that.

And I also . . . two of my students at Bermuda College were involved in the football game, and were, I would say, a little apprehensive about it at first, but I think they enjoyed the overall experience. But as you are aware, education is my thing. And I was encouraged to hear about the inmates going into classes.

I have a few questions on that. One is, who is funding those? For example, you mentioned two receiving master's degrees and two doing online tertiary education. And secondly, I think overall, and this is a gross generalisation, but I would assume that there are a lot of learning difficulties, neurodivergence in our inmate population. And what educational services are being delivered specifically to those learning different styles, you know, those kinds of things, so that we can potentially offer these opportunities to all of our inmate population? Because I see 57 inmates in classes out of a total of, probably over 300. You know, that is . . . I

would like to see that number higher. So, I am just wondering if one of the reasons why it is deemed quite low is because these inmates do not have the capacity or the availability of educational learning available to them.

Sen. the Hon. Kim Wilkerson: Thank you, Senator Cunningham.

That is a great question. And certainly, it was mine when I arrived in this seat as an adult person who is dyslexic. And I wondered when I saw the uptake on GED programming. The question was, what is it that might be a barrier for people being able to either believe they have the ability to start a programme, and then for the numbers to start. We saw the metrics from last year; we had a high number starting, but a small number finishing. So, are we actively investigating where there may be learning challenges? So, I am really excited to say that that is something that we are looking critically at now.

And with the SEEP programme, that facilitator has specific qualifications in literacy and is able to identify learning differences and then make a referral. So, and at the same time, we are also in the process which did not exist before I came in; and sometimes you assume certain data exists. And I wanted to have that data [captured] on everyone's educational experience, and backgrounds and challenges, and it did not exist. But we are well on the way to compiling that data through our consultant that sits in the Department of Corrections, creating what is called a Skills Assessment Database. And that will [not] only identify people's interest, but their interest in learning, their actual skills, whether they have any trade skills, things of that sort. Some of the times it is identifying someone's prior experience with learning, which might be the reason that they do not want to learn anymore. And really trying to identify whether we can find things that will turn people on, that they will be interested in trying to learn even if they need assistance.

The Chairman: Thank you. Senator, another question?

Sen. Victoria Cunningham: Final question on the recruitment and kudos for doing the information session on Wednesday.

But, you know, I am aware in the education system, there is a kind of stipulated number of students per teacher ratio or whatever. Is there an inmate to officer ratio of that kind of thing? Because if we are looking at hiring numbers being down, is there a kind of critical point where we just do not have enough officers to manage the current inmate population? And I guess you talked about overtime and things, but I am just worried that if we say 25 per cent of our population is going to be retiring, I will assume the same probably could be said for our prison officer population. So obviously we are actively recruiting, but, if we do not get those

numbers, is there a critical kind of mass or point where we need more desperately?

Sen. the Hon. Kim Wilkerson: The . . .

Sen. Victoria Cunningham: Would you stop services?

Sen. the Hon. Kim Wilkerson: Yes, thank you. I know, I understand the question. That is part of what is being reviewed right now. What is the minimum that it takes to make things work? Are we employing our shift schedules efficiently? So, we will have some assistance from the UK, who will be on the ground in May. I think it begins on May 11th, to do that complete assessment of how we are operating shifts, whether we are operating them most efficiently.

I came to the role thinking that . . . and I just wanted to correct your prior point on the uptake on courses. You said kind of where there are about 300 inmates. There are only, I think, 171 inmates is the total population right now. That is the maximum capacity. But we are at about 170 now. But my thinking was if we have the capacity for 300-odd and 255, and we only had at the time 125, we should have fewer people to run the facility, right? It just seemed . . . but that logic is not really logical. I came to understand for a number of reasons. You need a minimum complement to run the facility in any event. We never know how many people could be coming on any given day or time, particularly as a result of increased police efforts around gang violence and so on that is emanating out of that.

But thirdly, the increase in, which is a point that Senator Tannock made, referring to Justice Wolffe's comment, many more members of the inmate population who have more psychological difficulties. And so that means that just as we have a situation in public school, you have more children with learning disorders. And people often say, *well, there are less children in school, you should not need as many people*. But if one child needs a teacher and a para, then it means you have more infrastructure to deal with people, just based on the needs of the population. And so that is what we have found out.

So, I will be really, really excited to share the outcome of that work with this body when it is completed in May.

The Chairman: Thank you, Minister.

Any further questions from Senators? No, hearing none.

Back to you, Minister. Thank you.

Sen. the Hon. Kim Wilkerson: We have two more heads to go. Mr. Chairman, could you tell me how much time we have?

The Chairman: Yes, we have almost exactly one hour to go.

Sen. the Hon. Kim Wilkerson: Thank you.

HEAD 74—DEPARTMENT OF COURT SERVICES

Sen. the Hon. Kim Wilkerson: We are now on Head 74, the Department of Court Services. The mission statement of the Department of Court Services is, *To enhance public safety by reducing reoffending through effective rehabilitation and offender re-entry programmes.*

This department's rehabilitative services protect our community while transforming lives. Its mandate encompasses the assessment, supervision, and case management of offenders subject to statutory orders. This includes high-risk individuals, such as sex and violent offenders, including persons unlicensed who are serving life sentences, while the department also delivers substance abuse assessments and referrals through the Bermuda Assessment and Referral Centre (BARC) to adjudicated and non-adjudicated persons.

Expenditure Overview

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the work of this department is developed as a solution to the multifaceted social ills of our community. Many of the clients referred to the department via the courts and Parole Board have both committed offences against others and have been victims of offending and/or childhood traumas themselves. The unaddressed trauma of their own experiences contributes to their difficulty in making healthy, socially appropriate decisions. This combination of factors [results] in these individuals finding themselves involved in the criminal justice system and guides our assessments of and interventions with them.

The department utilises evidence-based assessment instruments and interventions to address holistically the needs of the clients with whom we work. These needs include, but are not limited to

- learning disabilities;
- limited educational attainment;
- unemployment and underemployment;
- mental health issues;
- substance abuse and misuse;
- limited family and social support;
- negative familial and peer influences;
- poor coping skills;
- deficits in stress and anger management;
- cognitive deficits and traumatic brain injuries;
- lack of parenting skills; and
- antisocial affiliations.

A total of \$5,471,000 has been estimated for this fiscal year. This is an increase of \$583,000 over the previous year. The increase represents salary uplifts [and] the filling of vacant posts across the department. No additional operating expenses have been requested

for Head. 74. This allocation reflects the critical importance of rehabilitation and community safety services to the Government's broader justice priorities.

Subjective Analysis

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the subjective analysis of current account estimates of the Department of Court Services is found on [page] B-100. I will now outline the key budget movements across each business unit.

Department of Court Services

Sen. the Hon. Kim Wilkerson: The department's [budget] for fiscal year 2025/26 was \$4,888,000, while the estimate for this fiscal year is \$5,471,000. As I have said earlier, it is an increase of \$583,000, yes, a 12 per cent increase.

Business Unit 7401, Case Management Unit

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the Case Management Unit comprises the following:

- Probation Services, 84010;
- Parole Services, 84020; and
- Drug Treatment Court Programme, 84080.

This unit is primarily responsible for monitoring and supervising offenders in the community. The total expenditure for the Case Management Unit is \$2,112,000, which is 39 per cent over last year's amount. The increase is due to increases in the number of officers in the unit due to recruitment and transfer within the department, as well as salary uplifts.

[Business Unit] 7402, Administration

Sen. the Hon. Kim Wilkerson: This business unit holds the management team, administration and IT officer salaries, as well as the operational funds for the department. The 2025/26 fiscal year expenditure was \$1,328,000, and the go-forward is \$1,620,000, an increase of 22 per cent. This increase reflects filling the vacancies in management posts, which were frozen in prior budgets, and salary uplifts.

[Business Unit 7403,] Assessment and Treatment

Sen. the Hon. Kim Wilkerson: The Assessment and Treatment Unit is comprised of the following teams.

- Mental Health Treatment Court, 84030;
- Offenders Programmes, 84040; and
- Assessments, 84060.

This unit is responsible for services such as conducting substance use and offence-specific assessments, delivering intervention programmes, and supervising clients with mental health issues in the community, and those sentenced to community service hours by the courts. As with the other teams in the

department, the goal is to reduce clients' risk of reoffending. The 2026/27 expenditure for this unit is \$1,738,000. This is a decrease of 15 per cent over last year. The decrease is due to the transfer of officers to other teams in the department.

Performance Measures by Unit

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the department's forecast performance measures for the fiscal year 2025/26 were achieved as listed below in each cost centre.

Case Management

Sen. the Hon. Kim Wilkerson: The officers in this business unit provide case management services to a range of offenders based on the order to which the client is subject. For each case, the officers work with the offenders to develop a supervision plan to guide the services and interventions in accordance with the outcomes of the relevant risk assessments. Officers conduct a reassessment of offenders' risk every six months in accordance with our risk assessment instruments. The following highlights the achievements of each team:

Probation Team

Sen. the Hon. Kim Wilkerson: Mr. Chairman, 76 per cent of clients who screened positive for drug or alcohol use were actioned within one week. This would mean that interventions would be implemented within one week to minimise a subsequent positive screen. The target for this measure was 75 per cent. Mr. Chairman, 100 per cent of clients who were prolific or repeat offenders were re-conferenced within one month of beginning their new order. This would be an internal case conference with relevant staff members, such as the prior supervising officer, BARC case manager, and/or client treatment staff, to identify factors to consider when devising a supervision plan. The target for administering a final risk assessment for clients completing supervision was 75 per cent. The final total was 68 per cent. The percentage of clients arrested for new offences was half the projected total at 10 per cent

Parole Team

Sen. the Hon. Kim Wilkerson: During the year, nine additional individuals were released on licence by the parole board. Additionally, there were six clients whose sentences concluded. Four individuals were breached and returned to corrections due to failing to adhere to their conditions of licence. This was one more than the target number for the calendar year, which was forecast at three and indicates the responsiveness of the parole team. Less than 1 per cent of clients had their orders revoked as a result of new offences. These

statistics point out the effectiveness and responsiveness of criminal justice programmes, and this number remains amongst the lowest worldwide.

Drug Treatment Court Team

Sen. the Hon. Kim Wilkerson: Drug Treatment Court Team includes the DUI court stream as well. I am proud to report that the Drug Treatment Court received a zero per cent re-offending rate this year, a new programme low and a testament to the power of treatment-led justice. The department continues to work intensively on reducing positive drug tests for programme participants.

Targeted work addressing past trauma has remained a key focus for the entire team, including the Magistrate and service providers. [The team] actively models pro-social behaviours through structured external engagement. The measurement forecast for positive tests was 7 per cent across both the Drug Treatment Court (DTC) and DUI streams. The actual outcome was 7 per cent, with the pattern consistent with prior years. Most positive tests occur early in treatment, then decline significantly as participation continues. The number of participants in the DTC and DUI court programmes increased from 9 to 16 and from 12 to 19, respectively, over the 2024/25 fiscal year.

Business Unit 7401, Assessment and Treatment

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the offices in this business unit conduct risk and substance use assessments for the court. They provide intervention programmes for clients according to the recommendations of the risk assessments and deliver case management services for clients with mental health issues and those required by the court to complete volunteer hours in the community. These offices are adept at administering and interpreting a variety of risk assessments to develop supervision and treatment plans for the offenders they serve. The achievement of each team is as follows:

Community Service Orders

Sen. the Hon. Kim Wilkerson: During the past year, individuals were sentenced to 4,315 hours of community service by the courts. This is a 13 per cent increase over the previous year. Most of the hours ordered were to assist people who were unable to pay fines to make reparation for traffic offences. Of these hours, 2,633 hours, or 61 per cent, were completed within the year. This function is being revised to maximise impact.

Mental Health Court Programme

Sen. the Hon. Kim Wilkerson: Mr. Chairman, 80 per cent of clients in this programme remained medication compliant, which is a significant factor in reducing re-

offending. The average number of participants per month was five. While this number may appear low, it is important to note that the workload of each of these cases is significant given the complexity of client issues and the scarcity of the resources. The Ministry recognises there are systemic gaps and is actively exploring solutions, including greater collaboration with the Ministry of Health to expand residential and support options for this vulnerable population.

Community Offenders Programme

Sen. the Hon. Kim Wilkerson: The Community Offenders Programme team was under-resourced throughout the year. However, the remaining team members made an effort to provide services primarily through psychoeducational programmes and one-to-one interventions. As a result of the limitations of this team, the Department continues to utilise external resources to meet client needs.

Assessment Team

Sen. the Hon. Kim Wilkerson: Mr. Chairman, the assessment team consists of the Report Writing Team and the Bermuda Assessment and Referral Centre (BARC).

Report Writing Team

Sen. the Hon. Kim Wilkerson: The Report Writing Team was assigned a total of 269 reports for the calendar year, representing 25 fewer reports from the previous year; 90 per cent of reports were completed on time. The target for this objective was 95 [per cent]. Reports include 47 pre-release report Prison Rules 1980, wrote 166 reports to the Parole Board, while the remaining 222 were court-ordered social inquiry reports (SIRs). Out of the 222 court reports, 15 were ordered by the Supreme Court, 195 were ordered by the Magistrates' Court, and 12 were ordered by the Family Court specifically for reports on juvenile offenders.

Bermuda Assessment and Treatment Centre (BARC)

Sen. the Hon. Kim Wilkerson: The BARC team completed a total of 132 reports in the past year. This was 21 fewer than the previous year. During the year, there were 41 recommendations for intensive outpatient treatment. While there were 21 referred to for outpatient treatment, the 62 were referred to for residential treatment. Wait times before entering treatment remain an issue across the spectrum. This needs to be addressed as a lag time can negatively impact the client's motivation and willingness to engage in treatment.

Plans for the Upcoming Year

Sen. the Hon. Kim Wilkerson: Mr. Chairman, filling vacant posts and developing staff remain priorities of the department. A key priority for the coming year is the official launch of the Domestic Abuse Court, a specialist court programme designed to deliver trauma-informed justice for survivors and targeted intervention for perpetrators.

The department has engaged with key stakeholders across government departments and with partner agencies in the United Kingdom and the United States to ensure our offices are fully equipped with the knowledge, skills, and evidence-based tools for this critical programme's demands. The department remains actively involved with partner agencies on such committees as the Inter-Agency Gang Enforcement Team, the Offender Risk Management Team (for high-risk sexual and violent offenders), THRIC (The High-Risk Intervention Committee), and the Mental Health Clients in Corrections Committee.

The department is also represented on the Child Safeguarding Committee looking at ways to protect children in our community. These collaborations will continue as we try to ensure the safest possible Island community.

During the upcoming year, the team will revise clinical interventions to ensure identified client needs are met adequately. Pilot prevention programmes with the aim of reducing youth offending increase the number of treatment groups to provide a more holistic clinical response for clients.

Mr. Chairman, the budget year 2026/27 initiatives include continuing to train officers in the entire department to administer and interpret various assessment tools to optimise skills and resources and better facilitate cross-training and movement amongst team transfers within the department; undergo specialised training in domestic violence assessments, interventions, and supervision strategies.

The department's focus for the year will be on strengthening the skill set of officers across the department to improve programme delivery. This will include in-service, local, and international training. Mr. Chairman, 98 per cent of all of the department's job descriptions have been completed and signed off on, and intensive recruitment to fill previously frozen or vacant posts remains ongoing.

Another goal is to explore the use of technology in offender management, such as modern case management systems with features such as chat features for officers to communicate with clients and automated random drug tests to replace our current system, which is more than 20 years old.

Officers will resume in-person curfew checks once community tensions allow us to do so safely. In the meantime, officers continue to conduct home and site visits. They also use electronic means to strengthen and support supervision tactics. These responsibilities present safety risks, yet officers are dedicated in their efforts to transform the lives of our clients

and their families and associates by deterring further offending or relapse through various strategies and interventions deployed.

These include, but are not limited to, meeting with clients in alternate safe spaces in the community for those who are unable to attend the office due to safety concerns. And working closely with client support networks to facilitate stability for the people under supervision.

Officer safety is an ongoing priority. As such, we will engage in training to protect the staff, both in the office and in the community. The department's client-facing officers, as well as their supervisors and support staff, continue to work in an increasingly dangerous social environment. Conducting curfew checks in the early hours of the morning, especially on weekends and major holidays, is inherently risky, especially in today's environment where firearms, knives, and other weapons are increasingly available and, sadly, utilised. While these job functions put these officers at high risk for harm, they persevere to ensure the continued safety of the community. The department will also continue to utilise therapeutic and supervision regimes to minimise this threat and prepare offenders to become contributing members of the community.

Mr. Chairman, the department continues to build and strengthen partnerships with other government departments, community organisations, and NGOs to advance our shared objective of protecting the community. Expenditure requests for this year have not increased, and recruitment drives for recently vacated posts or unfrozen posts are ongoing.

Mr. Chairman, I take this opportunity to commend the officers and staff of the Department of Court Services for their dedication, professionalism, and unwavering commitment to keeping our community safe.

This ends my presentation on Head 74, the Department of Court Services, and highlights the operational use of its expenditure to invest in human potential and in a safer Bermuda.

Thank you, Mr. Chairman.

The Chairman: Thank you, Minister.

Are there any questions by Senators on Head 74?

Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Mr. Chairman, and thank you, Madam Attorney General. I will echo the thank you to the officers of the Department of Court Services. One of your last sentences was quite disturbing and so understanding what members of our community go through to keep the rest of us safe is, quite frankly, enlightening but also horrifying.

So, my main question, and maybe I am just completely misunderstanding here. So, we went through the . . . on page B-99, the three different kinds of business units, case management, then administration, and assessment and treatment, of which the

assessment and treatment budget is down, but the case management is up. And to me, that just means that we are managing cases better, but we are not actually solving the problems in reoffending and whatever because we are putting less to it. So, perhaps there could be a delineation of what I am actually seeing with the different numbers.

Sen. the Hon. Kim Wilkerson: The decrease in the number simply relates to the movement of staff. So, we have had staff transfers from one area to the other. It does not represent a de-emphasis of the importance of the function.

Sen. Victoria Cunningham: Thank you for that clarification.

And I was also quite interested to hear 4,315 hours of community service was dealt out, up 13 per cent. Does that equate to more offenders, or does that equate to more handouts of community service? So, less people being incarcerated, more getting community service.

And still on that, I note that you mentioned 61 per cent, 2,633 hours had been completed; (a) I mean, that is an awful lot of hours in my mind. Are they being put to work filling potholes?

[Laughter]

Sen. Victoria Cunningham: Or, you know, what kind of . . . do they get to pick their community service? How is that being determined, and can it be utilised as something that, you know, we could be seeing our roadside verges landscaped and all the rest of it?

So, I think a few questions on the community service element.

The Chairman: Thank you, Senator.
Minister.

Sen. the Hon. Kim Wilkerson: Thank you. I am waiting for an answer on the community service. My assessment is that more community service hours are being meted out from the courts in response to people simply not being able to pay fines in the current economic environment.

As to what the community service options are, I do not have that information to hand. What I can say, though, is that a rethink on what is available as community service hours is one that will be undertaken this year. It is really important. And particularly, this will be another conversation as we consider operationalising the Parental Responsibility Act. It is one of the things that we have been actively considering, as I will soon create regulations under that Act.

And I think that meaningful community service is important. And I think, you know, for people to have the opportunity to do something as a question of community service that gives them some self-worth to

recognise that they are doing something that is to the betterment of the community and where they have opportunities to perhaps understand themselves better as well is the high ideal.

The Chairman: Thank you, Minister.
Senator Tannock.

Sen. Tawana Tannock: Yes, thank you. I have a follow-up from Senator Cunningham's question. And this goes back to something that I raised earlier today, which is my inability to understand these [metrics] and how they are recorded.

So, if we take community service, it is actually interesting, Attorney General, that you raised that because one of my questions was going to be, community service hours are no longer included under the performance measures in the budget, but they were included last year. So, I was going to ask why that was.

But I note that it stated that individuals were sentenced to 4,315 hours and this is a 13.5 [per cent] increase over the previous year. However, in last year's budget, it was stated that 4,800 community service hours were completed in 2023/24. So, it is a decrease from the year before. But we do not have that tracking because community service hours are not included in the budget this year as a performance measure. And so that is an area of inconsistency where . . . I think . . . I do not expect everything to always be included. But if we are going to say that this is an increase, and we had the measure last year included in the budget, and it is not included this year in the budget, it is really difficult to make . . . you are comparing it out of the middle of nowhere, really.

So that was my comment on . . . and my question was, why [did] we go to a percentage base? So, I think previously it had said about . . . it told you the hours, and now it is just how many people have completed it, 75 per cent, 10 per cent, something like that, which is very difficult to measure against last year.

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: Thank you, Senator Tannock. Your points are noted. I will take it under advisement.

I tend to agree that some of the way that the performance measures are represented could be more user-friendly, no doubt. What I can say is that in trying to make the comparison, it is not necessary that community hours . . . you cannot measure community hours on the same fiscal basis because sometimes community hours go . . . the sentence is meted out in one year, but the community hours go into the next fiscal year. I think that is the challenge with trying to match the community hours tightly to the fiscal period. So, it might be a better measure to talk to the point Senator Cunningham was making, I think, is the number of

community-based sentences given out in any fiscal year and compare that.

But I take the point.

The Chairman: Senator Tannock.

Sen. Tawana Tannock: Yes, thank you. And I raised it incorrectly earlier, but if I can refer the Minister to [page] B-101 under Parole Services, 84020, and it says that the total number of inmates released on parole in 2024/25 [was] 90; forecast for 2025/26, seven; revised forecast for 2025/26, eight; target outcome for 2026/27, not applicable. So, I wanted to know, is that because nobody is eligible for parole in 2026/27? Why do not we have an outcome? Because we have just heard a lot about how well the Parole programme is going, but to say not applicable . . .

And then if we go down one, two, three from that, percentage of clients arrested for new offences, this is another instance in which the [metrics] . . . so less than one, 15 per cent, then an actual number, five, then not applicable, is completely different than the way it was presented last year, which again makes it very difficult, within that same row, to understand. But also, when we look at last year, when we look at the way that was presented last year.

And then the last point I will make is, it is a question about the percentage of persons who have electronic monitoring, and this is going over on page, just sorry, one moment . . . on page B-102, this year under 84070, Court Services Administration, percentage of total electronic monitoring devices utilised by the Department of Court Services. So, we have 25 per cent, 80 per cent, then a revised forecast of 30 per cent, and then not applicable. So, I just . . . I do not know how to read that.

And then I also highlighted going up that column even further, under Assessments 84060, there are two rows, revised forecast and target outcome under 8460, that basically almost have not applicable for revised forecast and not applicable for target outcome going all the way down. And those, lots of those same areas actually had numbers in them last year, so it is not even like they were not carried over. So, I just find this data very difficult to assess.

The Chairman: Thank you, Senator Tannock.
Minister, any comments on that?

Sen. the Hon. Kim Wilkerson: Yes, I did not hear a question there.

The Chairman: So, are there any comments? No question to answer.

Sen. Tawana Tannock: I guess, why are so many areas stating that there is no forecast or there is no target outcome? So, for example, if we take the percentage of reports utilising assessment tools under 84060, we had

100 per cent, and then the original forecast, "N/A." Then the revised forecast, 2025/26, 100 per cent, then the target outcome, "N/A." So, I guess my question is going down that row, why do we have so many, including Parole, do we have not applicable for what we are expecting in 2026/27?

[Pause]

Sen. the Hon. Kim Wilkerson: Thank you. I am just waiting to get an answer on why that is presented as it was.

And I think we had this question last year. If there is a metric where the performance outcome, for example, moves to a different department, that shows up as zero. And the way that the zero-based budgeting is done, and then it is showing at 100 per cent. It is not intuitive, I agree. But that is how it is done. And it gives me, I think, an opportunity to say if we are looking at different metrics . . . for metrics that are more responsive to the objectives, then you will see all of the former metrics are going to show up as zero. That is just how it is if you are mathematically making the comparisons. So, it is an interesting question. And I think we will have to take into consideration how to present the things on a go-forward basis if we want to present new metrics.

Sen. Tawana Tannock: Yes, thank you. I completely agree, because it is, I know there is good work being done in Court Services, but I don't feel that this is reflective of it, which is a shame.

The Chairman: Thank you, Senator Tannock.
Senator Cunningham.

Sen. Victoria Cunningham: I just have one final question, and I will bring it back to my first head question on the, well, I think I called it domestic violence, but the Domestic Abuse Court, and perhaps you can tell me what the actual name is. But so, I see that mentioned as an upcoming priority and assume that would come under the administration section. Hence why we are looking at potentially increasing the headcount from five to eight.

So just confirmation on where that sits within the budget and how, and we will wait for an update, I guess, but . . .

Sen. the Hon. Kim Wilkerson: Yes, it sits across the Domestic Court programme. It sits across a number of different ministries; it does not just sit here. And I am happy to say, I believe that the programme has started with a view that we cannot wait for everything to be perfect; it must start. And the members who sit on the, what is referred to as DARSC, the Domestic Abuse Reform Steering Committee, is a cross-Ministerial initiative, which includes members from Court Services, the Judiciary, from the Department of Child and Family Services, from the Ministry of Health, from the

Department of Public Prosecutions, from National Security, all at the table. So, the overall budget for bringing the court into fruition is spread across the various ministries with the support services.

Sen. Victoria Cunningham: Thank you.

The Chairman: Any further questions? No.

If not, Minister, back to you for the remaining Head 75.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman. Can I get a time check?

The Chairman: Yes, it is roughly 3:25 pm, and we are going to 3:50 pm, so roughly 25 minutes left for both that Head and to move the four Heads.

Sen. the Hon. Kim Wilkerson: Well, without further ado, I will move to Head 75, the Department of Public Prosecutions.

HEAD 75—DEPARTMENT OF PUBLIC PROSECUTIONS

Sen. the Hon. Kim Wilkerson: The Department of Public Prosecutions performs a constitutionally protected function under the Bermuda Constitution Order 1968, exercising independent prosecutorial authority in the public interest.

The following are the objectives for the Department of Public Prosecutions:

1. Promote fair, transparent, and efficient prosecution of criminal offences, consistent with lawful authority, and subject to established guidelines to safeguard the actuality and the perception of prosecutorial independence.
2. Promote high standards and principles in the administration of criminal justice, including procedures to guard against or address miscarriages of justice in support of the rule of law.
3. Carry out prosecutorial functions impartially, assisting the court to arrive at the truth and to do justice between the community, the victim, and the accused according to law. And the dictates of fairness,
4. Promote good relations between individual prosecutors, policing, and other agencies within the criminal justice system. To facilitate the exchange and dissemination, among them, of information, expertise, and experience, and to that end, to encourage the use of information technology.
5. Maintain a team of highly competent administrative professionals to carefully handle the day-to-day responsibilities of the Department with great detail and confidentiality, which is a critical and essential element in helping prosecutors fulfil their mandate.

Mr. Chairman, the complications of modern society are such that there can never be an absolute end to crime. In response, we have at our disposal the various components of the criminal justice system to provide access to justice for our people. As such, Madam DPP [Director of Public Prosecutions] has worked hard to ensure that the Department of Public Prosecutions is a properly empowered and respected prosecuting authority, both locally and internationally.

Mr. Chairman, 89 per cent of the department's 2025/26 budget was spent on salaries and allowances. The remaining 11 per cent of the allocated budget was spent on consultants to support the department in specific cases where a legal conflict arose, training, office supplies, professional memberships, and security.

The department also has an internship scheme where Bermudian law students who are home during the academic breaks and seek practical experience are permitted to shadow and assist prosecutors in the department.

Current Account Expenditure

Sen. the Hon. Kim Wilkerson: The current account estimates for Head 75 begin on page B-104 of the Estimates of Revenue and Expenditure Book.

A total of \$4,403,000 has been allocated to the Department of Public Prosecutions, which includes its Witness Care Unit. This represents an increase of \$402,000, or 10 per cent, from the 2025/26 original estimates.

Mr. Chairman, \$4,222,000 has been allocated to the Department of Public Prosecutions on its own. This represents an increase of \$392,000, or 10 per cent from fiscal year 2025/26.

Mr. Chairman, most of the budget for the department relates to salaries and allowances. Money has again been, as in the previous financial year, allocated to the department to fund consultants to support the department in specific cases where legal conflict may arise, or where the department is sued, and the Attorney General's Chambers cannot represent them, or to fund Privy Council cases. Money this year is also allotted for the department to host an international conference.

We have already, Mr. Chairman, talked about the Witness Care Unit, where \$183,000 has been allocated. The Witness Care Unit consists of two dedicated Witness Care officers, Mrs. Marcia Park and Ms Deanna Binns, who act as the sole intermediary contact between civilian witnesses and the prosecutors. The officers arrange pre-trial meetings between witnesses and prosecutors, identify any peculiar circumstances that the prosecutor might not be aware of, offer ongoing support to witnesses, and keep them updated on the progress of the matter that they are involved in.

Since the implementation of the Witness Care Unit, there has been a vast improvement in the number of civilian witnesses who have attended either the

Magistrate's or Supreme Court to give evidence in criminal trials. Upwards of 19,000 witnesses have received the benefit of this service, and the impact that has had on both the criminal justice system and the community at large is immeasurable. The officers continue to receive positive feedback from civilians they have assisted in criminal trials.

Staffing

Sen. the Hon. Kim Wilkerson: Under the direction of the DPP, there is a complement of 14 counsel. However, currently there are two vacant posts, both of which are well into the recruitment process. All counsel are engaged in the prosecution of offences and appear when appropriate in the Magistrate's Criminal Courts, Family Court, Treatment Courts, (which includes Drug Treatment Court, and the Driving Under the Influence track, and Mental Health Treatment Court). Counsel also appears in the Supreme Court, the Bermuda Court of Appeal, and, when necessary, the Privy Council. Soon, Prosecutors will appear in the Domestic Abuse Court, and as I said earlier, they have already begun. The prosecutors also provide legal advice to the police, government ministries, and departments on matters relating to offences.

The organisational chart provides for additional staff, including one office manager, one litigation manager, five administrative assistants, and one customer service representative. The department is currently recruiting for an administrative assistant. In addition, the department employs the two Witness Care officers as previously mentioned.

Mr Chairman, during the past financial year, Bermuda's prosecutors proudly took the centre stage at the 30th Annual Conference and General Meeting of the International Association of Prosecutors [IAP] held in Singapore in September 2025, under the theme, "The Versatile Prosecutor." The conference brought together leading prosecutors from across the world to explore the evolving role of prosecutors in today's rapidly changing criminal justice landscape.

Representing Bermuda were the Department of Public Prosecutions, Cindy Clarke, and Acting Director of Public Prosecutions, Mr. Adley Duncan, and Senior Crown Counsel, Ms. Shaunté Simons-Fox. The conference examined the specialist skills prosecutors must develop to address emerging challenges, including technology-enabled crime, professional training, mental resilience, international cooperation, and asset recovery.

Bermuda's delegation featured prominently. Mr. Adley Duncan spoke during the open plenary session, turning the tables on the new forms of crime, outlining innovative strategies to confront evolving criminal threats. Ms. Shaunté Simons-Fox presented in a special interest session, "The Ethical Tightrope," examining how prosecutors navigate ethical dilemmas while upholding justice, drawing on a Bermuda case study.

The DPP also chaired the second plenary session on strengthening international cooperation, highlighting practical approaches to enhancing cross-border collaborations. Both presentations were exceptionally well-received and commended for their professionalism, insight, and forward-looking perspective.

In a significant moment, the DPP was elected to the Executive Committee of the IAP, becoming the first Bermudian ever to hold this prestigious role. The Executive Committee helped set the strategic direction of the association, which is the only worldwide body of prosecutors.

Mr. Chairman, with three prosecutors contributing at the highest levels of the conference, Bermuda's reputation was outstanding.

The Department of Public Prosecutions is proud to report the participation of three Bermudian prosecutors, Matthew Frick, Taneka King, and Audley Quallo, in the 7th International Association of Prosecutors (IAP) North America and Caribbean Regional Conference held in November 2025 in Grand Cayman. The conference focused on emerging crime trends in the Caribbean, closer collaboration, and mutual legal assistance. It served as a vital forum for prosecutors across the region to share strategies, build stronger collaborations, and enhance mutual legal support to address increasingly complex criminal activities.

A highlight of the event was an impactful presentation from Crown Counsel Matthew Frick on organised crime groups, drugs, and guns.

The conference featured sessions on a broad range of critical topics, including disclosure and the digital age, developments in legal education and training, domestic violence, and the role of culture, AI in the criminal justice system, and asset recovery and confiscation. These discussions provided valuable insights into contemporary challenges and innovative responses within the justice sector.

Mr. Chairman, attending regional and international conferences is essential for Bermuda to remain equipped to combat emerging crime trends and offer solutions in line with modern criminal justice developments. It ensures we are aligned with the best practices prepared to effectively address the complex criminal issues facing Bermuda and the region.

During 2025/26, the Department of Public Prosecutions was proud to have established an ongoing collaboration with the Attorney General's Chambers of Anguilla, reflecting the strong partnership between the two sister British Overseas Territories. This initiative highlights Bermuda's commitment to sharing prosecutorial expertise and supporting the rule of law across the region.

And I will just pause there, Mr. Chairman, to say I was personally thanked by the Premier of Anguilla for our assistance in that regard.

As part of this collaboration, Bermuda's Director of DPP, together with the Acting Senior Crown Counsel, Ms. Shaunté Simons-Fox, visited Anguilla to

assist with multiple charging decisions. Additionally, Deputy Director of Public Prosecutions, Mr. Carrington Mahoney and Crown Counsel, Mr. Kael London, travelled to Anguilla, where they led prosecutions and delivered training to strengthen local prosecutorial capacity.

In a reciprocal exchange, Ms. Jordia Hodge of the Anguilla Attorney General's Chambers travelled to Bermuda, where she trained with the Department of Public Prosecutions to further develop her skills and expertise. The assistance of the Department of Public Prosecutions has been to our sister overseas territory has made an immediate and positive impact. The DPP and her team have not only helped with progressing urgent casework but have provided invaluable assistance to help Anguillan prosecutors in their work to build a more resilient and capable local prosecution team.

Mr. Chairman, it is wonderful to see this regional collaboration and support. This initiative, the cost of which has been borne by Anguilla, underscores the importance of regional cooperation in ensuring access to justice and good governance. By working together, Bermuda and Anguilla continue to build stronger prosecutorial teams while deepening professional ties across the Caribbean.

Mr. Chairman, the Department of Public Prosecutions continues to uphold its mandate to train Bermuda prosecutors as successors for all positions. The department was able to hold three training sessions during the past year. In 2026/27, the department intends to hold two major training sessions for both counsel and administrative staff. The themes of the training sessions will fit into the established strategic vision of the department, which will promote a more positive impact on the community through the department's role in the justice system.

In addition, the DPP is proud to host the North American Regional Conference of the International Association of Prosecutors in March 2027. The theme of the conference is "The Modern Prosecutor: Navigating New Currents." It is anticipated that the conference will have approximately 100 prosecuting attorneys from Canada, the United States, the Caribbean, and beyond.

Mr. Chairman, the DPP works with other departments and entities such as the Bench, Defence Bar, Legal Aid, Court Services, and, of course, the Bermuda Police Services. Their cooperation throughout the past and into the upcoming year is vital for the proper functioning of the criminal justice system.

Madam DPP's intention is to continue the work undertaken since her appointment to develop all members of the Department so that the Department of Public Prosecutions continues to offer an excellent service to the people of Bermuda.

Mr. Chairman, court-related violence presents a potential threat to all judges, magistrates, lawyers, and court staff. The courthouse, as a place, removes personalities and lives come together at a time of

disagreement. It is possible for persons to lose control of their behaviour, especially in violent and domestic cases, and the number of incidents of court-related violence is increasing. Members of the Department of Public Prosecutions are entitled to perform their professional functions without intimidation, hindrance, harassment, or improper inference.

Mr. Chairman, the safety of our prosecutors is vitally important, as is the safety of members of the judiciary, as well as Members in this House and the Lower House, the House of Assembly, Mr. Chairman. We take those seriously.

Mr. Chairman, I am pleased to confirm that His Excellency the Governor has extended Ms Cindy Clarke's contract as DPP for a further three years. As the first Bermudian woman in this role, I congratulate her on her achievements and thank the department for its steadfast service.

This ends my brief for Head 75, and hopefully, it allows a few minutes.

The Chairman: Thank you, Minister.

Would any Senator care to ask questions on this head?

Yes, Senator Cunningham, over to you.

Sen. Victoria Cunningham: Thank you, Mr Chairman.

Firstly, I will extend the Opposition's congratulations to the Director of Public Prosecutions on two things. One, the extension of the contract, and two, the appointment to the Executive Committee.

I have one question, and that is, given (I would assume) the increasing complexity of cases, what is the average caseload per prosecutor? How does that translate or compare with best practices? And are there potential delays because you have not got that full complement? I think you said you were recruiting two additional, but how does that then, being two down, add caseload to the rest of the team?

Sen. the Hon. Kim Wilkerson: Thank you for that question.

There is no way to set an ideal for caseload and as compared with another jurisdiction, because clearly, our caseloads are based on the complexities of *this* jurisdiction. But I will say that, yes, being down two puts a burden on everyone else. And it has led to delays in some cases where adjournments have had to be had. And particularly if we have members travelling, or if members are out ill. But notwithstanding that, I believe that the team has done an incredible job of covering one another and not dropping the ball on service.

The Chairman: Senator Tannock.

Sen. Tawana Tannock: Yes, thank you. I would also like to congratulate DPP Clarke for being appointed to the IAP Executive. However, I do have to ask the question, and I also congratulate DPP Clarke on having her

contract extended, but I do have to ask the question, Why do we have a Bermudian on a fixed-term contract?

The Chairman: Minister.

Sen. the Hon. Kim Wilkerson: That is not a question for me. Those appointments are made by the Governor. I think it is on the advice of the Public Service Commission. Those are not Ministry-level appointments.

The Chairman: Any further questions for Minister Wilkerson? No?

It seems like after almost four hours, now, Minister, I can turn it over to you to move these heads if there are no further questions.

So, over to you. Thank you.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman, and thank you, colleagues, for your insightful questions and insightful comments and recommendations.

I move that Heads 87, 25, 74, and 75 be approved as printed.

The Chairman: Thank you, Minister.

Is there any objection to the moving of those four heads?

Hearing none, these heads are so moved.

[Motion carried: The Ministry of Justice, Heads, 87, 25, 74 and 75 were approved and stand part of the Estimates of Revenue and Expenditure for the year 2026/27.]

The Chairman: Thank you very much and, Minister, I just want to thank you very much both for your presentation and for your very efficient use of time.

I think this has been an excellent session to allow sufficient questions and answers to be provided, and this is the type of debate that I think the Senators and the listening public really appreciate and cherish. So, thank you very much for that today.

Sen. the Hon. Kim Wilkerson: Thank you, Mr. Chairman.

The Chairman: So, with that, I think we can move on to the next, the Ministry of Public Works and Environment, and I turn the Chair over to the very capable hands of my Senate colleague, Senator Tawana Tannock.

So, Senator, over to you.

[Sen. Tawanna Tannock, Chairman]

The Chairman: Thank you. Good afternoon.

We are now in Committee of the whole [Senate] for the Estimates of Revenue and Expenditure for the year 2026/27, and we will be debating the Ministry

of Public Works and the Environment, Heads 36, 68, and 79, and that will be presented to us by Senator Mischa Fubler.

Senator Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam Chairman.

I move that the Committee do now take under consideration Head 36, Ministry of Public Works and Environment Headquarters; Heads 68, Parks; and Heads 79 Environment and Natural Resources.

No objections?

The Chairman: Yes, thank you. Proceed, please.

MINISTRY OF PUBLIC WORKS AND ENVIRONMENT

Sen. Mischa Fubler: Thank you, Madam Chairman.

I rise today to present to this Chamber the priorities, work programme, and budget allocations for the Ministry of Public Works and Environment for the 2026/27 fiscal year, specifically as they relate to Head 36, the Ministry of Public Works and Environment Headquarters (HQ); Head 68, Department of Parks; and Head 79, the Department of Environment and Natural Resources.

Madam Chairman—

Sen. David Rogers: Apologies, one question. Do you want us to go back? Oh, sorry.

The Chairman: Sorry, Senator, you have to direct your questions to me.

Sen. David Rogers: My apologies, Madam Chairman. I just want to get a point of clarification. Do you want us to go backwards and forwards?

The Chairman: I am sorry—Senator Fubler, are you going to present all the heads at once, or will you pause for questions after each head?

Sen. Mischa Fubler: That was my intention, but I am happy to oblige the alternative, if that is the desire.

The Chairman: Senator Rodgers.

Sen. David Rogers: No, we can, as you —

Sen. Mischa Fubler: The full presentation, and then questions at the end?

Sen. David Rogers: No, no, no. Alternate. Sorry, sorry.

[Laughter]

The Chairman: So, present the head, and then time for questions.

Sen. David Rogers: That is right.

Sen. Mischa Fubler: Thank you, Madam Chairman. Continuing on.

Effective leadership requires more than simply meeting the needs of the moment. It demands that we strengthen the systems that sustain our work, invest in the tools that improve delivery, refine the strategies that guide us, and cultivate the people who will lead this Ministry into the future. This budget represents an important step in that ongoing effort.

For decades, the Ministry of Public Works and Environment has carried one of the broadest and most essential mandates in the government. It has been responsible for maintaining the roads that move our people and our economy, the public buildings that deliver critical services, the docks that sustain maritime activity, and the parks, reservoirs, and natural spaces that shape Bermuda's landscape and identity.

This work has been carried out while navigating the realities of ageing infrastructure, rising expectations for public services, and limited fiscal resources. The challenges ahead require more than continuing as we have. They call for thoughtful planning, modern systems, and a renewed commitment to strengthening the infrastructure and environmental stewardship that underpins daily life in Bermuda.

Madam Chairman, strengthening the Ministry's foundation does not mean slowing our pace of delivery. The essential services our residents depend upon will continue without interruption. Road maintenance will proceed. Waste collection will continue reliably. Public buildings will be repaired and maintained. Our parks and open spaces will remain cared for. Our docks will remain active and functional. Our reservoirs will continue to be protected as critical national assets.

As the Honourable Minister of Public Works and Environment Jache Adams, noted, this fiscal year represents an intentional effort to improve how this work is organised, planned, and delivered. We are strengthening long-term infrastructure planning. We are tackling deferred maintenance in a systemic way. We are investing in updated equipment and modern technologies. We are refining staffing structures to meet emerging demands, and we are embedding stronger asset management, accountability, and project oversight across the Ministry.

In the years ahead, Bermudians will begin to see the impact of these improvements. Vegetation management and tree trimming will become more responsive. Waste services will operate with greater efficiency. Beaches, parks, and public spaces will be maintained to higher and more consistent standards. Public facilities will receive more timely maintenance and better coordinated infrastructure support across the Island.

While not all specifically related to the debate today, Madam Chairman, it is important to

acknowledge the significant scale of responsibility carried by this Ministry.

More than 2,000 acres of public land and over 750 government buildings, collectively valued at over \$1.5 billion, require continuous maintenance, protection, and modernisation. Our public road network spans more than 600 roads across approximately 225 kilometres, serving as the lifelines of both our communities and our economy. Over 80 public docks and berths support maritime trade, tourism, and local livelihoods. Municipal waste services remain essential to protecting public health and preserving Bermuda's environmental standards. Freshwater reservoirs capable of storing more than 2 million gallons represent a strategic resource that must be safeguarded.

Additionally, more than 75 public parks and nature reserves, over 100 beaches, and numerous school grounds and recreational spaces must be preserved, not only for today's enjoyment, but for future generations. These responsibilities only grow in importance as we continue strengthening the Ministry's internal capacity and operational effectiveness.

Madam Chairman, the 2026/27 budget reflects a transition from reactive maintenance towards proactive long-term management. It demonstrates our commitment to embracing modern technology, improving procurement practices, strengthening project delivery, and integrating sustainability into our decision-making processes. Our objective is simple: to ensure that every public dollar produces lasting value.

For the coming fiscal year, the Ministry has been allocated an operational budget of \$90,901,000, representing an increase of \$6.8 million over the previous year. This funding supports the day-to-day services that Bermudians rely on every single day. The capital budget totals \$73,640,000, an increase of more than \$16 million compared to the 2025/26 budget. These funds will allow us to address deferred maintenance, modernise infrastructure, procure essential equipment, and implement structural improvements that will strengthen service delivery for the long term.

Madam Chairman, this budget is about building forward with stronger systems in place. It reflects our commitment to laying durable foundations while continuing to deliver results for the public. The people of Bermuda can be confident that the work will continue. Services will remain, projects will move ahead, standards will be maintained. At the same time, we are improving the systems that support this work so that performance continues to strengthen year after year.

Before proceeding further, I would like to acknowledge the more than 650 dedicated public officers who serve this Ministry. Their skill, professionalism, and commitment keep Bermuda functioning each day. Their efforts are central to the progress we seek to achieve.

Madam Chairman, with those introductory remarks, I now invite Honourable [Senators] to turn to Head 36, the Ministry of Public Works and Environment

Headquarters, where the detailed financial and operational breakdown can be found on pages B-202 through B-206.

The Chairman: Thank you, Senator Fubler, and I was remiss. I should have mentioned that we started at 3:46 [pm] and we have three hours, so we will conclude at 6:46 [pm].

Sen. Mischa Fubler: Thank you, Madam Chairman.

HEAD 36—MINISTRY OF PUBLIC WORKS AND ENVIRONMENT HEADQUARTERS

Sen. Mischa Fubler: And so, moving on to Head 36, Ministry of Public Works and Environment HQ.

Madam Chairman, as I have stated previously, this fiscal year is about steady progress and thoughtful preparation for the future. That approach extends beyond the roads we repair, the buildings we maintain, and the parks we care for. It also applies to the internal systems that allow this Ministry to function effectively. If we are serious about modernising operations, strengthening service delivery, and preparing for the demands of the future, then we must continue reinforcing the institutional foundation that supports the Ministry's work. That foundation begins at Headquarters.

Over the past fiscal year, Ministry Headquarters has delivered several important improvements, including payment procedures have been updated to incorporate more electronic and automated processes. This modernisation improves the efficiency of payment approvals while maintaining strong financial controls and oversight. As a result, turnaround times for the payment of goods and services across the Ministry will be reduced, creating more reliable and predictable cash flow for local businesses of all sizes.

The Ministry's finance team worked closely with the Department of Public Lands and Buildings Estates team and the Accountant General's department to resolve a longstanding audit qualification relating to the accounting treatment of assets scheduled for retirement. This matter had been raised by the Auditor General for two consecutive years, and I am pleased to share that this issue has now been addressed.

Improvements were also made to the and consistency of tendering and purchase-to-payment procedures. These changes strengthen compliance and with established procurement policies and ensure that transparency, accountability, and proper governance remain central to how the Ministry acquires goods and services.

Madam Chairman, these achievements represent meaningful steps forward. They demonstrate that the Ministry is actively improving how it operates, but responsible leadership requires us not only to recognise progress, but to build upon it with purpose. The central role of the Ministry Headquarters is to act as the coordinating hub that supports every department within

the Ministry. It provides the financial management, administrative oversight, human resource support, and strategic planning necessary for every department to carry out its responsibilities effectively.

In the coming year, Headquarters will continue strengthening its oversight, planning, and governance functions. This includes improving budgeting processes to support more accurate forecasting and stronger cost management. It includes advancing procurement systems to promote transparency, efficiency, and value for money. It also involves refining performance, monitoring, and reporting so that outcomes can be measured more clearly and accountability demonstrated more effectively.

At the same time, internal workflows and coordination will continue to be improved so that resources remain aligned with the Ministry's strategic priorities. Much of this work happens behind the scenes. The public may not immediately notice improvements in forecasting models or procurement protocols. However, these internal systems are essential to enhancing service delivery. When the systems are stronger, projects move faster, contractors are managed more effectively, response times improve, and public services become more reliable.

Headquarters plays a critical role in ensuring that all departmental operations remain properly resourced and aligned with government policy, regulatory requirements, and fiscal discipline. It provides oversight for budgeting, procurement, inventory management, compliance, risk management, and strategic coordination across the Ministry. In practical terms, Headquarters provides the administrative and financial backbone that allows each department to focus on delivering its core services while maintaining professionalism, innovation, and accountability.

Madam Chairman, the services delivered by Ministry Headquarters are organised into five programmes, which Honourable Members can find on page B-203, and they include: 3601, Head Office Administration; 3610, Accounts, 3611 Purchasing; 3612 Telecommunications; and 3613, Central Office Administration.

For the 2026/27 fiscal year, the total operational budget for the Ministry Headquarters is \$6,993,000. This represents an increase of \$373,000 compared to the previous year, the details of which I will outline later in this presentation.

Head Office Administration 3601

Sen. Mischa Fubler: Madam Chairman, the Head Office Administration programme 3601 encompasses three core components: the Executive Office, Headquarters Administration, and Safety and Health. Together, these three units form the strategic and operational nucleus of the Ministry, ensuring coordinated

leadership, policy implementation, and workforce safety across all departments.

Under the direction of the Permanent Secretary, Headquarters Administration provides centralised oversight and management support to the Ministry's departments. This includes ensuring that the Minister's strategic policy priorities are executed efficiently and effectively. Specifically, the unit is responsible for the implementation of the Ministry's Throne Speech initiatives, the execution and monitoring of the annual business plan, oversight of health and safety compliance, and the coordination of numerous administrative projects and special assignments. In essence, it ensures that the Ministry remains aligned with government goals while operating in a structured, accountable, and results-driven manner.

Madam Chairman, the operational budget for programme 3601, Head Office Administration, for the 2026/27 fiscal year is \$2,646,000. This represents an increase of \$173,000 over the previous year's allocation. The primary drivers of this increase are related to the hiring of one new position, pay scale upgrades for various staff positions, including upward adjustments such as from PS Grade 1 [*sic*], I am sorry, PS Grade 20 to PS Grade 21, and anticipated increases in service and utility costs.

Madam Chairman, I also wish to take this opportunity to remind Senate colleagues that the government continues to fulfil its commitment to place public sector workers ahead of inflation, while helping to offset the financial burden resulting from six of the eight wage freezes endured by civil servants in previous years. This adjustment reflects the previously negotiated increases between the government and our union partners, [which] continues to be in effect, and is reflected across various Ministry programmes and will be referenced throughout this presentation to help explain some of the budgetary increases detailed.

Public Works Accounts Programme 3610

Sen. Mischa Fubler: Madam Chairman, the Accounts Programme 3610, which plays a critical role in the financial stewardship of the Ministry by delivering a wide range of core accounting services to all operating departments. These services include accounts payable, accounts receivable, payroll processing, capital asset management, and both financial and non-financial reporting functions that are essential for transparent and accountable public administration.

This section is responsible for the preparation and distribution of both the monthly and weekly payroll, ensuring that staff are compensated in a timely and accurate manner. It also oversees the issuance of vendor cheques and invoices for services rendered by the Ministry's operational units. In addition, the Accounts Programme facilitates the collection and recording of all Ministry revenues, including payments made by online banking, credit card, cash, and cheque—ensuring

accurate and secure reconciliation of funds received for public services.

A key enabler of this programme's effectiveness is the use of a centralised government accounting system, through which the team manages the annual budget preparation process and produces monthly financial management reports for the Ministry and the Budget Office. These reports serve as vital tools for informed decision-making, allowing for continuous monitoring and control of expenditures across both the Current Account and the Ministry's Capital Development and Capital Acquisition budgets.

Madam Chairman, for the 2026/27 fiscal year, the operating budget for Accounts Programme 3610 is \$1,478,000, representing an increase of \$98,000 compared to the previous year's budget. This increase is largely attributed to staff-related adjustments, including the filling of a previously vacant position—which in the last fiscal year was only budgeted for half-year funding—as well as the public service salary increases referenced earlier in this presentation.

This investment in staffing ensures the Ministry maintains the capacity to manage its growing financial responsibilities, enhance internal controls, and improve service delivery through efficient and timely financial operations.

Purchasing Programme 3611

Sen. Mischa Fubler: Madam Chairman, the Purchasing Programme will focus on improving procurement and supply chain management processes to enhance competitiveness, transparency, and value for money.

Madam Chairman, in the upcoming 2026/27 fiscal year, the Purchasing Section will continue its work in reviewing and updating internal controls, operational procedures, and policy frameworks.

Key priorities for the Purchasing Programme this year include

- the improvement and development of procurement and supply chain management processes to increase competitiveness and transparent engagement of local suppliers and contractors as well as support performance delivery of operations and projects within our various departments; and
- a partial restructuring to execute improved performance delivery in project procurement, supply chain and materials management.

This strategic direction will deliver cost efficiencies, enhance accountability, and provide better service delivery across all Ministry departments.

Madam Chairman, the operational budget for the Purchasing Programme 3611 for fiscal year 2026/27 is \$1,643,000, representing an increase of \$105,000 over the previous year's allocation. As with other programme areas, some of this increase is staff-related, reflecting pay scale upgrades, as well as the previously referenced public service salary

adjustments. Additionally, the increase includes funding at half year for the recruitment of one additional person.

This funding will ensure that the Ministry is properly resourced to professionalise procurement processes, optimise supply chain operations, and continue to uphold the principles of good governance in the management of public funds and assets.

Telecommunications Programme 3612

Sen. Mischa Fubler: Madam Chairman, next is Programme 3612, Telecommunications, and serves as a cornerstone of the Ministry's operational effectiveness. It is charged with managing the communications infrastructure that connects our departments internally and links government to the wider national network. In doing so, it supports efficient public service delivery, strengthens emergency response capability, and contributes to Bermuda's overall connectivity.

On the internal front, the programme equips Ministry personnel with the communication systems required to perform their duties effectively. This includes maintaining and upgrading telephone systems and associated hardware, as well as administering mobile service arrangements for staff across all departments. These tools enable seamless coordination, improve workflow efficiency, and ensure that field teams always remain connected and responsive.

Externally, the programme maintains oversight of seven government-owned telecommunications towers located at:

- Somerset Police Station
- Alton Hill
- Warwick Camp
- Police Communications Operations, Prospect
- The Quarry
- Fort George
- St. David's Lighthouse

These strategically positioned towers form a vital part of the Island's communications backbone. They support essential government operations, including emergency and security services, and in certain cases provide infrastructure that complements Bermuda's broader telecommunications framework.

Madam Chairman, the operational budget for Telecommunications Programme 3612 for the 2026/27 fiscal year is \$807,000, reflecting a \$6,000 increase over the previous year's allocation. This increase is primarily due to higher service charges for government telephone and mobile usage, consistent with increased departmental reliance on mobile technology and external communication systems to support field and emergency operations.

This budget ensures that both the internal communications needs of the Ministry and the external infrastructure supporting Island-wide public communications are properly maintained, modernised, and positioned to meet Bermuda's current and future needs.

Central Office Administration Programme 3613

Sen. Mischa Fubler: Madam Chairman, the Central Office Administration Programme 3613 continues to carry out responsibility for supporting recruitment processes, facilitating positive employee relations, and coordinating training and professional development opportunities across the Ministry's departments. These functions are fundamental to sustaining a capable, motivated, and well-supported public service workforce—particularly within a Ministry as operationally broad and labour-intensive as Public Works and Environment.

Madam Chairman, the second major element of this programme is Central Filing, which serves as the custodian of the Ministry's official records. Its role encompasses the secure management, archiving, and retrieval of human resource files, Cabinet submissions, capital project documentation, and contractual records. Central Filing also safeguards records tied to the Ministry's legislative functions, ensuring statutory compliance while preserving transparency and institutional continuity. As the Ministry advances its digital modernisation efforts, maintaining secure and reliable records management remains a priority.

Madam Chairman, for the 2026/27 fiscal year, the Central Office Administration Programme has been allocated an operational budget of \$413,000, representing a decrease of \$9,000 over the current year's budget.

Subjective Analysis of Current Account Estimates

Sen. Mischa Fubler: Madam Chairman, I now direct Honourable [Senators] to page B-204 of the Estimates Book, which provides a detailed breakdown of the department's Current Account Estimates for the 2026/27 fiscal year.

Upon review, you will note a collective increase of \$181,000 in salaries and an additional \$105,000 in wages, alongside a \$50,000 increase in the Ministry's other personnel budget. These increases reflect the Government's continued commitment to investing in our public officers by ensuring fair compensation in line with revised pay scales.

Revenue Summary

Sen. Mischa Fubler: Madam Chairman, the Ministry, through the Department of Public Lands and Buildings, administers the allocation of designated parking spaces within government-owned car parks. These spaces are made available to public officers and, where capacity permits, to members of the public for a modest fee.

In the 2026/27 fiscal year, this programme is projected to generate approximately \$16,000 in revenue. While the amount is not substantial in the context of the overall budget, it represents a practical effort to ensure that government assets are used efficiently and

that opportunities to recover operational costs, however small, are responsibly pursued.

Full-time Equivalents (FTEs)

Sen. Mischa Fubler: Madam Chairman, the budgeted number of employees for the Ministry Headquarters is 40, as reflected on page B-205, an increase of one from the previous fiscal year.

Performance Measures

Sen. Mischa Fubler: Madam Chairman, as outlined on page B-206, the Ministry Headquarters has established a number of key performance targets for the 2026/27 fiscal year to ensure continued accountability, safety, and operational excellence.

I am pleased to advise this Honourable Senate that we have consistently met our established performance benchmarks in the previous fiscal period, demonstrating discipline management and effective oversight. We remain committed to maintaining that standard in the year ahead. The targets set for 2026/27 are both realistic and results-driven, and the Ministry is fully focused on achieving them, ensuring steady progress and sustained performance across all areas of responsibility.

Capital Development

Sen. Mischa Fubler: Madam Chairman, turning to page C-5, I wish to highlight that there are certain cost centres reflected under the Ministry Headquarters which, in practical terms, are managed by other departments within the broader Ministry.

While the Budget Book identifies five capital cost centres under the Ministry Headquarters, it is important to clarify that only two of these are directly overseen by the Headquarters team. The remaining three are managed by their respective departments and will be discussed in detail during their individual budget presentations under the appropriate heads.

Madam Chairman, focusing now on the capital projects that are managed directly by the Ministry Headquarters, the 2026/27 Capital Expenditure Plan includes the following allocations under Capital Development:

- Cost Centre 75050—Minor Works: allocated \$300,000; and
- Cost Centre 75053—Miscellaneous Small Projects: allocated \$280,000

These particular cost centres are typically used to fund discretionary community-based projects—small but meaningful initiatives that enhance public infrastructure, improve amenities, or respond to urgent local needs that fall outside the scope of larger capital programmes. Examples of such works include minor building repairs for community partners, accessibility improvements, and enhancements to public-use spaces.

Madam Chairman, you will note a new cost centre, 75375, Community Beautification. In the budget presentation, the Honourable Premier stated that, "This funding will support projects in constituencies put forward by Members of Parliament. Bigger capital budgets should not just fund large projects, but also the smaller improvements that increase the quality of life in Bermuda."

Capital Acquisitions

Sen. Mischa Fubler: Madam Chairman, turning now to page C-13, while the Estimates reflect three cost centres under the Ministry [Headquarters], I would like to clarify that the only cost centre managed by the Headquarters team is 76868, Communications Equipment. The remaining two cost centres fall under the remit of the Department of Works and Engineering.

Madam Chairman, the total Capital Acquisition Plan for the Ministry of Public Works, Headquarters for the 2026/27 fiscal year is \$943,000.

Madam Chairman, I must advise this Chamber of an important development regarding a significant infrastructure initiative under this cost centre.

In collaboration with the Department of Public Lands and Buildings, the Ministry [had] intended to construct a new communications tower in St. David's during the 2025/26 fiscal year. This project is designed to enable the relocation of communications equipment currently mounted on St. David's Lighthouse, thereby creating the conditions necessary for the long-awaited restoration of this important cultural and historic landmark. While the project did not advance within the original time frame, our commitment to it remains firm.

The delays have provided valuable lessons. They have underscored the complexity involved in relocating critical communications infrastructure, coordinating multiple stakeholders, and carefully sequencing technical works alongside heritage restoration. They have also reinforced the importance of strong planning discipline, clear approval pathways, and coordinated project management when undertaking initiatives of this nature.

Madam Chairman, regardless of these challenges, we intend to move forward decisively. The construction of the communications tower and the restoration of St. David's Lighthouse remain clear priorities. The vision remains intact and the objective is unchanged. We are applying the insights gained to strengthen coordination, refine timelines, and ensure that the next phases proceed with greater clarity and efficiency. This project is an important step in safeguarding both essential communications infrastructure and one of Bermuda's valued historic assets, and we will continue advancing it with focus and determination in the upcoming fiscal year.

This targeted investment underlines the Ministry's ongoing efforts to ensure the reliability of our

critical communications infrastructure, while also supporting the conservation of Bermuda's heritage assets.

Conclusion

Sen. Mischa Fubler: Madam Chairman, in conclusion, when taken together, the programmes, allocations, and initiatives outlined today reflect a Ministry Headquarters that is moving forward. The work undertaken at Headquarters ensures that every department within the Ministry is better positioned to deliver results efficiently, transparently, and responsibly. These foundational improvements may not always be visible to the public, but they are essential to achieving the higher standards of service, accountability, and performance that Bermudians expect.

Madam Chairman, this concludes my presentation for the Ministry Headquarters, Head 36. And I will pause here for questions and comments from my colleagues.

The Chairman: Thank you, Senator Fubler.

Would any Senator like to speak on these heads? Senator Wight, Senator Rogers (after Senator Wight), and Senator Cunningham.

Thank you.

Sen. John Wight: Thank you, Madam Chairman, and I thank the Junior Minister for that presentation.

Just a few comments. So . . . and I guess ever since I became a Senator, I have kind of been questioning the alignment between department objectives and performance measures. And this is another case of where I look to the . . . you know, the taxpayers are essentially allocating or approving \$7 million to go to the Ministry of Public Works and Environment. And as I look at their performance measures, they don't really give any indication to me as to whether there's any value for money, whether . . . I don't see much transparency.

And, to give an example, the business unit for Finance Management, which has increased \$300,000 over the past two years and is now \$1.5 million, one of two business unit performance measures is a reduction of the aged water [debt] greater than 90 days by 1 per cent.

Like, to me, this just doesn't provide a user with the . . . with an understanding as to whether the \$7 million is being well used. So that's my first question, maybe more of a comment than a question, but again, I really believe it's important to have an alignment between the performance measures and what we are trying to achieve.

And I know that the Junior Minister did make a reference to that there is, I think, a work in progress for value for money and transparency. So, you know, I would hope that next year we would have more of the value for money inherent in the budgeting process.

The Chairman: I am sorry, Senator Wight. Senator Fubler, do you . . . would you wish Senator Wight to ask all of his questions, or will you go one by one?

Sen. Mischa Fubler: He can provide all of the questions and then we will answer as available.

The Chairman: Okay, thank you.
Senator Wight.

Sen. John Wight: Thank you.

POINT OF CLARIFICATION

Sen. Mischa Fubler: Although I do have a point of clarification if interested, and that's . . . I had a similar question when I reviewed the brief with the team, and this is speaking to the aged debt for water service payment. And so, they are looking to reduce aged debt greater than 90 days and by 2 per cent.

Sen. John Wight: And I think that was just one small example of an overall issue of misalignment. But thank you for that clarification.

And maybe the Junior Minister can just remind us, [in] the 2024/25 year, salaries were much higher. Can you just remind us [of] what happened in terms of salaries and revenues that were inherent in the 2024/25 budget that are no longer relevant in the current year? So, for example, salaries over the last two years have gone down from \$4.6 million to \$2.8 million. So clearly those salaries must have moved somewhere else, I am assuming.

And the revenue summary down below as well, you know, we had revenues of \$3.2 million and now we have revenues of \$16,000. So clearly those revenues must have moved to a different head or different department or moved somewhere. I am not sure. So that's my question as [well].

And I guess my third question really is . . . our numbers are increasing quite substantially over a two-year period. Our numbers are going from 28 to 40. So, you know, what is inherently different, more difficult, larger in our operation in 2026/27 than it was even two years ago? [That] would be my question.

And just my fourth, my last one is the reference to central filing records. So is there . . . I know every time I go into a different department, I have to produce the same record I produced last week for another [department]. I mean, maybe the Junior Minister can provide an update on what the plan is for . . . is there a plan for centralising government records so that the taxpayers don't have to, you know, continually bring the same documents into different Ministry departments? Would there be a central database filing? Is that a long-term sort of mission for this Ministry? I think that would be it.

Thank you, Madam Chairman.

The Chairman: Thank you, Senator Wight.

Senator Fubler, would you like to respond, or would you like to hear Senator Rogers' questions?

Sen. Mischa Fubler: Happy to take all the questions first. Thanks, Madam Chairman.

The Chairman: Thank you.
Senator Rogers.

Sen. David Rogers: Once again, thank you very much, Junior Minister. That was an exhaustive accounting of the department.

For my first question, you mentioned a number of new forecasting models and procurement changes. I would like you to talk a little bit more about that. How are these new forecasting models developed? Are there going to be KPIs attached to them? Is there an intent that these forecasting models and procurement changes will save the government? Is there a [projection of] how much they will save the government? And that can be found . . . it is line 3611.

My next question is related to the communication towers. You said the government has seven communication towers. We have had an unusual number of lightning strikes in the last two years, knocking out cell phone and internet service. What were the remedial steps taken? Will there be KPIs associated with that?

My next question is related to page B-204. Under the subjective analysis of current account estimates, other personnel costs, I'm not necessarily familiar with that terminology. If the Junior Minister could go into that and give a bit of an explanation for why it is \$50 million [*sic*] when last year it was zero.

[*Inaudible interjection*]

Sen. David Rogers: [Yes,] \$50,000. My apologies, \$50 million would have been unique.

[*Laughter*]

Sen. David Rogers: Yes, \$50,000.

Also, there is a decrease in transportation costs, but a corresponding increase in travel costs. It would be interesting . . . are those two correlated in any way? If so or if not, please explain. And if you could just go into a little bit related to the travel costs, are there specific . . . I am assuming this is overseas travel, so is there something specific that employees of the department are going to? Just have a little bit more of a discussion around that.

And then there has been a decrease in both maintenance and materials and supplies—10 per cent for maintenance, 6 per cent for supplies. That seems important to mention. Is that related to the changes in procurement? And you mentioned there is a focus on (how to say) deferred maintenance. Would the decrease in maintenance costs be related to deferred maintenance being placed into capital? Or—

Sen. Mischa Fubler: Point of clarification.

Sen. David Rogers: Yes, sir.

The Chairman: Yes, thank you, Senator Fubler.

POINT OF CLARIFICATION

Sen. Mischa Fubler: I believe in my briefing I talked about a shift from deferring capital maintenance previously due to budgetary constraints.

Sen. David Rogers: Right, and that's where the disconnect, I think, happens because you are saying you are now taking on deferred maintenance, but the budget for maintenance, at least under this head, is reduced. So, I was just trying to understand the thought process there.

And then my next question is on . . . is related to item 8877. There's a reimbursement of \$1 million. And then item 8615, there is revenues of \$2.2 million, but zero in this year. Can you just give a little explanation of what the general . . . and what the reimbursement is referring to?

Thank you so much.

The Chairman: Thank you, Senator Rogers.

Senator Cunningham, you had your . . . do you wish to speak on this head?

Sen. Victoria Cunningham: Yes, please. Thank you very much. I have a few questions.

Firstly, I was kind of channelling my inner old colleague from St. David's when you were talking about the relocation of the [communications] towers at the lighthouse. And since we haven't had St. David's mentioned in this Chamber for a while, I just thought I'd bring it up. But anyway, I'm sure he'll be delighted. So, I will bring that up to him. But thank you very much. But I would assume in looking at the numbers then that that was budgeted previously for last year and is now being carried into this year. Okay, thank you.

So okay, so then, and I was just looking at this. So, we have got the head office is charged with safety and health management for all Ministry of Public Works and Environment departments, right? My impression was that the Ministry of Health, and I have just looked it up on page B-165, has the OSHA, so the Occupational Safety and Health Department. What is different? Obviously, there is a difference between the two, because they are in different places. But one surely is the same as the other when these are Ministry employees at work, potentially getting injured on the job. So, I just want a clarification as to why the Ministry of Public Works Headquarters has their own safety and health management, compared to the Department of Health or Ministry of Health, and actually, how it then . . . do they report up into the Ministry of Health with any occurrences that may occur?

Secondly, within the Ministry, is there a specific role that ensures that capital and maintenance projects are delivered on time and on budget? I assume that is within this Headquarters. So, I was just wondering, is there a specific role for ensuring that? Or is it across each of the different department heads?

And when we look at the human resources [administration], I was just very confused to see the actual for 2024/25 at \$71,000, going down last year, original and revised to \$13,000, then coming back up to \$63,000 estimate for this year. So, I just wanted to know what the human resources [administration] was doing when it looked like the headcount was staying similar.

And then finally, does Public Works Headquarters, or how does the coordination efforts work with Headquarters to . . . and I am specifically talking about education here with the buildings, but you then talked about multiple, 750 different government buildings. So how do they coordinate with the different departments, ministries, to ensure that their requirements from their budget or their performance measures, their objectives are being met?

And I think for now, that is it.

The Chairman: Thank you, Senator Cunningham.

Senator Fubler—Oh, sorry. Would any other Senator like to speak on this head?

Seeing none, Senator Fubler.

Sen. Mischa Fubler: Thank you, Madam Chairman.

And so, at this point, I would like to propose that I continue with the other heads so that I can receive more substantive responses from the technical officers. Some of these questions, like around the OSHA differences, I don't want to speak out of turn . . . or we can wait, but I'm cognisant of the time.

And so, Madam Chairman, I will put that to my colleagues on what their preference is.

Also, I have a request for clarification around the summary revenue being decreased by \$3.2 million. The business unit or programme number, as the HQ doesn't have any revenue.

Sen. John Wight: It was actually the year 2024/25, and [it] had \$3.2 million in revenue sources on [page] B-204. So, there were many numbers, not just revenue, but many expense numbers too that just seemed very out of kilter with what the current situation is. So just asking for a reminder as to what happened to those numbers. Did they move to a different Ministry, a different head?

We have, for example, a revenue source code of 8615 that used to collect \$2.2 million a couple of years ago. Now it doesn't collect anything. So just wondering what happened.

The Chairman: Thank you, Senator Wight.

Senator Fubler, do you require any further clarification?

Sen. Mischa Fubler: All right. I think that's good for now. Thank you. I am just looking at, you said [page] B-204. I assume related to the restructuring of Public Works to Public Works and the Environment, but I will get confirmation on that. And the other questions raised, I think we already spoke briefly on the aged debt for the water.

And to the question around the central records, my understanding was around not having to take the same kind of identifying documents. And so technically this is not within the remit of Public Works, but as I wear several hats, I am aware that we are in the midst of looking to establish a centralised government identifier so that you, as a public person, can go and then we can develop some coordination across the department such that you have your one ID that can tie you across those with the intention to expand the kind of having a central record as opposed to each department having their own identifier for who you are.

The Chairman: Senator Fubler, would you like to go forward or are you ready?

Sen. Mischa Fubler: That's my preference. I would like to avoid that error, but I understand if my . . . I am seeing some acceptance there.

HEAD 68—DEPARTMENT OF PARKS

Sen. Mischa Fubler: Madam Chairman, the Department of Parks as found on pages B-207 through B-213, as well as page C-6 and page C-13.

The Department of Parks plays a vital role in protecting and maintaining Bermuda's natural and recreational spaces. It is responsible for managing protected areas under the Bermuda National Parks Act 1986 and the Bermuda National Parks Amendment Act 2017, ensuring that these important places remain safe, accessible, and enjoyable for everyone.

These protected areas are divided into three categories:

- Class A—[Nature] Reserves, managed by the Department of Environment and Natural Resources (which I will address shortly);
- Class B—Amenity Parks, managed by the Department of Parks; and
- Class C—Recreational Parks, overseen by the Department of Sport and Recreation.

Within the Class B category, the Department of Parks manages 76 amenity parks. These include playgrounds, historic forts, landscaped gardens, and the Bermuda Railway Trail. These spaces are more than public areas—they are important parts of our communities, giving residents and visitors places to relax, exercise, learn and connect with Bermuda's natural beauty.

The department's mission is straightforward and is as follows: *To develop and maintain public parks, beaches, forts, and public-school grounds, and to grow*

plants used in these areas. The department aims to provide safe, attractive spaces for recreation, learning and enjoyment for both residents and visitors.

Madam Chairman, the department also operates a professional Lifeguard Service at four of Bermuda's most popular beaches: Horseshoe Bay, John Smith's Bay, Clearwater Beach, and Turtle Bay. These lifeguards help keep thousands of beachgoers safe each year and support the government's commitment to public safety.

In addition to parks and beaches, the department cares for many of Bermuda's green and historic spaces. This includes maintaining public school grounds, health care facilities, post offices, community centres, and historic locations such as our forts. Through horticulture, plant growing, and landscape maintenance, the department also helps protect Bermuda's biodiversity while improving the appearance and quality of public spaces across the Island.

Madam [Chairman], Bermuda's parks are an important part of our environment and our quality of life. They support public health, protect our natural heritage and provide spaces where our communities can gather and enjoy the outdoors.

As part of the Ministry's wider goals, we are continuing to strengthen the department by investing in the planning, resources, and systems needed to support its work. This will help ensure that Bermuda's parks remain well cared for, resilient, and sustainable for years to come.

For the 2026/27 fiscal year, the Current Account Expenditure for the Department of Parks is \$11,839,000, which represents an increase of \$292,000 over last year's revised budget. This funding is organised across five programmes:

1. Park Services, 6801;
2. Lifeguard Service, 6802;
3. Park Maintenance, 6803;
4. Administration, 6804; and
5. Forts, 6805.

This investment supports the protection of Bermuda's green spaces while also improving the services that make these places safe, welcoming, and enjoyable for residents and visitors alike. By continuing to strengthen the department's work today, we are helping to preserve these important spaces for future generations.

Park Ranger Service, 6801

Sen. Mischa Fubler: Madam Chairman, the first programme under the Department of Parks is the Park Ranger Service associated with cost centre 7800.

The Park Ranger Service is responsible for enforcing the provisions of the National Parks Act 1986 and National Parks Regulations 1988. Rangers patrol Bermuda's national parks, beaches, and nature reserves, monitoring the condition of these areas and the activities taking place within them. Their duties include

responding to incidents, ensuring compliance with park regulations, and supporting the safe and responsible use of public lands.

Rangers also play a key role in managing special events and functions held within the parks, liaising closely with community groups, event organisers, and industry partners to ensure smooth operations and minimal environmental impact. Madam Chairman, beyond enforcement duties, the Park Ranger Service is deeply engaged in community outreach and education.

On an annual basis, Rangers support and participate in a range of public service initiatives, including:

- Charity walks and cycling fundraisers;
- CPR, First Aid, and AED certification courses;
- Guided interpretive tours for schools and summer camps;
- Organised clean-up campaigns—both scheduled and post-hurricane;
- Collaborative projects with civic and environmental organisations.

For the 2026/27 fiscal year, the budget allocation for the Park Ranger Service is \$447,000, representing a decrease of \$128,000 compared to the previous year. This decrease is primarily due to the reassignment of one staff member from the Service and one recent vacancy.

Lifeguard Service, 6802

Sen. Mischa Fubler: Madam Chairman, this service is responsible for enforcing the National Parks Regulations 1988 as they relate to public beach safety. The lifeguards are stationed at four public beaches—Horsehoe Bay, John Smith's Bay, Clearwater Beach, and Turtle Bay—and they also provide water safety outreach across the Island.

In addition to their daily duties, lifeguards support community events such as the Bermuda Triathlon and assist the Emergency Measures Organisation (EMO) by reporting surf conditions before and after storms and hurricanes.

Madam Chairman, in recent years, Bermuda has experienced several tragic, beach-related fatalities. These incidents remind us of the important role lifeguards play in protecting lives, especially as our beaches remain central to both community life and tourism. At the same time, as visitor numbers continue to grow, the need for strong beach safety coverage becomes even more important.

The department has faced ongoing recruitment challenges within the Lifeguard Service. Currently, there's only one established full-time position, the Lifeguard Superintendent. Despite recruitment efforts and pay increases over the past two fiscal years, there's been little increase in qualified applicants.

To maintain beach coverage, the department introduced a temporary programme in early 2025 to hire eight full-time consultant lifeguards. This was intended as a short-term measure to ensure public safety

while longer-term recruitment challenges are addressed. The positions were first offered to local residents, but no qualified local applicants applied at that time. As a result, six consultant lifeguards were recruited from overseas. Two positions remain reserved for Bermudians, spouses of Bermudians, or PRC holders, but as of February 2026, these posts remain vacant due to lack of applicants.

Madam Chairman, the impact of the Lifeguard Service is clear. As noted on page B-211, in 2025, lifeguards rescued 75 individuals from dangerous situations in the water. They provided nearly 500 first aid treatments and carried out more than 5,000 preventative actions, such as warning swimmers about rip currents and other hazards. In total, they assisted over 11,000 beachgoers.

Many of these actions happen quietly, but they make a real difference. Each rescue or warning represents a potential tragedy prevented. The government has also listened to concerns about the lack of stable full-time career opportunities for the Lifeguard Service. Addressing this issue will be an important step toward building a stronger and more sustainable service in the future.

For the 2026/27 fiscal year, the Lifeguard Service has been allocated \$1,542,000, an increase of \$22,000. This funding will support recruitment efforts for full-time staff and the replacement of essential operational equipment.

And if I may, I am just going to take a water break and can I get a time check, please, Madam Chairman?

The Chairman: Yes, Senator Fubler, it is 4:42 pm.

Park Maintenance Service, 6803

Sen. Mischa Fubler: Thank you, Madam Chairman.

The third programme within the Department of Parks is programme 6803, Park Maintenance Service, encompassing nine distinct sub-programmes as detailed on page B-208. This division employs the majority of the department's staff and is integral to the day-to-day maintenance of Bermuda's protected areas.

In accordance with the Bermuda National Parks Act 1986 and its amendments, the Park Maintenance Service is responsible for

- landscape maintenance of amenity parks, beaches, and associated facilities;
- sanitation services across the Bermuda National Parks System; and
- horticultural upkeep of roadside verges, public school grounds, clinics, rest homes, post offices, and other government properties, including Clifton, The Laurels, Montpelier, and Government House.

Additionally, the department's versatile staff provide vital support to the Emergency Measures Organisation, assisting with recovery efforts following

hurricanes and storms to ensure Bermuda's swift return to normalcy.

As such, the section's budget allocations for 2026/27 are as follows:

- Government House and Camden Programme, 78015: \$411,000 (representing an increase of \$54,000), reflecting staff reassignments and salary scale adjustments.
- Maintenance and Development Programme, 78020: \$884,000 (a decrease of \$190,000), due to staff reassignments.
- Eastern Parks Programme, 78030: \$735,000 (a decrease of \$120,000), resulting from staff reassignments and salary uplift adjustments.
- Tree Service Programme, 78035: \$588,000 (an increase of \$157,000), attributed to staff movements and hiring of new staff.
- Western Parks Programme, 78040: \$1,566,000 (an increase of \$105,000), due to staff reassignments, salary scale increases and hiring of new staff.
- School Grounds Programme, 78045: \$722,000 (an increase of \$166,000), primarily due to increased material costs, staff reassignments, salary scale increases and hiring of new staff.
- Tulo Valley Nursery Programme, 78055: \$837,000 (an increase of \$142,000), reflecting staff reassignments, salary scale adjustments and additional hires.
- Botanical Gardens and Arboretum Programme, 78065: \$1,510,000 (a slight decrease of \$39,000), resulting from staff reassignments.
- Railway Trail Programme, 78100: \$320,000, consistent with the previous budget cycle. This programme requires targeted landscape management, including the removal of invasive species and the introduction of native and endemic plants on the railway trails.

Madam Chairman, through strategic staffing and budget allocations, we continue to ensure that these areas remain safe, accessible, and aesthetically pleasing for residents and visitors alike.

Administration, 6804

Sen. Mischa Fubler: Madam Chairman, next is Administration, 6804, cost centre 78050.

The Administration and Planning Programme [78050] is responsible for supporting the administrative functions of the department and issuing permits to lease areas within the amenity parks and forts. The Planning component of this programme is responsible for drafting and developing plans for areas within the national parks, as well as park planning and design, the drafting of park management plans, the issuance of licences, and leases for concession operations in addition to capital project oversight, parks asset analysis and other key operational activities.

Madam Chairman, the budget allocation for this programme is \$1,504,000, an increase of \$133,000 attributed to salary scale increases and the hiring of additional staff.

Madam Chairman, the Administration section also includes the Agricultural Exhibition, cost centre 78110 which has a \$298,000 budget, an increase of \$56,000 to help support this annual tradition.

Forts, 6805

Sen. Mischa Fubler: Next is Forts, programme 6805, Forts and Historical Sites and it is listed under cost centre 78080.

The Department of Parks is the steward of Bermuda's rich cultural and historical legacy, including the preservation and upkeep of numerous forts and historical sites. These treasured locations are not only integral to our heritage but continue to serve as popular venues for both residents and visitors.

To preserve and promote these important sites, the department will continue to collaborate with key stakeholders, including the Bermuda Tourism Authority and other local partners, to enhance marketing efforts, improve accessibility, and ensure proper maintenance of these historical assets.

A total allocation of \$475,000 has been set aside for this programme in the 2026/27 fiscal year, which is a decrease of \$66,000 from the previous year attributed to a vacancy.

Subjective Analysis of Current Account Estimates

Sen. Mischa Fubler: Madam Chairman, I draw Honourable [Senators'] attention to page B-209, which outlines the Ministry's Current Account Estimates for the 2026/27 fiscal year in detail.

Upon review, [Senators] will note a collective increase of \$47,000 in salaries and an additional \$130,000 in wages. These adjustments reflect this Government's ongoing commitment to fair compensation and investment in our public officers, particularly in recognition of their dedication and the increasingly complex demands of public service.

Additionally, Madam Chairman, there is a \$151,000 increase under the Professional Services line item. This is to source additional assistance from external partners to support service delivery.

Revenue Summary

Sen. Mischa Fubler: Madam Chairman, the department anticipates generating \$247,000 in revenue during the 2026/27 fiscal year, an increase of \$20,000.

Full-Time Equivalents (FTEs)

Sen. Mischa Fubler: Madam Chairman, the budgeted number of employees for the Department of Parks is

132 as reflected on page B-210, an increase of nine from the previous fiscal year.

Performance Measures

Sen. Mischa Fubler: Madam Chairman, [as] outlined on page B-211, the department has set forth a series of key performance targets for the 2026/27 fiscal year to guide service delivery, ensure legislative compliance, and reinforce our commitment to operational excellence across all programme areas.

Madam Chairman, Honourable [Senators] will observe the introduction of several new performance targets across key operational units, including Eastern Parks, Western Parks, School Grounds, and the Botanical Gardens.

These additions are deliberate. They reflect this Ministry's commitment not only to maintaining services, but to strengthening how performance is measured, managed, and improved. If we are to move forward with clarity and purpose, we must ensure that the standards by which we evaluate our work are aligned with our broader objectives.

These new performance measures are designed to support our Ministry's focus on sustained progress while reinforcing a stronger operational foundation. They introduce clearer benchmarks for service delivery and maintenance response. In doing so, they enhance accountability, promote transparency, and create a culture of measurable performance across our park management operations.

Capital Developments

Sen. Mischa Fubler: Madam Chairman, for the 2026/27 fiscal year, the Department of Parks will undertake several important capital projects that reflect the Government's continued commitment to enhancing Bermuda's public spaces and infrastructure.

To support this, the department has been allocated \$1.7 million under the Park Improvements line item 75101, as outlined on page C-6. This funding will be used to conclude a number of infrastructure upgrades, including

- repairs to the Kindley Field Boat Ramp at Stonecrusher Corner, improving access and safety for the boating community;
- installation of a Temporary Lifeguard Station at Horseshoe Bay to enhance beach safety during peak periods;
- repairs to the Tulo Valley Government Plant Nursery Greenhouse, which supports the propagation and care of flora used across public lands;
- renovations to the Cacti House, Exotic House, and Visitor's Centre at the Botanical Gardens to improve visitor experience and preserve these vital assets; and

- replacement of playground and outdoor exercise equipment at various locations across the Island to support healthy recreation and public wellness.

Madam Chairman, I also wish to address the long-standing issue of the department's administrative headquarters. Since 2016, the department has been operating from a temporary space on the first floor of Global House in Hamilton, following the deterioration of its previous facility. This current location, while functional in the interim, is not fit for the operational or administrative needs of the department.

Unfortunately, this project has been paused subject to a revaluation of the original designs. However, the government has allocated \$1,000,000 to continue the design and planning of a new purpose-built Headquarters as well as relocate maintenance and administrative teams to other government buildings closer to their designated work areas.

Capital Acquisitions

Sen. Mischa Fubler: Madam Chairman, up next we have Capital Acquisitions, under cost centre 76474, Vehicles, as reflected on page C-13. Senators will note that the allocation for vehicle purchases is recorded as zero dollars. However, I wish to clarify that, consistent with previous years, although this cost centre appears under the Department of Parks in the Estimates [Book], the responsibility for procuring and managing government vehicles rests with the Department of Works and Engineering. In order to more accurately reflect operational oversight and streamline accountability, the corresponding allocation has therefore been incorporated within the Works and Engineering acquisition budget, which is unfortunately not being debated today.

Madam Chairman, this now concludes my presentation for the Department of Parks, Head 68, and I will now pause here to solicit questions and comments from my colleagues.

The Chairman: Thank you, Senator Fubler.

Would any Senator like to speak on these heads?

Senator Wight.

Sen. John Wight: Thank you, Madam Chairman. Just a couple questions. I would like to thank the Junior Minister for that presentation.

So, again, I am going back to the numbers, the employee numbers again. And so, for Parks, we have 111 employees right now, and we are looking to go up to 141, so that's an increase of 27 per cent, or 30 new people. So, I did take note that there's some additional work, you mentioned Botanical Gardens, but when I go to [page] C-6, there were also things in prior years that had to be done. So, it just seems like a very large increase from one year to the next in the number of

employee numbers. So, I guess I will just say, why would it be 30 new people? Number one.

And my second question, and you made some very good comments about the Lifeguard Services and how important they are and the great work that they have done, and we have had some terrible tragedies at the beaches. So, with all that, and you gave some very helpful statistics to how important the Lifeguard Service is. For our performance measures, all these are “not applicable” for 2026/27. So, if, for example, number of rescues being 75 and the number of visitor assists, et cetera, I mean, to me, if you are trying to understand the performance of your Lifeguard Services, those are pretty good metrics. So, why are they all not applicable for the coming year? How do we determine the performance of our six lifeguards on the four beaches?

Thank you, Madam Chairman.

The Chairman: Thank you, Senator Wight.

Senator Cunningham, you had your hand up?
Oh, Senator Rogers.

Sen. David Rogers: Okay. You have mentioned the reduction in the Botanical Gardens funding has been staff transfer. It is unfortunate to see how the Botanical Gardens has sort of eroded over time. It has lost a lot of the botanical out of the garden, and it's more just a beautiful open space, which is still lovely, but it would be nice to have that focus back on it actually being botanical in a sense.

But with the decline of . . . or with the change in funding for the Botanical Gardens, what's the government's intention for the garden? And similarly with the Arboretum, what is the government's intention with the Arboretum? I was there on Sunday, and the parking lot was quite a sight, and that's subject line 78065.

Additionally, on line 78020, on page B-208, under Maintenance and Development, once again, there is an 18 per cent reduction in Repair and Maintenance . . . sorry, a 24 per cent reduction in . . . 18 per cent in Repair, 24 per cent in Maintenance. Is this a new approach that we are trying? I just want to understand the thinking.

Sen. Mischa Fubler: Point of clarification, Madam Chairman.

The Chairman: Senator Fubler.

POINT OF CLARIFICATION

Sen. Mischa Fubler: Thank you. 78020, Maintenance and Development, appears to have an 18 per cent reduction, while 78030, Eastern Parks, has a 14 per cent.

The Chairman: Yes.

Sen. Mischa Fubler: Okay, I think we're talking on the same lines.

Sen. David Rogers: Thank you. Yes, sorry.

The Chairman: Senator Rogers.

Sen. David Rogers: Yes, just seeking clarification on the thought process there.

Additionally, I am glad you pointed out that this was a new performance measure under 78040, 78030, and 78050 [*sic*]. Just want some clarification on how to read this performance measure. I am assuming that it means each one of the parks will be maintained once per month, and we are just tallying how many are maintained. So, I am just trying to verify if that is how the performance measure is to be read.

The Chairman: Sorry, Senator Rogers. So, that was . . . you said you were referring to 78030 and 78040, and what was the last one?

Sen. David Rogers: Madam Chairman, 78050.

The Chairman: So, 78050—Administration and Planning?

Sen. David Rogers: Hold on.

Sen. Mischa Fubler: If I may, Madam Chairman.

The Chairman: Just one moment, Senator Fubler.

Sen. David Rogers: It should be Western Parks, Eastern Parks, and Schools. So, 78045.

The Chairman: Yes, 78045.

Sen. David Rogers: A lot of numbers today.

The Chairman: Yes.
Senator Fubler.

Sen. Mischa Fubler: Thanks. I was just going to . . . I am on the same page. I am looking at performance measures. I will touch on that when they have delivered all of the questions.

Thank you, Madam Chairman.

The Chairman: Senator Rogers.

Sen. David Rogers: And then my final question was about Capital Works, but I think you covered that.

The Chairman: Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Madam Chairman.

I wanted to start with the Park Ranger Service. So, our objective is to maintain and manage all amenity parks to a specified high standard. I note that the budget is decreasing from \$575[,000] to \$447[,000],

and you did mention a staffing reduction. However, that does not correspond to [page] B-210, where it seems that 2024/25 actual was three. The original estimate last year was seven. It was revised to three, and now it's estimated to be five. So, that's an additional two people from what it was, whereas the original and revised estimates for last year and the expenditure are identical at \$575[,000]. So, to me, it seems like the service is being cut slightly. What enforcement or compliance activity is being reduced, potentially, as a result of that?

On the life . . . actually, I won't start on the lifeguards just yet.

Overall, in the Parks Department, what percentage of staff time is spent on maintenance versus responding to breakdowns, vandalism, or public complaints? So, for the, I guess, park rangers or anyone in these park maintenance teams, how much is actually planned maintenance or planting or clearing roadside verges versus issues with vandalism, breakdowns of equipment, et cetera? And then, onto lifeguards.

So, I know, actually, an awful lot of my peers, there seems to be this, *Oh, we were lifeguards*. And I feel like it was a bit of a kind of fun thing to do in summer, so I wonder why, and I know they are very well paid, especially with overtime on holidays. And I note from this budget, I believe I heard you say that the professional services is the lifeguards, so [that is] the \$1.135 million that we are seeing on page B-209.

My question is, What is being done to try and get more Bermudians? And I know you mentioned reaching out to fill the vacant posts with Bermudians and PRCs. I don't know, have you considered people who are living here who aren't one of those status groups, who happen to be here and obviously enjoy our parks, who may well be non-working spouses, but who might be interested? Or I assume a lot of youngsters, and I guess that's the issue, is that the school holidays don't necessarily align with the tourism season. There you go. But . . . and I don't want to put any more on the Regiment, but, you know, are there other teams that we can pull from?

But although, that being said, I would be interested to know, are our training and certification standards the same in Bermuda as they would be overseas? So, do they compare? And then, is there a funded plan to expand training and certification, say, to some of our parks people who might be interested in becoming lifeguards, part-time or otherwise?

And then, on the lifeguards with the performance measures, and off the top of my head, I am thinking that most of our tragedies do occur at one specific beach, but has any consideration been made to increasing (and I get that we have got a lifeguard issue, but I am just asking the question) to increasing the number of beaches staffed by lifeguards? And I am particularly thinking somewhere like Shelly Bay, which is frequented by an awful lot of youngsters, and I guess

Somerset Long Bay in the west. That is it on the lifeguards.

Oh, and then I had a question on, and to my colleague's question about the Eastern and Western parks and schools. You . . . the performance measures on page[s] B-211 and B-212 speak to the total acreage of roadside verges maintained 12 times per year for Eastern parks and Western parks. Eastern parks being 52.14 acres, and Western parks being 66.25 acres. That is the total acreage over those 12 visits, or is that total acreage every time? I would assume it's over the year, and it will be interesting to see how that moves forward.

And my final question is on Government House, and obviously the House has been undergoing repairs, and I know that is not in this discussion, but I am glad to see, or at least the performance measures show, that the grounds have been, still been maintained. So I guess thank you very much to the Parks Department for continuing that, and I think thank you overall to the Parks Department, because, you know, we do tend to complain, but I think, you know, looking at 52.14 acres of roadside verges in the East and 66 in the West, when it rains, things grow, but we just want them cut. But thank you very much.

The Chairman: Thank you, Senator Cunningham.

Would any other Senator like to speak on these heads?

Senator Fubler.

And it is now 5.06 pm.

Sen. Mischa Fubler: Thank you, Madam Chairman. So how much time do we have remaining?

The Chairman: We have until 6:46 pm.

Sen. Mischa Fubler: Okay, we have got lots of time.

I do have some responses back, so if you prefer, we can get into those from the HQ questions. And so, I am still waiting for a more fulsome response, but to the \$3 million reduction in revenue, Senator Wight. This is related to an audit adjustment made by the Accountant General after year end. Looking to get a little more detail there, but it is related to that space, and I assume related to how we are categorising the liabilities of assets, something that we were not doing previously, and I mentioned in the brief.

There was a question around plans. I know we talked about that already, centralising the government records.

Next, [business unit] 3611, *provide details on the changes to procurement process*. And so, in general, we are adopting a more centralised approach to do procurement to leverage some more economies of scale. We are also increasing project procurement oversight from Headquarters in that regard. This will allow for better solicitation documents, which will

encourage better bids while also enabling the inclusion of more local suppliers and contractors.

Next question, communications towers and lightning strikes. Can you provide an update on the work to protect these? Okay. So, the maintenance work that is planned is scheduled throughout the lifecycle of the tower. Additional substantive works to buildings and ancillary protective measures are carried out under the Department of Public Lands and Buildings, which is unfortunately not being debated today.

Next, we have under subjective analysis, other personnel costs, as it were. What is the reason for the \$50,000 increase? This is an allocation for overseas recruitment for difficult-to-fill posts. I think that speaks also to questions around the filling of difficult-to-fill roles.

Next up, I have under subjective analysis, is the decrease in materials and supplies related to procurement changes? And in this instance, it is not. The higher previous costs were planned in the then current year due to cyclical purchasing of stores and other assets. In particular, the aggregate used in the production of asphalt, and we do not anticipate that same level of purchasing in the 2026/27 budget.

Next up, we have under revenue summary, what is line items 8615 and 8877 specifically referring to? And as noted above, Headquarters does not generally book income apart from a modest amount for the staff parking that are covered in the briefing. The "revenue" (in air quotes for the listening public) of \$2.2 million in 8615 in the prior year, 2024/25 is related to cost reimbursements from the private sector in relation to trenching and repaving of local roads. The revenue of \$1 million in 8877 relates to the reallocation of environmental liabilities for Tudor Hill to the Bermuda Land Management Corporation in connection with the transfer of related assets.

And next, under performance measures, what is the difference between the Occupational Safety and Health under the Health Ministry and our Ministry of Public Works Health and Safety, and what is the process for reporting? Occupational Safety and Health under the Ministry of Health is a compliance section for all workplaces. That was my thought, as well, it is external facing. It's not just government, whereas in Public Works, our safety and health relate to matters in our own Ministry, and there is annual reporting to Occupational Safety and Health as per every other employer or workplace on the Island, hopefully. And if you have not, here is a reminder to report in your OSH incidents.

Next, I have, is there a role for project management within the Headquarters for capital maintenance? The project management is generally carried out by the project managers within the individual departments within the Ministry. There is support provided by HQ concerning project accounting and procurement support, as I mentioned in the previous response.

Next, provide clarity on the headcount for the records section. The headcount has not changed from

the prior year. It consists of one manager and three administrators. One of these posts has been vacant for several years.

And next, how does the Headquarters manage capital building projects across the different ministries? I guess across the different departments within this Ministry. Project management is generally carried out . . . I am getting a repeat here. Yes, sorry, that looks like it's a repeat. HQ provides support around procurement and the project accounting, whereas the kind of subject matter experts, the managers in the relevant departments manage their projects. Hopefully, that answers that question.

And there was a question from Senator Wight around employee headcount increases with Department of Parks. There have been long-standing challenges in filling posts within the Department of Parks. There has been some movement on this recently, which has required much effort. The superintendent posts have all been filled except for one.

So, related to previous challenges with filling these roles, and now we are seeing some traction. And so, you are seeing those increases. I don't have this stat to hand, but when I inquired around these types of things, I think historically, the Department of Parks was much larger, even than we are seeing in more recent years. And that has been challenging to the teams to deliver their services. And so, we have thankfully been able to alleviate some of that challenge.

And then questions around the "N/A" under the lifeguard services. As you mentioned, these are new. And so, sorry, specifically around lifeguard services, Senator Wight, let me just pull that up. So, I think you are referring to the targets, correct?

Sorry, Madam Chairman.

Sen. John Wight: Yes. That's correct.

I think it's in the target section. I am not at it right now.

Sen. Mischa Fubler: Thanks, Senator Wight.

Should we set targets for how many times someone needs to be rescued? I think this is an unknown, that kind of exercise. It would at best be based on the previous year. But as per other industries, previous performance has no guarantee on future outcomes. And so, in this case, the number of rescues or the number of visitors assisted or requesting information is in flux. And that's why the forecast is not set, or the target is not set. But we do capture the actual outcome and then the revised forecast as that kind of, that's towards the year end, the calendar year end. We do an update on how many we think we will see. And that next budget time, you'll see an actual number for 2025/26, as well as a revised forecast.

Sen. John Wight: So, "N/A" doesn't mean it's not applicable.

Sen. Mischa Fubler: Well, in this case, it is not applicable for us to say total number of minor first aids. We don't set a target for that. We just record how many we do.

Sen. John Wight: I see, okay. That's very helpful. Thank you very much.

Sen. Mischa Fubler: No problem. And then back to the questions.

What is the overall plan for the Botanical Gardens and Arboretum? The Botanical Gardens strategic plan, which is, I believe, in the public domain, guides our projects. There are seven active development projects in the Gardens at this time, guiding the department toward accreditation. [The] Arboretum will follow these same processes. And I think in the brief, I highlighted a couple of things like the cacti and the greenhouse or some such, as well as things that are having specific capital allocations.

Next question here, under maintenance and development and Eastern Parks, why is there a reduction? This is more staff reassignment. If you look in that section, you can see that while there is some movement both up and down within the individual business units, you can see it nets out to an overall increase still. Just moving between some of the business units.

Eastern Parks, Western Parks, and schools, how do you interpret the performance measures? It's a one visit per site per month under each business unit. And that was my reading as well here. If I pull this up with the parks, here you go. And so total number of Western Park grounds maintained 12 times per year. So, while it might not be once every month, it will be at 12 is the target for 30 of the parks.

And so, following on . . . number of health clinic grounds maintained, two health clinic grounds maintained 12 times per year is the target. And again, for the roadside verges, the 66.25 acres being maintained 12 times per year. Hopefully that answers that question.

And next, Park Ranger Services, the full-time equivalent is forecasted to increase, but the amount of funding is decreasing. Can you explain? [Page] B-210 shows a decrease in full-time employees of two . . . parks. So, I am looking for a more substantive response around what services are being cut as an effect of the two full-time employee decreases. The parks position has not yet been filled. So, I take that to mean that we look to fill it, and it has just not yet been done.

Question around what is being done to increase Bermudians in the lifeguard service. Continued seasonal recruitment, including social media and news publications. And as stated in the brief, the issues are unavailability of full-time roles, which the department is working to address, including keeping two vacant in the budget allocation, should someone decide, someone who is eligible decide to apply. My understanding, I looked into it a bit. It is, it's not like your typical swimming pool lifeguard as it were, because it's open ocean.

And so, it's quite challenging. It will take under consideration your suggestions for expanding the number of beaches covered. But on the initial assessment, they are being placed at the place . . . it is a risk-based allocation. Places like Horseshoe Bay having much stronger surf than Shelly Bay, as an example.

Next, is there a plan to use other Parks personnel for lifeguards and staff? Reassignments are not practical due to the training requirements. I kind of just touched on that briefly. This would also impact the other areas of maintenance. I don't think we can just take someone who works at Tulo Valley growing the kind of . . . running the nursery to have them go and function as an effective lifeguard. I think that's a quite specialised role.

And as you mentioned, historically, it's been something that people do while they are on break from school. And now, as we look to expand our tourism season, cruise ships arriving earlier and staying later, there's demand for folks who can work during those times.

And is there a plan to increase the beach coverage? There will not be additional coverage at other beaches. The current additional coverage is for the existing four beaches.

And I talked about, you had the question around the roadside performance measure, which is the total acreage visited per month, or 12 times per year, to be specific.

And I believe that was everything that was posited by my colleagues. Madam Chairman, I will pause here before I move on to the next heading in case I missed any. I see a hand.

The Chairman: Senator Rogers.

Sen. David Rogers: The only one that may have been missed, and I may have missed it myself, so just fair enough. It is related to the transport versus the travel.

Sen. Mischa Fubler: Yes, thank you. I do have that one. My apologies.

This is a more accurate budgeting of travel expense that was previously embedded in overseas training. Thank you. And so now, I believe . . . oh, we got one more here. Yes, we talked about that. Yes, perfect.

Thank you, Madam Chairman.

The Chairman: Thank you, Senator Fubler.

We can now move on to Head 79, and the time is 5:19 pm.

HEAD 79—DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Sen. Mischa Fubler: Perfect, lots of time left. And so, Head 79 is the Department of Environment and Natural Resources, as found on pages B-214 through B-

22 [sic]. That doesn't sound right. [Page] B-220, maybe? [And pages] C-6, C-13, and C-19. Here we go.

Madam Chairman, I am pleased to present the budget for Head 79 (ah, here it is) the Department of Environment and Natural Resources, which can be found on pages B-214 through B-221. I have a typo there, sorry, of the Approved Estimates of Revenue and Expenditure. This is the final head in my presentation.

Madam Cairman, as outlined on page B-214, the mission of the Department of Environment and Natural Resources is simple but essential, *To protect Bermuda's environment and responsibly manage our natural resources*. The department provides leadership in developing and implementing legislation, policies, and standards that protect our environment, biodiversity, and marine heritage. Its work supports cleaner air and water, protects threatened species and habitats, strengthens food security and local agriculture, ensures humane animal care, and encourages greater stewardship of Bermuda's natural and cultural resources. To carry out this work, the department operates through 14 business units, as shown on page B-215. These units are staffed by dedicated and highly skilled officers who work across a wide range of environmental responsibilities.

Madam Chairman, the teams within the department have been working extremely hard over the past year on many projects in addition to their regular duties. I would like to highlight some of this important work.

First, Madam Chairman, I will provide an update on the Bermuda Ocean Prosperity Programme, (or BOPP). As colleagues may recall, this programme began in June 2019 as a partnership between the government, the Waitt Institute, and the Bermuda Institute of Ocean Sciences [BIOS]. The Blue Prosperity Plan provides a framework for managing Bermuda's ocean resources sustainably. It supports responsible marine development, helps coordinate ocean management decisions, and ensures that 20 per cent of Bermuda's waters are fully protected as Marine Protected Areas [MPAs]. It also provides a strategy to support the growth of Bermuda's Blue Economy within our Exclusive Economic Zone [EEZ].

The plan has two key components. First, the Marine Spatial Plan [MSP], which guides how Bermuda waters are managed, protected, and developed. And second, the Blue Economy Strategy, which supports the growth of ocean-related industries and investment.

In April 2024, draft versions of both the Marine Spatial Plan and the Blue Economy Strategy were produced. During consultation on the Marine Spatial Plan, stakeholders raised several concerns, including enforcement capacity, fairness, illegal fishing, unlicensed sales, and damage to marine habitats. An independent review panel also advised that a strong enforcement framework should be in place before advancing any new fisheries management measures.

As a result, in early 2025, the government committed to pausing the introduction of new Marine Protected Areas until an agreement could be reached with local fishermen on improved enforcement and fairer data collection. To support this, the department developed the Marine Resources Enforcement Strategy 2025 [MRES], which strengthens enforcement, monitoring, and compliance across Bermuda's waters. Public consultation on this strategy took place between the [27] October and [13] November 2025.

Madam Chairman, the Marine Resources Enforcement Strategy was tabled earlier in the Honourable House by Minister Adams in February 2026. It provides a clear enforcement framework that will support stronger protection of Bermuda's marine environment while ensuring fairness for those who depend on the ocean for their livelihoods.

Importantly, enforcement efforts are already producing results. Over the past two years, five cases of illegal fishing within existing marine protected areas have been successfully prosecuted through the courts. Three additional cases are currently before the courts, and three more are being prepared by the Department of Public Prosecutions.

Madam Chairman, in the last financial year, the Government also delivered significant environmental reforms. The Water Resources Pollution [(Discharge Reporting, Abatement and Remediation)] Regulations 2025 strengthened the protection of Bermuda's ground, groundwater, and marine environment. Spills of one gallon or more must now be reported. Oversight of more than 650 fuel storage tanks has been strengthened through a pollution liability register, and clear remediation standards now ensure contaminated sites are properly cleaned. Stronger penalties have also been introduced to support compliance.

We also advanced the Clean Air Amendment Regulations 2025 in this Chamber, which introduced stricter pollutant limits aligned with and exceeding many leading international standards. These regulations expand enforcement to all controlled plants and introduce Bermuda's first objective odour measurement standard. Monitoring capacity also has been strengthened through trained inspectors and an expanded air quality monitoring network, along with stronger enforcement tools such as abatement orders and significant fines.

Madam Chairman, these reforms are practical and meaningful. They demonstrate this Ministry's commitment to protecting Bermuda's environment while putting strong and lasting systems in place for the future.

However, Madam Chairman, if we are serious about long-term environmental stewardship, we must be honest about where improvements are needed. The Department of Environment and Natural Resources has therefore begun a process of internal reform to modernise its operations, strengthen coordination across its units, and improve its enforcement capacity.

This work will ensure the department is better equipped to manage the growing demands placed upon it, while also supporting industries that contribute to food security. Effective enforcement is essential to effective environmental protection. Laws and policies are only meaningful if they can be properly enforced, thereby ensuring that operating in Bermuda is equally fair for all.

The department's responsibilities are wide-ranging. They include marine protection, pollution prevention, conservation of nature reserves, and marine habitats, invasive species control, agricultural support, freshwater sustainability, animal control, and husbandry services, and regulatory compliance.

To strengthen these efforts, the Ministry will consider proposals to increase the department's operational capacity. These may include additional animal wardens to improve responsiveness and humane animal management, expanded marine surveillance through the Blue Belt Ocean Shield Programme, and the introduction of marine resource technicians to support research, monitoring, and compliance across Bermuda's waters, and an agriculture post to restore the department closer to when it was known as the Ag and Fish Department. These measures reflect a clear commitment, ensuring that Bermuda's environmental protections are not only well-intentioned, but effectively implemented.

Madam Chairman, turning to the budget, on page B-215, the department's total allocation for the 2025/26 *[sic]* fiscal year . . . 2026/27 fiscal year is \$10,210,000. This represents an increase of \$1,062,000, or 12 per cent.

And apologies, let me just pause briefly, Madam Chairman, as I make sure that I am reading in the correct amounts. [Page] B-215. Here we go, yes. An increase of \$1,062,000. Estimate for 2026/27, \$10,210,000. An increase of \$1,062,000, or 12 per cent. Okay, [the typo] was just which fiscal year it was.

Okay. Continuing on,

General Administration, 7901

Sen. Mischa Fubler: Madam Chairman, the General Administrative Programme is responsible for providing the policy leadership, strategic direction, and regulatory oversight that guide the work of the department. It serves as the central coordinating mechanism through which legislation is developed, standards are set, and the compliance is monitored to ensure that Bermuda's environmental framework is both effective and enforceable. This business unit also includes the biodiversity section, which is also responsible for controlling invasive species, including feral chickens and the recent fire ant and crayfish discovery.

This programme supports the formulation of policy, the issuance of licences and permits, the monitoring of regulatory obligations, and the enforcement of statutory requirements across a broad range of

environmental and natural resource matters. It ensures that departmental operations remain aligned within government priorities, fiscal accountability, and international best practice.

In practical terms, the General Administrative Programme underpins compliance efforts, strengthens governance structures, manages stakeholder engagement, and provides the institutional oversight necessary to translate policy into measurable action. It is the engine room that ensures environmental protection is not only aspirational in policy, but consistent in its execution.

Madam Chairman, the budget allocation for this programme is \$1,493,000, an increase of \$199,000, attributed to salary scale increases and funding to be reallocated to the vacant, unfunded biodiversity officer post, in addition to administrative posts.

Marine Management, 7902

Sen. Mischa Fubler: Next, Madam Chairman, we have 7902, the Marine Management Programme, which oversees the sustainable use and protection of Bermuda's marine resources. It maintains the register of commercial fishermen, assesses eligibility for benefits relating to vessels and equipment, administers commercial and recreational spearfishing and lobster licences, and enforces compliance under the relevant legislation.

The programme conducts fish stock monitoring and applied research, develops management plans for protected species and marine habitats, manages protected dive sites, and provides technical advice on fisheries development and the environmental impact of proposed activities. It also administers the fuel rebate system, inspects commercial fishing vessels for safety compliance, and advises the Marine Resources Board, the Commercial Fisheries Council, and the Historic Wrecks Authority, ensuring that fisheries policy, marine conservation, and heritage protection are guided by sound science and responsible stewardship.

Madam Chairman, the 2026/27 budget allocation for 89010 Marine Resources is \$775,000, an increase of \$243,000 above the previous fiscal year. The increase reflects the need for two local consultants to temporarily fill the role of marine resource technicians to support increased monitoring activities, in addition to a small grant to the Sargasso Sea Commission to assist the Commission in its efforts to support willing governments to work together to conserve the Sargasso Sea.

Madam Chairman, the 2026/27 budget allocation for 89020 Marine Conservation is \$317,000, an increase of \$102,000 above the previous fiscal year. The increase reflects funding for the previously vacant and unfunded marine conservation officer post, and also for a local consultant to provide additional support with monitoring, thereby ensuring that necessary safety standards are met for diving operations and increased data collection to better inform decisions.

Madam Chairman, the 2026/27 budget allocation for 89030, Marine Heritage and Health is \$159,000, an increase of \$16,000 above the previous fiscal year.

Madam Chairman, this budget allocation for 89040, Marine Enforcement is \$421,000, a decrease of \$72,000 relative to the previous fiscal year. The decrease reflects one recent vacancy due to retirement and the post being made available again from October 2026. The department is almost ready to commence recruitment for a replacement.

Terrestrial Conservation, 7903

Sen. Mischa Fubler: Madam Chairman, next we have 7903, Terrestrial Conservation, and they are responsible for the protection and management of Bermuda's land-based ecosystems and species. It oversees the 26 Government Nature Reserves, implements management plans for terrestrial and bird habitats, and develops recovery plans for threatened species. The section also provides ecological assessments and technical advice on proposed developments that may impact conservation areas, ensuring informed decision-making. Equally important, it promotes public awareness and community stewardship, fostering a shared responsibility to safeguard Bermuda's natural landscapes for future generations.

Madam Chairman, the 2026/27 budget allocation for this section is \$585,000, an increase of \$14,000 above the previous fiscal year attributed to salary increases related to the previously mentioned uplifts.

Animal Management, 7904

Sen. Mischa Fubler: Madam Chairman, the Animal Control section is responsible for safeguarding animal welfare, public health, and ecological integrity across Bermuda. It administers and enforces legislation governing dogs, animal welfare, veterinary practice, and the import and export of animals and animal products, including the issuance of permits under CITES [Convention on the International Trade of Endangered Species of Wild Fauna and Flora] and the regulation of international animal movement.

The section investigates dog-related incidents and suspected cruelty, conducts port inspections, manages quarantine controls where necessary, and has enforcement powers to seize animals and address contraventions of the law. It also promotes responsible animal husbandry, supports local agriculture, responds to livestock disease, ensures proper standards for commercially used animals, and works closely with veterinarians and regulatory bodies, including providing advice to the Veterinary Practitioner[s] Council. Through enforcement, education, and regulation, the section plays a critical role in protecting both the community and Bermuda's environment.

Madam Chairman, the 2026/27 budget allocation for 89060, Veterinary Services is \$350,000.

Madam Chairman, the 2026/27 budget allocation for 89070, Animal Control is \$517,000, an increase of \$91,000 above the previous fiscal year. The increase largely reflects the need for an additional animal warden employed through a local consultant contract to help address increased incidents involving illegal dogs, something I think one of my colleagues in another place now has been an advocate for, so I hope she was pleased to hear that in another place when we mentioned that.

Plant Management, 7905

Sen. Mischa Fubler: Madam Chairman, the Plant Management section safeguards Bermuda's plant health and agricultural biosecurity by regulating the import and export of plants, plant products, soil, growing media, and pesticides in accordance with international best practices. It inspects incoming and outgoing agricultural shipments, monitors for invasive pests and diseases, and oversees the treatment or destruction of infested materials. The section supports farming and beekeeping by storing farmers' produce in dedicated chill rooms at the Agriculture Service Centre, provides economic embargoes to promote local crops when available, provides essential supplies and the supply of ice to registered farmers and fishermen, while advising the Board of Agriculture on policy matters critical to Bermuda's food security and agricultural sustainability. The section also maintains pesticide controls, assesses applications for agricultural imports, and enforces quality standards for local produce.

Madam Chairman, the 2026/27 budget allocation for 89080, Plant Protection is \$511,000, an increase of \$24,000.

Madam Chairman, the 2026/27 budget allocation for 89090, Agronomy is \$948,000, an increase of \$76,000 above the previous fiscal year. The increase reflects the need for a local consultant to provide additional support at the Agriculture Service Centre, thereby allowing the principal agriculture officer to spend more time visiting farms and providing added support to farmers.

Pollution Control, 7906

Sen. Mischa Fubler: The Pollution Control section, comprised of specialists in environmental engineering and hydrology, plays a central role in protecting Bermuda's air, groundwater, and marine environment through strong regulation, monitoring, and enforcement. The section administers the legislation governing omissions from approximately 650 controlled plants, groundwater abstraction and discharge from approximately 4,100 wells and boreholes, marine pollution, and the importation of controlled chemicals, while establishing and enforcing the necessary licensing, monitoring, and reporting conditions under the Clean Air Act and the Water Resources Act.

It conducts inspections on land and at sea, investigates complaints, oversees spill response and remediation in accordance with the regulations, and maintains oversight of environmental liabilities such as fuel storage tanks. The team monitors ambient air quality through a contract with the Bermuda Institute of Ocean Sciences (BIOS) and uses in-house monitoring to maximise the sustainability of Bermuda's freshwater lenses. It also manages the Island's Marine Pollution Contingency Plan, maintains required maritime waste records, advises the Department of Planning on environmentally responsible development, and serves as secretary to the Environmental Authority, ensuring that pollution prevention, compliance, and environmental restoration are grounded in sound science and firm accountability.

Madam Chairman, the 2026/27 budget allocation for the Pollution Control section is \$664,000, an increase of \$82,000 above the previous fiscal year. The increase reflects local consultant funding to provide functions of an additional technical officer to increase pollution monitoring in line with the regulations and to also assist with stakeholder consultation for suitable alternatives to single-use plastics for a new Act that will be presented to the Cabinet shortly.

Bermuda Aquarium, Museum and
Zoo (BAMZ), 7907

Sen. Mischa Fubler: Madam Chairman, the Bermuda Aquarium Museum and Zoo is well known to the public as one of Bermuda's premier institutions, but beyond its visible attractions lies a significant governance and management responsibility. The programme provides full administration and operational oversight of the Bermuda Aquarium Museum and Zoo in accordance with the Bermuda Aquarium [and Museum] Regulations 1997, including responsibility for staff, facilities, vehicles, marketing, and daily operations. It ensures the proper care and maintenance of animal and aquatic collections, exhibits, veterinary services, and specialised training, supported through the operation budget that enables it to meet international accreditation standards.

In addition, the programme manages the Natural History Museum and Library, safeguarding Bermuda's scientific collections of specimens, images, data, and publications that document the Island's geology, biodiversity, and conservation history. It also serves as the principal government liaison to the Bermuda Zoological Society, overseeing coordination in areas such as development, membership, education, volunteer services, and research. Through this structure, the programme ensures that scientific research is translated into meaningful public education and that BAMZ continues to operate as a world-class institution dedicated to conservation, learning, and environmental stewardship.

Madam Chairman, the 2026/27 budget allocation for the Bermuda Aquarium Museum and Zoo section is \$3,470,000, an increase of \$292,000 above the previous fiscal year. The increase largely reflects the filling of vacant, unfunded posts including the librarian and an aquarist in addition to covering the increasing costs of running a facility such as BAMZ.

Subjective Analysis of Current Account Estimates

Sen. Mischa Fubler: Madam Chairman, next is the subjective analysis of current account estimates, which is found on page B-216.

Members will note a collective increase of \$287,000 in salaries. These adjustments reflect the Government's ongoing commitment to fair compensation and investment in our public officers, particularly in recognition of their dedication and the increasingly complex demands of public service.

In contrast, wages have decreased by \$193,000. This is due to the anticipated departmental restructuring that Cabinet will soon consider. As roles shift from more industrial functions to more technical responsibilities, the associated posts will be transferred from the wages category to the salaries category.

Additionally, Madam Chairman, there is a \$617,000 increase under the professional services line item. This is to source additional assistance from external partners to support service delivery, including engaging with local consultants for contractors to address shortfalls in our service that will ultimately be addressed through additional recruitment to previously lost posts.

Finally, Madam Chairman, the budget reflects a collective increase of \$160,000 in the allocations for repairs and maintenance, as well as materials and supplies. This adjustment is necessary to address rising costs across the board, including both labour and materials, ensuring that our facilities, equipment, and infrastructure remain fully operational, safe, and well-maintained. It also provides the department with the flexibility to respond promptly to unexpected maintenance needs, support ongoing preventative maintenance programmes, and maintain the high standard of service delivery that residents and visitors expect.

Revenue Summary

Sen. Mischa Fubler: The department's Revenue Summary is found on page B-217.

The department generates revenue from a variety of licences, permits, services, and other fees, including licensing of dogs, lobsters, and fishing activities, water rights, clean air operating licences, crop storage fees, and daily visitor admissions to BAMZ. The department is anticipating an increase of \$80,000 attributed to both greater admissions to the Bermuda Museum, Aquarium, and Zoo, and increased inventory

of chemicals held at the Agriculture Service Centre that are sold to registered farmers.

Personnel

Sen. Mischa Fubler: Madam Chairman, Personnel, as outlined on page B-218, the department currently has 84 full-time equivalent posts, representing an increase of five positions over the previous fiscal year.

Senators will recall that earlier in the presentation, I highlighted the Government's intention to strengthen the department's operational and enforcement capacity. These additional roles are part of a broader strategy to ensure the department is fully equipped to expanding responsibilities from environmental protection and conservation to animal and plant management, enforcement of relevant legislation, and taking additional measures to improve food security.

With Cabinet's consideration of proposed measures to further bolster staffing, we anticipate that the number of full-time employees will continue to grow in the upcoming fiscal year, providing the department with the personnel needed to deliver its mandate effectively, enhance compliance, and support Bermuda's long-term environmental and natural resource objectives.

Performance Measures

Sen. Mischa Fubler: Next is performance measures, Madam Chairman.

While a complete tabulation of the output measures for the Department of Environment and Natural Resources can be found on pages B-219 through B-221, I will endeavour to highlight some of the measures of note.

The number of feral animals, largely chickens, removed has increased significantly as a result of both increasing budget and resources to cull these animals, in addition to a new public reporting system that connects directly to the cullers in the field, and recently, the traps provided at cost to the public. The department continues to meet its key performance indicators, time-based deliverables for licences, permits, and responses to other departments as stakeholders in other processes.

The freshwater lens remains at a high capacity, suggesting that greater abstraction can be allowed, in line with the conditions of the water right.

Capital Development Expenditure

Sen. Mischa Fubler: Madam Chairman, the capital expenditure budget for the department can be found on page C-6.

The department has four active capital accounts. Due to the need for specialised facilities and educational displays, \$240,000 has been allocated to the Bermuda Aquarium Museum and Zoo for repairs to

exhibits and life support systems, an increase of \$100,000. This is shown in project number 75236, Aquarium Refurbishment. This includes repairs to ensure the continued operation of the Zoo and Aquarium.

Project 75271, Minor Works—Environment and Natural Resources, is a capital Minor Works budget of \$150,000 that will provide for the general maintenance and upgrading of the Headquarters facility and Plant Protection Laboratory located in the Botanical Gardens, the Coney Island Facility for Marine Resources Management and Enforcement, the government Agriculture Service Centre in Prospect, the government kennels, the Shorelands facility in Flats, and improvements in the 200 acres of government-owned nature reserves [and] associated buildings managed by the department.

Madam Chairman, I am pleased to announce that \$2,500,000 has been allocated to continue the work of the Replacement Agriculture Services Centre. This is shown in project number 75367, Agriculture Services Centre. I can advise that at this time a new replacement centre has been designed and received full planning permission. The funding will allow for the completion of the project's contract and preparation of the new site adjacent to the current facility. The cutting and clearing of a large embankment has recently commenced and I look forward to briefing the Senate on this and other important agriculture-related projects that are aimed at providing important support to our farmers and bolstering the Island's food security.

Madam Chairman, I am also pleased to announce that \$1,732,000 has been allocated towards the implementation of the Master Plan 2025–2038 to improve and transform the Bermuda Aquarium Museum and Zoo. This is shown as project 75371, BAMZ Master Plan Infrastructure.

Grants and Contributions

Sen. Mischa Fubler: Moving on to Grants and Contributions, Madam Chairman, as found on page C-19. I am pleased to announce that the Government will provide a \$30,000 grant to the Bermuda Society for the Prevention of Cruelty to Animals [SPCA] under cost code 6970. This funding will support the SPCA in continuing their vital work protecting the welfare of animals across the Island, from rescuing and caring for stray and injured animals to promoting responsible pet ownership and public education. This grant underscores the Government's ongoing commitment to animal welfare and ensures that the SPCA can maintain and expand its essential services for the benefit of both animals and the community.

Madam Chairman, a new grant for Research and Extension (6976) will be provided to the Sargasso Sea Commission to assist the Commission in its efforts to support willing governments to work together to conserve the Sargasso Sea.

Madam Chairman, last but certainly not least, the department has traditionally engaged local entities to undertake specialised studies, such as the ambient air quality programme through the Bermuda Institute of Ocean Sciences [BIOS]. The funding for the programme can be found under 7006. The grant for \$230,000 will enable the department to meet its monitoring requirements mandated by the Clean Air Act 1991. I can confirm that seven monitoring stations are currently active in areas around the Island, including in the vicinity of BELCO, Tynes Bay, [a] clinical waste incinerator, [a] crematorium, and busy roads to monitor the Island's air quality.

Madam Chairman, in conclusion, the 2026/27 budget for the Department of Environment and Natural Resources reflects a clear and deliberate strategy to protect Bermuda's environment, safeguard our natural and cultural heritage, and strengthen the foundations for sustainable growth. From the marine management programme and terrestrial conservation to animal and plant management, pollution control, and the ongoing development of BAMZ, this budget equips the department with the resources, personnel, and operational flexibility needed to meet its expanding responsibilities.

By investing in enforcement capacity, modernising internal structures, supporting research and monitoring, and enhancing public education and stewardship initiatives, we are ensuring that policies are not only robust on paper but effective in practice. The increase in capital, operational, and grant funding, including support for BAMZ, the Agricultural Services Centre, and the SPCA underscore our commitment to safeguarding Bermuda's natural resources, promoting sustainable food security, and advancing community and environmental well-being. This budget is a statement of intent and action. We are laying strong foundations today to ensure a healthier, more resilient, and environmentally secure Bermuda for generations to come.

Madam Chairman, this now concludes my presentation for the Department of Environment and Natural Resources, Head 79, and ultimately my presentation for the Ministry of Public Works and Environment.

Thank you, Madam Chairman. I'll pause here to solicit questions, comments, feedback, et cetera, from my colleagues.

The Chairman: Thank you, Senator Fubler, for that informative presentation.

Would any Senators like to speak to this head, Vice President Wight?

Sen. John Wight: Thank you, Madam Chairman. I just have one question.

[Crosstalk and laughter]

The Chairman: We will pause until Senator Fubler returns.

So, the listening audience, we are just taking a brief break for a minute.

[Pause]

The Chairman: So, for our listening audience, we are in Committee of the whole [Senate], and Senator Fubler just finished Public Works and Environment, Heads 36, 68, and 79. Those are the Ministry of Public Works and Environment, Headquarters; Parks; and the Environment and Natural Resources.

Tomorrow, we will go into Committee of the whole for—

[Inaudible interjection]

The Chairman: Wednesday, sorry, we will go into Committee of the whole [Senate] for Tourism, Marine and Ports, Sport and Recreation, and Education.

And this is Committee of the whole [Senate] for the Estimates of Revenue and Expenditure for the year 2026/27. We would like to thank the listening public who have been with us today, and we hope that any questions that you may have had have been answered, or if not, please reach out to your Senators.

[Pause]

The Chairman: Okay, Senator Wight.

Sen. John Wight: Thank you, Madam Chairman.

First of all, I would like to thank the Junior Minister for that very good presentation. I just have one question for him.

On page B-216, under Professional Services, I may have missed it, but there is a very large increase from year to year. The current expenditure for Professional Services is \$276,000. Next year's estimate is \$893,000, or an increase of \$617,000. So, I was just wondering if the Junior Minister could just provide some clarity on what that large increase relates to.

Thank you, Madam Chairman.

The Chairman: Thank you, Senator Wight.

Would any other Senator like to speak to this head?

Senator Rogers.

Sen. David Rogers: You mentioned at the beginning of your presentation, Junior Minister, the Bermuda Oceans Prosperity Programme [BOPP]. It seems like quite an expansive programme that should have its fingerprints over the entire department or the entire head. I don't really see its footprints in the Budget Book itself. Maybe you can enlighten me a little more as to where those funding allocations may be located in the Budget Book itself.

You talked a little bit about grants. How do we measure the ROI on grants that have been given?

In going back to the Bermuda Oceans Prosperity Programme, you said there were conservation targets of about 20 per cent. I don't see a related KPI, and I don't see a correspondent increase in enforcement.

Then, if we take a look at page B-220, on item 89070, it was reported that the Canine Advisory Committee was to create a report related to restricted and banned dog breeds. Was this report ever submitted, and will this report ever be made public or made available to the public?

On page B-217, number 8493, related to the registration of dogs. I know there is an online portal where individuals can re-register dogs. However, you are unable to register new dogs onto the portal. I think that kind of makes sense. However, that could be a proactive way to gain information, as many dogs are not licensed, especially some restricted breeds.

What is our—

Sen. Mischa Fubler: Point of clarification.

Sen. David Rogers: Yes, sir.

POINT OF CLARIFICATION

Sen. Mischa Fubler: To your question around the KPIs, I think we didn't capture that exactly. Can you repeat the question? The second . . . the one, after measuring return on investment from grants?

Sen. David Rogers: Yes. As it relates to the conservation targets of about 20 per cent, that was the main sort of deliverable, or it seemed to be from the project. But KPIs related to how many areas have been designated. Are there particular schools of fish that we want to show an increase in their spawn rates? It seems like this is a good opportunity to have a granular approach to assessing the success of these programmes.

The Chairman: Thank you, Senator Rogers.
Senator Fubler.

Sen. David Rogers: Hold on one second.

The Chairman: That was your clarification?
Okay, thank you.

Sen. David Rogers: Okay, my apologies.

The Chairman: Thank you.

Sen. David Rogers: A couple more questions. [Page] B-220, line 89060, what triggers a farm veterinary visit and what role do the veterinary officers play in enforcing the Public Health (Milk and Dairy Farms) Regulations?

And then a general information question on [page] B-217, there was a banana ripening fee and that's just fascinating to me. What is that?

[Crosstalk]

Sen. David Rogers: My next question is related to [page] B-219, [business unit] 89000. I know many Bermudians have quite an opinion on the humane removal of feral animals. I do note the 6,000 animals removed and the target increase to 10,000. You spoke to it earlier; it seems that it's inclusive of all intrusive species. My assumption is that it is merely feral chickens, but it would be helpful to know what other populations we are controlling. So, whether it be cats, rodents, crayfish.

And then there is [page] B-219, the number is 89010. There seems to be a duplication as it relates to the KPI for scientific research. And I just was trying to understand, is it 10 days or 20 days for the response? And because one has "N/A" on it. So, I am not sure if that is a system change or a reporting change. It . . . just some clarification on that. Thank you very much.

The Chairman: Thank you.

Would any other Senator like to speak to this head?

Senator Cunningham.

Sen. Victoria Cunningham: Thank you, Madam Chairman. And again, thank you to the Junior Minister for his brief.

I am kind of questioning from listening to this, whether we are actually protecting the environment or we are just managing it after it's been damaged. Because I am not seeing the link. I just, hold on, where am I? So, I'm seeing that enforcement, for example, Marine Enforcement, is the only marine management business unit that has reduced. And it's reduced by 15 per cent, whereas the others increased by 46 [per cent], 47 [per cent], and 11 per cent.

So, it makes me wonder, how are we enforcing what is out there? Especially when we see in the performance measures under Marine Enforcement . . . so number of vessels searched at sea to improve compliance with fisheries legislation. The original forecast for last year was 300, and the revised forecast was 30. So, my question would be, What is going on with Marine Enforcement? Do we simply not have the people, the boats . . . the people? Why have we only done 10 per cent of what the vessels we were going to search?

I mean, you go out, you could go lobster diving without a lobster permit, bring back two lobsters, is someone going to catch you? My husband used to have a lobster permit, but we don't go lobster diving anymore because he no longer has one. But anyway, so yes, so I think I am quite concerned. And why would you then bring the target outcome back up, knowing that we only did 10 per cent of them last year?

The same with number of illegal fish traps, we are kind of remaining the same.

Moving on to licensed dogs, and I note that we are, by the looks of it, licensing more dogs per year, but I would assume the dog population fluctuates. But

number of dogs licensed as a percentage of the eligible population has also increased 22 per cent to 25 per cent to 30 per cent. What are we doing to get that other 70 per cent? And I understand that not all dogs are going to get licensed, but what are we doing to enforce better licensing of our animals? It was noted that there was an online portal. I think a lot of people who own dogs are seniors, and so are they online and able to register their animals? Is there an easy way for them to register them?

And then I had a question on beach erosion. So, we are talking about marine conservation and terrestrial conservation. What about protection of our reefs? You know, you talk about pollutants getting into the water table, into the water. How are we actively protecting our reef system, which will then assist with the coastal erosion that we see, particularly across South Shore?

And I would just like to add that BAMZ is one of my favourite places. So, thank you for everything they do, and I look forward to seeing the continued upgrades at that facility. Thank you.

The Chairman: Thank you, Senator Cunningham.

Would any other Senator like to speak to this head?

Thank you. Senator Fubler, you have . . . what's this . . . 39 minutes to respond.

Sen. Mischa Fubler: Lots of time. That's great.

I can start going through some of the responses I have now while I await more substantive ones for some of the questions that were posed.

I would like to start by thanking you for the brief accommodation there. I needed a short break—

[Laughter]

Sen. Mischa Fubler: —before we got into the question-and-answer period. And so first, [page] B-216, Professional Services. What is the rationale for the increase? And that rationale is to quickly address resource shortfalls across the department through local consultants to help meet DNER's goals and objectives.

We have spoken to challenges with increasing headcount, and I think when we did the general budget debate, we talked to . . . it was like a thousand or more people nearing retirement. And so, you can understand there will be some challenges with filling some of these roles. And so, the professional services have to meet that temporary shortfall.

Next, measuring return on investments on grants for environmental enforcement and science. And so that is a challenging one, I think, because that return, it really depends on how you view the environment. And more specifically, the largest grant is to BIOS and addresses the requirement under the Clean Air Act and Regulations to ensure that Bermuda's outside air quality meets the stringent standards of the

clean air regulations. The ROI may not be the appropriate term in this context, which I agree with, as the grant ensures Bermuda meets the health and safety requirements for outside air quality. And so maybe I'll put it back to my colleague to kind of define how they quantify the measurement to assist enforcement of us having clean air.

Next, the conservation target of 20 per cent has been mentioned in the brief. I think this is related to BOPP, the Blue Ocean Prosperity Project. And I will encourage you to read about it. It's been in the public domain. It was a couple years ago where there's quite a lot of consternation from some of the key stakeholders being the fishermen around the allocated space that would be conserved. And in my brief, I kind of went through the process we did through consulting with them to adjust our process, including increasing enforcement, starting a new department, I believe it was. And so, in that regard, I don't think we necessarily said that it has started, but I'm going to wait for my technical officer to confirm that point.

Canine, next question was, will the Canine Advisory Committee report become public? And here we go. The Canine Advisory Committee report to suggest mechanisms to address the concerning dog attack trends reported over 2021 to 2023 has been received and is being considered in terms of appropriate responses. DENR can discuss with the Ministry if this report can be released to the public. So, it has been done. And to your question, and we will look to confirm if it's for wider public consumption.

Next question, the online portal, does it not allow for new registrations? And would it be possible to allow for this? And while I believe technically possible, possibly speaking through the subject matter expert, the portal's intention is only for renewals because new licences require in-person assessment. We want to make sure the dog has a microchip, that it is spayed and neutered, or what the status is of that for the animal and issuing the appropriate certificate. And as a result, this inspection is completed with the owner, and they need to come down to the office to do so. But the renewal part, yes, just online. We have already captured those. I don't think many people are removing the microchip once it's done. And same goes for spaying and neutering.

[Inaudible interjection]

Sen. Mischa Fubler: What, I hope they're not, but maybe the dog wants it back, who knows.

What is the banana ripening fee? And so, I'm also curious, but I have an idea in my head kind of based on the agricultural cycle, right? And so, the service centre has six chill rooms and one of these rooms can be down . . . one of these rooms can also be converted to ripen bananas quickly by adding acetylene gas in the room to provide more rapid ripening of bananas in order to meet demand by the public. I think I

recall a couple of years ago, there was some consternation about the bananas, and we had to ripen some so they could get them.

And next, the number of feral animals removed increased. How many chickens were there and what other animals are there? And I just wanted to highlight how I think this website is quite slick. I've used it myself. It's nice to get a nice GIS map. You can drop your pin on where you need them to come and trap the chickens for you. And just to also point out, not all of it is within the remit of this department. For example, the rats go to Vector Control, which is under the Department of Health, as an example. And so feral chickens are being removed at increasing rates as more funding becomes available. Two additional contractors have also been hired to double our resources to control the feral chickens. The feral animals are largely chickens, approximately 99 per cent. Others include pigeons and crows. (I don't know we could call them for pigeons. That is a good one.) Pigeons as well, although pigeons and crows only constitute about 1 per cent of what they are focused on.

Marine management funding has decreased. Why [are] the performance measures for vessels forecasted at 300, but actual searches are 30? And currently, we have two vacant posts in the Marine Reinforcement section that need to be filled. This will help to increase the numbers of vessels searched. DENR is also working with the Royal Bermuda Regiment Coast Guard to second fisheries wardens into the Coast Guard shifts, thereby increasing the fishery enforcement capability while maintaining two officers in an enforcement boat. There you go, cross-departmental coordination. The forecast at 300 inspections will be reviewed once these new measures have been put into place.

And next, what is the plan to enforce better licensing for dogs? Have consideration for seniors been considered? The number of dogs licensed is estimated at approximately 25 per cent of the total numbers of dogs in Bermuda. Many dogs are unlicensed and technically illegal. The new GovPilot online renewal licensing system is helping to increase the percentage of dog licences. But as I mentioned, that's renewing licences. We plan to undertake greater consultation with the public and outreach programmes, noting that the animal control section is fully resourced, but not able to keep up with the number of dog complaints, attacks, and various illegal activities. A recent management consultant services review of the department has recommended that two additional animal warden posts be created to address the current very high demand. So, watch this space.

And let's see if I have any more that were not . . . I think I spoke to the BOPP—have a read is quite interesting.

And, Madam Chairman, I put it back to my colleagues in place . . . Oh, wait, I am still waiting on the response related to addressing reef protection.

But otherwise, I believe I have responded to all the questions, Madam Chairman.

The Chairman: Thank you, Senator Fubler.

Sen. Mischa Fubler: Madam Chairman, if I may, I'll solicit. Is there anything else? We have about 30 minutes remaining in allotted time.

[Inaudible interjections]

Sen. Mischa Fubler: Okay. And so now I do have a response related to addressing reef protection. The Blue Ocean Prosperity Programme, leading to the draft Marine Spatial Plan, will aim to protect 20 per cent of all marine ecosystems, including 10 per cent on the platform, which will include the reefs. An outcome of the Marine Development Act, which is currently in drafting, will require economic *[sic]* impact assessments for all marine developments, thereby further protecting coral reefs. Maybe it's not economic, *environmental* impact assessments. That's EIAs. Thank you. Environmental impact assessments for all marine developments, thereby further protecting coral reefs, noting that coral reefs are listed as protected species under the [Protected] Species Act.

And on that note, Madam Chairman, the third call for questions, concerns, or comments from my colleagues.

The Chairman: There being none, Senator Fubler, would you like to move these heads?

Sen. Mischa Fubler: I would indeed. Thank you, Madam Chairman.

I move that Heads 36, 68, and 79 be approved as printed.

The Chairman: Are there any objections, Senators?
Thank you. No objections.
These heads are so moved.
Thank you, Senator Fubler.

[Motion carried: The Ministry of Public Works and Environment, Heads 36, 68 and 79 were approved and stand part of the Estimates of Expenditure and Revenue for the fiscal year 2026/27.]

Sen. Mischa Fubler: Thank you, Madam Chairman.

I move that the Committee rise, report progress, and ask for leave to sit again.

The Chairman: Granted. We are now moving out of Committee of the whole [Senate].

[Motion carried: The Committee of Supply rose and reported progress and asked for leave to sit again.]

Sen. Mischa Fubler: Thank you.

The Chairman: And I will turn the Chair back over to Madam President.

[Pause]

Senate resumed at 6:18 pm

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

REPORT OF COMMITTEE

ESTIMATES OF REVENUE AND EXPENDITURE FOR THE YEAR 2026/27

The President: Senators, we are now back in the Senate. And I want to take this opportunity to thank both Vice President John Wight and Senator Tawana Tan-nock for chairing the Committee today.

We are now going to move on with our Orders of the Day.

And I have just . . . confirmation that we have agreed that we would do the second reading of the Payroll Tax Amendment and Validation Act 2026. And that's in the name of the Honourable Crystal C. Caesar, spokesperson for Finance.

Minister Caesar, you have the floor.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

[Pause]

Sen. the Hon. Crystal Caesar: Madam President, I'm just trying to make sure I have the correct wording.

The President: Yes, that's fine. Take your time.

Sen. the Hon. Crystal Caesar: Thank you.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled the Payroll Tax Amendment and Validation Act 2026.

The President: Is there any objection to that motion?
No objection.
You can carry on, Minister.

[Motion carried: Leave granted for the Payroll Tax Amendment and Validation Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I rise today to present a piece of legislation that is not merely a piece of technical legislation. It is a foundational pillar of this Government's vision for a more equitable, prosperous, and compassionate Bermuda.

[Crosstalk]

Sen. the Hon. Crystal Caesar: Oh, I need to move to do the actual second reading.

Okay, I apologise. I move to suspend *[Standing]* Order 25.

[Crosstalk]

Sen. the Hon. Crystal Caesar: Okay, but to actually move it. Yes, okay.

I apologise, Madam President. I also need to say I now move that the Bill entitled Payroll Tax Amendment and Validation Act 2026 be now read a second time.

The President: Is there any objection to that motion?

Sen. David Rogers: I object. I believe that we are supposed to be doing the vote on the Municipal . . . the third reading.

[Crosstalk]

Sen. David Rogers: No. It was agreed to that we would do it after the discussion of the budget, if I remember correctly.

The President: Senator—

Sen. Lindsay Simmons: Madam President, we said that we would do it after the budget. Not . . . we didn't say what order we would do it at the end. Madam Attorney General is not in here to carry the Bill.

Sen. David Rogers: My understanding was after the budget we would be doing the vote. This is Bills arising—

POINT OF ORDER

Sen. Lindsay Simmons: Point of order, Madam President. We did not say exactly at the end. We said after we come out of Committee of the whole that we will do it in the Orders of the Day.

[Crosstalk]

The President: Senators, I hear your comments. But the person responsible for the Bill is the Minister of Justice and Attorney General, Senator Wilkerson. She is not here at present, and my ruling is that we will wait until she returns.

Thank you.
Please continue, Minister, presenting your Bill.

BILL

SECOND READING

PAYROLL TAX AMENDMENT AND VALIDATION ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I rise today to present a piece of legislation that is not merely a piece of technical legislation. It is a foundational pillar of this Government's vision for a more equitable, prosperous, and compassionate Bermuda. As we navigate the complexities of a global economy, our mandate remains clear to protect the workers and businesses and help fuel our local and international business.

The [Payroll Tax Amendment and Validation Act 2026](#) stands as a testament to this Government's unwavering commitment to building an economy that works for everyone, an economy where growth is inclusive and where hard work is rewarded.

As the Honourable Premier and Minister of Finance so boldly declared in the 2026/27 Budget Statement, our guiding principle is simple. No business in Bermuda will pay more [in] employer payroll taxes under this budget, and no worker will pay more in employee payroll taxes.

Every employer rate will either remain at its current level, or it will decrease. Similarly, the total tax bill for every worker on this Island will go down. This is our promise, and this Bill is the mechanism by which we fulfil it.

Madam President, as we recognise that for Bermuda to thrive, our businesses must have breathing room to innovate, to expand, and most importantly, to hire. This Bill introduces a New Hire Relief, 2026, a strategic initiative designed to extend the employer portion to the remuneration earned by approved qualifying new hires. By lowering the barriers to entry for new employment, we are signalling to the private sector that this Government is a partner in their success.

Furthermore, we are extending the payroll tax relief for those individuals who receive dividends from local companies, not listed on the Bermuda or any other stock exchange. This ensures that local investment is encouraged and that the capital staying within our shores is utilised to strengthen our domestic market.

In a move that addresses the changing demographics of our workforce, we are also providing specific relief to our seniors to support those who wish to remain employed and to incentivise employers to keep that invaluable experience within their ranks. The employer portion of payroll will be exempt on a maximum of \$96,000 paid to applicable senior employees age 65 and over.

Madam President, at the heart of this legislation is a fundamental shift towards greater equity. We understand that the cost of living remains a primary concern for our people. Therefore, this Bill amends the Payroll Tax Rates Act 1995 to significantly reduce the applicable rates in bands 1 and 2. These changes specifically target those earning \$96,000 or less, providing immediate and intangible relief to the backbone of our workforce.

However, the benefits of this progressive structure do not stop there. It must be emphasised, Madam President, that the lowering of these first two bands will also benefit those earning over \$96,000. Because of the progressive nature of our tax system, every taxpayer, from the entry-level employee to the executive, will see a reduction in their overall [payroll] tax burden as a result of these adjustments.

Madam President, the Minister of Finance and Premier mentioned in the Budget Statement, and it is worth repeating here, the cumulative tax savings for workers from 2017 to 2026 are:

- [Those earning] \$36,000 [will save] \$9,900.
- [Those earning] \$48,000 [will save] \$13,200.
- [Those earning] \$60,000 [will save] \$10,470.
- [Those earning] \$72,000 [will save] \$7,740.
- [Those earning] \$84,000 [will save] \$5,010.
- [Those earning] \$96,000 [will save] \$2,280 over that period.

This Bill also moves to lower the employer portion in most remuneration categories. This ensures that the relief is comprehensive, touching every sector of our economy, and providing a universal lift to our business community.

Madam President, this Government believes that the strength of a society is found in how it treats those who require care and those who provide it. For too long, the essential work of caregivers has been undervalued in our tax code. Today, we change that.

In line with our platform commitments and to support the dedicated workers in the care industry, we are establishing a zero per cent employer [portion rate] for self-employed caregivers. This is more than a tax break. It is a recognition of the dignity of their labour and an essential step in making home-based care more affordable for Bermudian families.

Additionally, we are introducing a new category for employers who operate licensed residential care homes with annual remuneration exceeding \$350,000 at a rate of 3 per cent. This targeted measure ensures that our care facilities, the places our loved ones call home, have the financial stability to provide high-quality service without being overburdened by taxation.

Madam President, as we look forward, we must also ensure that our house is in order. The zero per cent tax rate for employers of Bermudian musicians and entertainers ceased to have effect on 31 March 2022, and the zero per cent employee rate for Bermudian musicians and entertainers ceased to have effect on 31 March 2024. This Bill provides for the

validation of the zero per cent tax rates that were previously granted under expired statutory provisions.

By codifying these rates, we provide legal certainty and transparency that both the public and business community expect from a responsible government.

The impact on revenue, Madam President, is that there is an employer payroll tax reduction of \$10,884,000, there is an employee payroll tax reduction for all employees of \$2,647,000, there is an employer tax exemption for seniors of 65-plus, of \$4,500,000, and the local dividend exemption effect is \$1,000,000.

Madam President, this is a Bill to support all workers. It is a Bill that rewards job creators, honours our elders, and provides direct financial relief to thousands of Bermudians who keep this Island running every day. We are not just adjusting percentages, we are increasing the take-home pay of our citizens and lowering the costs of doing business in our beautiful Island home.

Madam President, this Bill is a testament to our belief in the Bermudian spirit. It is a Bill that says to the worker, *we value you, we value your labour*. It says to the employer, *we support your growth*. And it says to the caregiver, *we see your sacrifice*.

This is a comprehensive package of relief, fairness, and economic stimulus. This is a Bill to support all workers.

Thank you, Madam President.

The President: Thank you, Minister.

Would any Senator care to speak on this Bill?

Yes, Senator Victoria Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President, and I think it's obvious the Opposition agrees with the constructive easing of cost of living that is crippling a lot of businesses and employees, Bermudians, and the targeted payroll tax relief for seniors over 65, and obviously, caregivers.

I do have a few questions, and one is just, so we look at employees on a \$0 to \$48,000, well, let me get these right . . . \$0 up to \$48,000; \$48,001 to \$96,000 in remuneration bans. I am just wondering why we don't do the same thing when we look at employers. So, for example, the Bill is talking about, and I don't want to be specific, but various employers that have up to \$500,000 of annual payroll, this is the amount.

Well, and I stand to be corrected, but in my mind, this may well, if they then go into the next band by having \$501,000 of payroll, is that not kind of making them think, *Well, we don't want to hire that extra person, or We don't want to give that pay rise*, a cost of living increase, whatever it is. So, I am just wondering how realistic that is to actually creating more relief for our employers. Although I do understand overall the

new hire relief is welcome, and especially with the caregivers.

A second question is purely, on the new hires, how is government going to ensure that it is actually creating new hire relief that is net job creation, rather than just restructuring internally in these companies?

And I think given the time; I will stop there.

Thank you.

The President: Thank you.

Would any other Senator . . . Yes, Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

As I expressed in our discussion of the budget last week, there aren't many levers that government have to ease the cost of living for people in our community, and this is one of a few. So, it may not be a perfect Bill, but I think I am very supportive of both the intent and the structure of it.

So, thank you, Madam President.

The President: And thank you, Vice President John Wight, and I believe Senator Tannock, you . . .

Sen. Tawana Tannock: Yes, thank you, Madam President.

This Bill is a welcome relief. However, I have to point out, I do find it ironic that when last year in May, I asked for the total amount of taxes that the government did not receive for all of these special development projects, for the payroll tax that was foregone for the special development projects. I did not receive a response, and I have not received a response yet, but we have these numbers. But yet, we still don't know how much the government has allowed special development project holders to not pay.

Having said that, regarding this Bill, I just had a question for "amends section 2," [clause] five. It says, "'caregiver' means a person who is caring for, or helping to care for, a person in their own home in connection with their physical or mental illness or incapacity;". Whose home? So, is it the person's home or is it the incapacitated person's home? And why, if it is an incapacitated person's home, are we only paying if somebody cares for them in their home and not their home? So, it's actually just not clear. It's not clear.

I think I know what it's intending to say, but it actually doesn't say that. So, there is some ambiguity about whose home, but then I follow up with, why does it matter whose home?

Thank you.

The President: Would any other Senator care to speak on this Bill?

Hearing none, then it's over to you, Minister.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I would like to provide a response with regard to how . . . in particular, the new hires that under the new hire relief 2026 will be monitored. And the monitoring actually happens on the front end. It's the . . . new hires are actually vetted. And so, people are not, persons are not eligible if they do not fall into a specific category and they are not necessarily affiliated with specific companies. And so, it is on the front end where these new hires are vetted and where the monitoring happens.

I take the point from my colleague that there may have been some questions that may not specifically have been answered as it pertains to other questions that have been posed. But this specific Bill does not speak to that, those particular provisions. And so, whilst I appreciate they have not been answered, there is always the opportunity during ministerial questions to bring, or parliamentary questions, sorry, to bring those questions back and have those questions answered.

But in terms of . . . I am sorry, as to whose home it is that has been determined, I have gotten information from the technical team that it is in fact the home of the incapacitated person. And I would venture to say that it matters whose home because, for instance, if a person decides that they would like to care for maybe three or four additional individuals, are they setting up a residential care home? In which case they would need to have certain . . . there are certain rules and regulations around doing so. And so, it is specific to the incapacitated person.

And so, we want to ensure that, you know, that those individuals who are incapacitated and need the care actually get some benefit from this particular piece of legislation and tax . . . or the tax amendments.

I thank—

Sen. Tawana Tannock: I do have a follow-up, sorry, to that. So, just a point of—

The President: Senator Tannock.

Sen. the Hon. Crystal Caesar: She is seeking a point of clarification?

Sen. Tawana Tannock: Yes, I am seeking a point of clarification.

[Laughter]

POINT OF CLARIFICATION

Sen. Tawana Tannock: Thank you, Minister.

So, this, it speaks to physical or mental illness or incapacity. So, the person can be physically or mentally ill, but not necessarily incapacitated. And I know that you mentioned it's to help with people who are incapacitated.

So that . . . so just . . . I wasn't just speaking, and I wasn't really speaking about somebody who's

going to have multiple people in their home. It is, I am taking care of my elderly so-and-so. And however, I happen to do so in my home because I can't stay at their home all day. I, you know, I just . . . I just think it is odd that we specified that. But also, this legislation doesn't say *in the home of the person who is mentally or physically ill or incapacitated*. It just says a person *taking care of a person in their home*, which could be either person's home in the current way that it's drafted, even if that's not the intent.

But even if it is the intent, then why? But I get it. But that's not how this is drafted.

The President: Minister.

Sen. the Hon. Crystal Caesar: And I say thank you, fellow Senator. Point taken.

But obviously, there would need to be a doctor to verify the particular type of need for which we would be granting this type of payroll tax relief. And so, again, I do believe that if there needs to be a . . . there wasn't really a question. I think it was more like she said, a point of clarification that she feels in pointing out how the legislation was written.

But I do believe that there will be a clarification provided when individuals actually make application for exemption as to what is intended.

And so, with that, are there any additional questions?

The President: Senator Tannock.

Sen. Tawana Tannock: Yes. So, the need to have a doctor to certify the person who you are taking care of, the fact that they need a caregiver, will that be in [regulations] to follow? Are [regulations] following this? Because this doesn't state anything about needing a doctor's certificate to certify . . . or the application process.

So, where will that be enshrined?

Sen. the Hon. Crystal Caesar: Bear with me. I am just receiving an answer on that specific question.

The President: Mm-hmm.

[Pause]

Sen. Tawana Tannock: I am sorry. A follow-up.

There is no definition of "home" and what we mean by "home" in this Act, as a matter of fact. And I don't know because I haven't looked at the interpretation Act, but I actually doubt that there is a definition of "home" in that either. There might be "residential property." There might be "residence." But "home" is very ambiguous. And what is the legal definition? What constitutes somebody's "home"?

So, where will we find that guidance? Where will we find that outlined? So, if the person who is incapacitated is a child, it is the home of their primary

caregiver. There is no definition of “home.” There’s no definition of “residence.” This Act, while the intent is good, is poorly drafted.

[Pause]

The President: Senators, for the listening audience, the Minister is awaiting a response from her technical officers.

Sen. the Hon. Crystal Caesar: Yes. Thank you, Madam President.

So, with regard to the legal definition of “home” the response that I have received is that it is intended to be the primary place of residence for the person who is deemed to require the care. This legislation is for self-employed caregivers who are certified and registered through BHC [the Bermuda Health Council]. And they actually have specific definitions and/or policies in which they provide certification for individuals who provide these types of services. And so, there would be a level of vetting, again, through that particular organisation as to who is providing the service.

And then also, point taken with regard to the definition with regard to a person’s home and/or residence. And so, that . . . whilst I [would] not say that it was *poorly drafted*, I would say that maybe it could have additional definition provided. And it does appear that that is something that the legal team takes under advisement and can very well provide.

But like I said, the legislation is specifically for certified individuals who are registered and certified through BHC. And they do actually have certain policies, regulations, and certifications in place to ensure that proper caregivers are giving services in specific instances.

Sen. Tawana Tannock: I have a follow-up question, Madam President.

The President: Senator—

Sen. the Hon. Crystal Caesar: Madam President, whilst I appreciate that there may be additional questions, if it isn’t necessarily specific to the legislation that I have before me, I am not quite sure how much more I can provide.

But I am happy to take a point of clarification if that’s what’s being offered.

Sen. Tawana Tannock: Yes, it is specific to the legislation before us.

Sen. the Hon. Crystal Caesar: Okay.

Sen. Tawana Tannock: Because the legislation doesn’t state anywhere that to be eligible for this payroll tax relief, you have to be a member of that organisation,

that you have mentioned that they have to be a member of.

Sen. the Hon. Crystal Caesar: Okay.

Whilst I understand that the legislation does not specifically speak to where that person needs to be a member of, these are the bodies who regulate those who are caregivers in people’s homes. And so, one would know if they are providing that type of service where they need to get certification.

So, this specific legislation doesn’t speak to that, but there is other legislation which BHC does have and caregivers fall under in which they would know and recognise that they need to provide or receive certification and/or registration through.

Sen. David Rogers: Point of information.

The President: Do you accept a point of information?

Sen. the Hon. Crystal Caesar: Sure.

Sen. David Rogers: As a previous BHC member—

The President: Senator Rogers, yes.

POINT OF INFORMATION

Sen. David Rogers: I know we typically take exception to the term [being pronounced] *Bee-Hek* at the Council. We definitely prefer “Council” or “Bermuda Health Council.”

Thank you so much.

Sen. the Hon. Crystal Caesar: Okay. Thank you.

The President: Thank you for that.

Sen. the Hon. Crystal Caesar: Not sure how that helps the legislation, but I thank—

[Laughter]

The President: Senator Tannock.

[Inaudible interjection and laughter]

The President: Minister—Senator Tannock.

Sen. Tawana Tannock: So, this is specific to the legislation. If the definition of “caregiver” is the same that is used under the Bermuda Health Council, (see that Senator Rogers), legislation, there should be some reference. We have no definitions of “caregiver,” of “home.” There is no incorporation by reference to any of these other Acts.

So, I just . . . look, the bottom line is: I am not going to vote against extending the payroll tax relief, right? That’s not what my questions are about. My

questions are about the fact that this may exclude persons who shouldn't be excluded or is rife for abuse because of the way that it has been drafted.

The President: Minister.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I will just add that all registered caregivers will get the employer portion of tax relief. And the definitions that the Senator is drilling down on is often policy as set out by particular bodies who provide registration, regulation, et cetera, for those particular individuals.

So, I thank her for her comments.

The President: Mm-hmm.

Sen. the Hon. Crystal Caesar: Madam President, I move that the Bill entitled Payroll Tax Amendment and Validation Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Thank you, Madam President. Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

[Motion carried: Standing Order 26 suspended.]

The President: Is there any objection to that motion?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President. Madam President, I move that the Bill entitled the Payroll Tax Amendment and Validation Act 2026 be now read a third time.

BILL

THIRD READING

PAYROLL TAX AMENDMENT AND VALIDATION ACT 2026

The President: Is there any objection to the third reading?

No objection.

Sen. the Hon. Crystal Caesar: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that motion?

No objection. The Bill is passed.

[Motion carried: The Payroll Tax Amendment and Validation Act 2026 was read a third time and passed.]

The President: Thank you, Minister, and thank you, Senators.

We will now move on to the next Bill *[sic]* that had been agreed to be debated, and that is consideration of the Government Authorities (Fees) Amendment Order 2026, and that is also in the name of Senator the Honourable Crystal Caesar, spokesperson for Finance.

Senator, when you are ready, you can present your Bill *[sic]*.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill *[sic]* entitled the Government Authorities (Fees) Amendment Order 2026.

[Crosstalk]

The President: Yes.

[Laughter]

Sen. the Hon. Crystal Caesar: Yes. Okay, too many.

The President: Yes—

Sen. the Hon. Crystal Caesar: Just move for consideration. Okay, thank you. Okay, so I don't need to do that because it was done last week. Thank you.

The President: Mm-hmm.

Sen. the Hon. Crystal Caesar: I appreciate that intervention.

Madam President, I move that the [draft Order] entitled the Government Authorities (Fees) Amendment Order 2026 be now read a second time—

The President: Be now considered.

Sen. the Hon. Crystal Caesar: Be now considered. Sorry.

The President: Is there any objection to that motion?

No objection.

DRAFT ORDER

GOVERNMENT AUTHORITIES (FEES) AMENDMENT ORDER 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, the [\[Government\] Authorities \(Fees\) Amendment Order 2026](#) seeks to increase the fees provided to those dedicated individuals who serve on our government authorities under the First Schedule of the Government Authorities (Fees) Act 1971.

There are currently 114 government authorities which this fee increase will apply. These fees have remained static since 2006—for some 20 years. This increase in fees for board members and chairpersons has been aligned with the overall CPI movement since 2006. Accordingly, both fees will be updated in line with this increase which will ensure we keep pace with inflation and the rising cost of living.

The amendment order implements a straightforward adjustment to the per meeting fee structure. In particular, Madam President, chairpersons who previously were earning \$100 will now earn \$160 per meeting, and members who were previously earning \$50 per meeting will now earn \$80 per meeting.

While we are mindful of the public purse, we must also be mindful of the value of good governance. The individuals serving on these authorities oversee critical infrastructure, social programmes, and economic sectors. Their contributions are vital to the effective functioning of Bermuda.

This adjustment is a modest but significant gesture of respect for their commitment to public service. This Government remains dedicated to ensuring boards are robust, diverse, and appropriately supported as they do the work of the people.

Thank you, Madam President.

The President: Would any Senator care to speak on these amendments.

Senator Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you. Just to say we recognise the need for periodic reviews of fees and support the Order. Thank you.

The President: Would any other Senator care to speak on this Order?

Hearing none, then Minister, you have full support.

Sen. the Hon. Crystal Caesar: Thank you.

Madam President, I move that the said Order be approved and a suitable message be sent to the House . . . to the Governor, sorry.

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

Sen. the Hon. Crystal Caesar: Thank you.

The President: A suitable message will be sent, and thank you, Minister and Senators, for your input on that [Order].

[Motion carried: The Government Authorities (Fees) Amendment Order 2026 was approved.]

The President: We will now move on to the next Bill that had been agreed will be dealt with today, and that is the second reading of the Auxiliary Bicycles (Project Ride) Amendment Act 2026, and that is in the name of Senator Mischa Fubler, the Junior Minister of Tourism and Transport, Culture and Sport.

Senator Fubler, you have the floor.

Sen. Mischa Fubler: Thank you, Madam President, and as this was tabled at a previous sitting, I don't need to move for any suspension of anything, and I will just get right into the presentation.

Madam President, the Bill before the Senate is the Auxiliary Bicycles (Project Ride) Amendment Act 2026, which amends the Auxiliary Bicycles Act 1954 to create a learner's permit to allow for on-road instruction and on-road examination for Project Ride students.

The President: Senator Fubler, you need to move the second reading.

Sen. Mischa Fubler: Oh, sorry. Apologies. Taking it back, I move that the Bill, the [Auxiliary Bicycles \(Project Ride\) Amendment Act 2026](#), be now read a second time.

The President: Is there any objection to the second reading?

No objection.

BILL

SECOND READING

AUXILIARY BICYCLES (PROJECT RIDE) AMENDMENT ACT 2026

Sen. Mischa Fubler: Thank you, Madam President.

As I mentioned, this Bill amends the Auxiliary Bicycles Act 1954 to create a learner's permit to allow for on-road instruction and on-road examination for Project Ride students. The Bill also enables a visitor to Bermuda to apply for a driver's licence if eligible.

Madam President, Senators will be aware of the Government's 2022 Throne Speech commitment to amend legislation to create a learner's permit and to facilitate on-road riding instruction and final examinations for teenagers attempting to acquire their Bermuda youth licence before operating an auxiliary bicycle. The Government's plan is to enhance the skills of novice riders and better prepare them for the road, promote safety, reduce collisions, and cultivate responsible road users.

For many years, Madam President, a practical component was not required to acquire an auxiliary bicycle licence. The only requirements were the

presentation of proof of age and a recent medical certificate. The Project Ride Programme (PRP), which began in the 1980s, started as a joint effort between the Bermuda Police Service's Road Safety Unit and the Ministry of Transportation. Initially, the programme only targeted pedal cyclists. (Interesting.)

Madam President, the programme later transformed into a voluntary pursuit for those who endeavour to obtain an auxiliary bicycle licence at 16 years of age. An insurance policy discount was the incentive.

In the late 1990s, the Transport Control Department introduced a practical manoeuvrability exam for both auxiliary and motorcycle licence applicants. The course was designed with the assistance of the Bermuda Police Service's Driver and Rider Training Unit.

Madam President, effective 1 April 2010, the PRP became a mandatory component for the process to acquire a licence to ride an auxiliary bicycle. Also at this time, the name of the licence for a 16-year-old to ride an auxiliary bicycle was changed to the Bermuda Youth Licence (BYL). The 12-hour course introduces students to various aspects of traffic laws, auxiliary bicycle proficiency skills, rules of the road, and places emphasis on correct and safe riding procedures.

Madam President, the PRP successfully processes between 400 to 600 students per year. However, the practical skills attained by each graduate have always been challenged because of the absence of an on-road component. PRP students currently commence the programme at 15 years and 6 months of age. This means a proficient student could possibly complete the four hours of theory and eight hours of practical instruction and pass the practical examination in the [Transport Control Department] (TCD) yard at 15 years and 7 months.

It follows that there are some PRP students who must wait at least five months between completing formal instruction and obtaining a Bermuda Youth Licence. This time gap is far too long.

Madam President, one must attain the age of 18 years before receiving on-road instruction for every other vehicle category and completing the final practical exam. Therefore, the requirement for students to do on-road instruction and on-road examinations when they attain the age of 16 years will bring a level of parity and enhance the PRP.

Madam President, there are currently five certified PRP instructors to serve the students who participate in the programme annually. Currently, the theory exam is proctored by the PRP instructors.

The TCD has limited control over this extremely important programme component. The concern was raised by members of the TCD team who have witnessed students collaborating during theory exams while their instructor is training other students on the practical riding course. Also, too many theory exams result sheets have scores of 100 per cent.

Madam President, we are not saying that all PRP instructors display a casual approach to teaching. However, the theory exam is critical because once a PRP student passes, they do not have to sit another theory or computer exam to acquire a regular driving licence at 18 years of age. Therefore, it is important that every PRP student attains a thorough understanding of the theory component of the programme before attempting to ride on the road, instead of being taught only what is necessary to pass the practical riding exam.

Madam President, all other theory exams are taken by way of the TCD standards and the computerised process. To standardise and insert control of the PRP, the TCD is undertaking an exercise to load the Bermuda Youth Licence Theory Exam onto the TCD suite of computerised theory exams and allocate a time after school for students to sit the exam. An additional benefit will be that of developing a better attitude to the process of acquiring a driving licence from the students because they, like every other licensed applicant, must arrange a time to sit the exam at the TCD.

Madam President, most slight injury, serious injury, and fatal collisions involve two-wheel vehicles, meaning auxiliary cycles and motorcycles. This is confirmed by the data recently released to TCD by the Bermuda Police Service.

Madam President, auxiliary bicycles and motorcycles are the only two vehicle categories that do not undergo the final practical exam on public roads. This means that currently the first real-world experiences a Bermuda Youth Licence applicant has with traffic is after they have acquired their licence.

Madam President, to address this unsafe practise, the Auxiliary Bicycles (Project Ride) Amendment 2026 allows for the creation of a learner's permit like that in the Motor Car (Drivers' Licences) Regulations 1952. This permit will only be issued after the student successfully passes both the TCD driver code computer exam, the practical manoeuvrability disciplines in the TCD yard, and reaches the age of 16 [years]. The permit can then be used to lawfully receive on-road instruction and complete the final ride exam on public roads. The cost of a learner's permit will be \$12 for Bermuda Youth Licence [BYL] applicants. This is a small price to pay to ensure the BYL applicants are equipped with skills to develop road sense which can contribute to improving road safety.

Madam President, a mandatory requirement for the success of these upgrades is the certification of the PRP [Project Ride Programme] instructors in preparation for the new on-road discipline. This crucial training responsibility will be undertaken by an approved local business.

Madam President, motorcycles upon which to conduct final riding exams will be purchased for the TCD [Transport Control Department] examiners. There will be no need for any structural alterations at the

department because the Project Ride Theory Exam will now be added to other TCD computer exams.

Madam President, any costs expended to achieve the goals of this Bill will be outweighed by the benefits derived. By instilling quality, safe, and responsible riding habits early in the riding career of teenagers, novice riders will have a solid foundation of knowledge and skills that should positively influence them to make sound decisions as they become licensed drivers.

These ingrained practises not only contribute to safer roads but also help reduce collisions, damage, injuries, and fatalities. Madam President, ultimately, teaching young people about good driving habits early sets them on the path toward a lifetime of responsible road use and contributes to the overall improvement of the road safety landscape and, more importantly, a healthier society.

On a final note, Madam President, to mirror provisions that are provided in the Motor Car Act 1951 for visitors obtaining a driver's licence for a private motor car, this Bill enables a person who is a visitor to Bermuda to apply to be considered for a licence to operate an auxiliary bicycle if the visitor has been resident in Bermuda for a period of at least 30 days.

Thank you, Madam President.

The President: Thank you.

Would any Senator care to speak on it?

Senator Tarik Dunbar Smith, you have the floor.

Sen. Tarik Smith: Thank you, Madam President, and good evening to the listening audience and my fellow Senate colleagues.

[I] just [have] a couple of observations. First of all, the One Bermuda Alliance . . . we are in full support of the Project Ride scheme. I think Mr. Swan, who taught us, Lindsay and I, at The Berkeley Institute has been doing Project Ride for many, many, many years. And credit to him and the other instructors.

[I have] just a few things. First of all, it says . . . I just need some clarification. [They] are not allowed to attain the learner's permit until they are 16. Could the legislation have allowed for the rider to obtain his learner's permit after he completed Project Ride at 15 years and six months? It is a six-month licence. Do you think it would have been beneficial for the . . . because they will be with an instructor . . . for the student to be on the road with an instructor so that when they turn 16, which is like a rite of passage in Bermuda, they are fully trained and equipped to ride on the road?

Also, [I] just [have] a quick question about the student and instructor ratio. How many students will it be per instructor while on the road?

Also, liability, if there is an accident, will the testing be done on the student's bike or on the Project Ride bike that I know is available at the Transport Control Department? And those are just my questions.

Thank you, Madam President.

The President: Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I just want to thank the Minister and his technical officers for bringing this Bill to the Senate. As Mr. Smith said, he was one of the last to get one of those licences that they just gave you.

[Laughter]

Sen. Lindsay Simmons: I, myself, had to go and do the test in the pouring rain. But Madam President, I say that to say that Project Ride was not established. I am not that young, but I did have to take the test on TCD. And I commended the Government when Project Ride came into effect. But this is just another layer. And I think that putting . . . letting the children ride on the road at 15 and a half, Mr. Smith, is not a good idea. I think that we are going in the right direction. I also think that it actually slows down our 16-year-olds. It gives them a minute to pause, realise that they are 16, that they can now go on the road with an instructor, and it actually allows them to be safer drivers, riders, actually.

I will give you a story. A couple of months ago, my little cousin, she went 16. And in September, she came to my job. She works at my job, and she says,

Aunt Lindsay, I cannot pass Project Ride.

I said, *What do you mean?*

She said, *Well, the instructor told me that I need to learn to ride a push-pedal bike first.*

I said, *What?*

So, she said, *I have never ridden a push-pedal bike.*

And so, I said, *Listen, listen, listen, let me call Mr. Swan.*

So, I called Mr. Swan. I said, *Listen, they said this young lady is not going to be able to get her licence anytime soon. She needs at least six months on a push-pedal bike first.*

He said, *What? Bring her to me.*

So, he took her under his wings. And I mean, I think she probably took the longest of the children I know to actually complete Project Ride, because it took her couple of months. But he was dedicated. The good thing is she was a dual enrolment student, so she was able to have this flexi time to go to him one-on-one. And Mr. Swan was able to help her to obtain her licence. And I remember she got her licence, and she was ready to ride.

And she is like, *My daddy said I cannot ride my bike yet.*

I said, *Why?*

She said, *I am not ready on the road.*

So, he actually took her down on Clearwater and took that time out to make sure that she was safe on the road.

So, I, 100 per cent support this Bill. I think that sometimes they do the little practise tests inside TCD, but that does not give them real-life experiences. When the traffic comes out to them, when a sidewalk pops out somewhere, then they got to go on a roundabout. So, I think that this is definitely a much-needed addition, a layer to protect our young riders so that they are more responsible. I actually am in full support, and so are my colleagues on this side. So, kudos to the Minister and his technical officers, and thank you.

The President: Thank you.

Would any other Senator care to speak on this Bill?

Hearing none, then, back to you.

Sen. Mischa Fubler: Thank you, Madam President, and to the contributors.

And . . . right. To the question of having the permit issued prior to reaching the age of 16. To be clear, we are not lowering the age at which you can ride it on the road and so issuing it sooner could result in some students, as you know, misusing the permit, so to speak. And so, we will be issuing them at 16 so that then they are legal to operate the auxiliary cycle on the road.

[Regarding] the question around student to instructor ratio, I am being informed that we are looking to have one instructor per two students.

And [regarding] the liability question, the bikes are going to be owned by the Transport Control Department. And as per normal practice for insurance, you insure the vehicle itself. So, the bike will be covered, and thus that student rider will have some coverage when they are using the bikes.

And I believe those were all of the questions, and I guess maybe I will put a little contribution here and add the personal touch. I left Bermuda the day before my 16th birthday, and I think part of that was intentional on my mother's behalf. And so, when I returned at 18, I had bypassed most of that process, and I just went and did the test, the written test, and of course the cones, and what have you. But I think this is an excellent enhancement to that process since many people who grew up here go through the whole Project Ride. And I think there has long been cause for enhancing that and getting them out on the road to kind of learn some of the realities of being out there. I think it is an excellent improvement.

And on that note, Madam President, given that there are no further questions to be answered, I move that the Bill be read a second time.

The President: Is there any objection to the second reading?

No objection.

[Crosstalk]

SUSPENSION OF STANDING ORDER 26

Sen. Mischa Fubler: Madam President, I move that we suspend [Standing Order] 26, so that the Bill may be read a third time.

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

[Motion carried: Standing Order 26 suspended.]

Sen. Mischa Fubler: Thank you, Madam President.

I move that the Bill entitled the Auxiliary Bicycles (Project Ride) Amendment Act 2026 be read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

AUXILIARY BICYCLES (PROJECT RIDE) AMENDMENT ACT 2026

Sen. Mischa Fubler: President, I move that the Bill do now pass.

The President: Is there any objection to the passage of the Bill?

No objection.
The Bill is passed.

[Motion carried: The Auxiliary Bicycles (Project Ride) Amendment Act 2026 was read a third time and passed.]

The President: Thank you—

Sen. Mischa Fubler: Thank you, Madam President.

The President: —Senator Fubler and all Senators.

And Senators, it had been agreed that we would also undertake the second reading of the Customs Tariff Amendment Act 2026, and that is in the name of the Honourable Crystal Caesar, spokesperson for Finance.

Minister, you . . .

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may

now proceed with the second reading of the Bill entitled the Customs Tariff Amendment Act 2026.

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

[Motion carried: Leave granted for Customs Tariff Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill entitled the Customs Tariff Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

[Crosstalk]

The President: Pardon me?

[Crosstalk]

[Pause]

The President: Minister, then it is over to you—

Sen. the Hon. Crystal Caesar: Thank you.

The President: —to move your Bill.

Sen. the Hon. Crystal Caesar: I did already.

The President: I mean to present.

Sen. the Hon. Crystal Caesar: Okay.

[Laughter]

The President: Sorry.

Sen. the Hon. Crystal Caesar: I was not sure if you wanted me to read it again.

The President: No, no, no, no, no, no. To present it.

Sen. the Hon. Crystal Caesar: Yes. Thank you. Thank you. Thank you.

BILL

SECOND READING

CUSTOMS TARIFF AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Madam President, Honourable [Senators] are requested to now consider the Bill entitled [Customs Tariff Amendment Act 2026](#).

Madam President, the Bill proposes to amend the Customs Tariff Act 1970, or the principal Act, with measures that

1. lower the duty rate on building materials and supplies;
2. eliminate customs duty on selected motor vehicle parts;
3. lower the duty rate on selected goods deemed to be essential commodities;
4. lower the duty rate on fresh flowers;
5. eliminate customs duty for diesel and fuel oils used by BELCO for the production of electricity;
6. introduce duty relief for goods for local professional instrumentalists; and
7. introduce duty relief goods for participants in the Bermuda Day Parade.

The measures of the Bill affect both the First Schedule and the Fifth Schedule to the principal Act. This legislation is a primary tool in this Government's mission to lower the cost of living and stimulate economic development by reducing the duty on imported goods.

This Bill builds upon the \$3.9 million in duty savings realised between July 1, 2025, and January 31, 2026, for building materials.

Expanding Relief

Sen. the Hon. Crystal Caesar: The Bill introduces relief for an additional five tariff codes. The key items . . . this expansion specifically targets electrical equipment and optical fibre cabling. The financial impact these measures are projected to deliver is \$397,145 in additional cost for relief for both residents and contractors.

There is a definitive clarification of what all vehicle motor parts are. Madam President, there has been a need to provide absolute context regarding the Government's pledge in the Budget Statement 2025/26 that duties would be eliminated on all motor vehicle parts, compared against the corresponding statement in the budget brief 2025/26 to providing wide-ranging reliefs on parts and supplies. The need for this duty relief initiative was in recognition of the strain that vehicle repair costs can place on families and businesses. To that end, this Government wanted to encompass as broad a range of products as possible for motor vehicles of Chapter 87 of the [\[Bermuda\] Customs Tariff \[2026\]](#), namely motor cars, trucks, buses, and motorcycles.

Madam President, this meant that all motor vehicle parts referenced were to capture those parts that were specifically provided for in Chapter 87. This means that the parts must be identifiable as being suitable for [use] solely or principally with the vehicles of Chapter 87. Also, the parts must not be excluded due

to any provision of the notes to Section XVII of the [Bermuda] Customs Tariff [2026]. These parts are classified to two headings of Chapter 87: Heading 87.08, four-wheel vehicles. This heading covers parts and accessories for motor vehicles of headings 87.01–87.05, [generally] four-wheel motor vehicles. The parts classified to this heading include bumpers, windscreens, brakes, gear boxes, drive axles, suspension systems, radiators, mufflers, clutches, steering wheels, as well as other items.

Heading 87.14, two-wheel and speciality. This covers parts and accessories for motorcycles, bicycles, and wheelchairs.

Headings 87.11–87.13. The parts classified to this heading include frames, forks, wheel rims, spokes, hubs, brakes, seats, as well as other items.

Madam President, besides the goods falling into Heading 87.08 and Heading 87.14, this Government also wanted to ensure that other items are clearly identifiable as motor vehicle parts, which are spread throughout the Customs Tariff, would also benefit from the relief. Goods such as tyres, complete engines, transmission shafts, sprockets, and gears were captured by duty relief in 2025.

Madam President, I wish to be clear that while the vast majority of motor vehicle parts are duty-free, not all motor vehicle parts can be imported duty-free. Many items that might be used as motor vehicle parts are considered parts of general use that cover items such as nuts, screws, and bolts that can be used for all types of purposes, not just on motor vehicles. Similarly, other goods of a supply nature, such as batteries and spark plugs, cannot be demonstrated at the point of import to be for use solely for or principally for motor vehicles of Chapter 87.

The duty relief introduced in 2025 for motor vehicle parts covered goods [for] 65 different tariff codes that have resulted in duty savings of \$2.7 million to date. Madam President, this Bill will build upon those reliefs introduced in 2025 by adding 12 additional tariff codes covering pumps, filters, cabling, and ignition equipment. Based on the prior year's data, this will reduce costs by a further \$497,227.

Madam President, after adding the additional parts in this year's amendments the list is considered complete and will not be amended further going forward.

Expansion of Essential Commodities

Sen. the Hon. Crystal Caesar: The Government is significantly expanding the basket of essential goods to protect household budgets.

Historical Context

Sen. the Hon. Crystal Caesar: Since 2022, the essential commodities initiative has saved Bermudians \$11.9 million.

New Food Items

Sen. the Hon. Crystal Caesar: The zero per cent duty rate now applies to staples including fish, seafood, meats, fruits, and vegetables.

Household and Infant Care

Sen. the Hon. Crystal Caesar: Relief is extended to hygiene products and infant care items.

Madam President, based on prior years' data it is estimated that this will cut Bermudian household costs by \$3.9 million.

Relief for Florists

Sen. the Hon. Crystal Caesar: Madam President, following representation from florists in Bermuda, and to support our hospitality sector, duty charged on imported fresh flowers will be reduced from 25 [per cent] to 5 per cent. This reduction in duty rate will impact on six tariff codes and, based on the prior years' import data, will result in duty savings of \$224,130.

Community and Cultural Support

Sen. the Hon. Crystal Caesar: The Fifth Schedule. Madam President, I now turn to the measures of the Bill affecting the Fifth Schedule to the principal Act.

Madam President, in an effort to assist Bermuda-based musicians, this Bill seeks to provide 100 per cent end-use duty relief on instruments that need to be purchased and imported from abroad by local professional instrumentalists. Eligible goods under this relief must only be used by local professional instrumentalists, which means an islander who plays or teaches other persons to play a musical instrument for consideration.

Madam President, one of the most cherished public holidays during the year both for residents and visitors is the annual Bermuda Day Parade featuring dance groups, bands, majorettes, decorated floats, and Gombey troupes. This event has also been impacted by the rising cost of living and the price of materials and costumes for the event. The cost of living for . . . the price of materials and costumes for those events continue to increase. As many of the costumes and materials are imported, participants must pay customs duty on these imports.

The Ministry of Tourism and Transport, Culture and Sport consulted with the Ministry of Finance in an effort to see if duty relief could be made available in order to assist participants in the Bermuda Day Parade. This Bill seeks to provide 100 per cent end-use duty relief on the costumes and accessories together with costume and float-making materials for participants in the Bermuda Day Parade. However, the duty relief does not extend to vehicles or tools. The eligible goods must

be imported for the use of actual participants in the Bermuda Day Parade and must be put to that use.

Energy Costs (or BELCO)

Sen. the Hon. Crystal Caesar: Madam President, the Bill proposes to amend end-use CPC 4703 and CPC 4705. This Bill eliminates the final four cents per litre of customs duty on diesel and fuel oils used by BELCO for electricity production.

Madam President, as you are aware, a concessionary duty rate has existed on all diesel and fuel oils used by BELCO to produce electricity for over 40 years. For the majority of that time, the rate of duty was 9.5 cents per litre. In April 2015, the duty rate was amended by the One Bermuda Alliance Government to 14.5 cents. This was then followed in April 2016 by a further increase in the rate of duty to 20 cents by the One Bermuda Alliance.

Madam President, you will recall that in July of 2024, this Government initiated the first reduction to that tax by 60.0 per cent, to 8 cents per litre. Then in July of 2025, that tax was further reduced to just 4 cents per litre, an 80.0 per cent reduction in this tax since 2023. This Bill proposes to remove the remaining 4 cents per litre on that tax.

Household Savings

Sen. the Hon. Crystal Caesar: This elimination has saved the average household \$375 per year. This final reduction will reduce customs revenue by \$2.2 million.

I will now present a summary of the estimated duty savings and financial impact, Madam President:

- Building materials: Five additional tariff codes of electrical and fibre at an estimated savings or impact of \$397,145,
- Motor vehicle parts: Twelve additional tariff codes are affected: pumps, filters, and ignition—an estimated additional savings of \$497,227.
- Essential commodities, such as fish, meat, produce, hygiene, and infant care—the savings or impact is \$3.9 million.
- Fresh flowers: The rate reduced from 25 per cent to 5 per cent and that impact is \$224,130.
- Electricity and fuel: The removal of the final 4 cents results in a savings or impact of \$2.2 million, for a total new annual relief equating to \$7.2 million.

And with that, Madam President, I will conclude my remarks on this particular Bill.

The President: Thank you, Minister Caesar, spokesperson for Finance in the Senate.

ANNOUNCEMENT BY THE PRESIDENT

SENATE VISITORS

The President: Before I open the floor for Senators to participate, I would like to welcome and acknowledge in the Chamber Mr. Dean Lema, the principal customs officer, and the second officer who is accompanying him.

Welcome to you both.

[Customs Tariff Amendment Act 2026, second reading debate continuing]

The President: Would any Senator care to speak on this Bill?

Senator Victoria Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

Firstly, the Opposition is in support of this amendment Act, obviously continued updates to our customs framework.

I do have a few questions: one, that we are looking at zero per cent duty rate now for the participants in the Bermuda Day Parade. I would assume most have already ordered their costumes. Has any consideration been made for Carnival weekend or National Heroes Day weekend? Just having reviewed it, I just thought, *Well, hold on a second*. Not that I am in—

[Laughter]

Sen. Victoria Cunningham: I have no interest to declare there.

[Inaudible interjection and laughter]

The President: Right.

Sen. Victoria Cunningham: And then, so, you know, I get this whole basket of essential goods. And I mean, I think it is great. And now it seems that there are some healthy options as well. Would it make sense to have some healthy menu recipe ideas to go with these? You know, maybe it is the dietician or something who comes up with ideas for people. You know, there is one thing saying this is cheap, but there is a complete other one saying you need to buy this, and this is what you can make with it. So, I just think . . . actually kind of combining the two into something usable and tangible as a memory, a recipe card, or, you know, instead of all these things I get through my mailbox, send out six recipes that you can make with your basket of goods.

But other than that, I am also amazed at the fresh cut flowers, but I will leave that where it is. But I will look forward to Valentine's Day flowers next year.

Anyway, thank you very much.

The President: Thank you, Senator Cunningham.

Would any other Senator care to speak on this Bill?

Hearing none, back to you, Senator, Minister Caesar.

Sen. the Hon. Crystal Caesar: Okay, so, Senator Cunningham, I have to say that, you know, I know that you are very eager to participate in Carnival and I will be looking out for you in pictures on the road. That is why you are advocating.

[Laughter]

Sen. the Hon. Crystal Caesar: As it stands right now, no, there is not consideration, but maybe that can be taken up in the future as it has become quite a feature on the Bermuda annual calendar in terms of holidays. And it does actually draw quite a bit of visitors, et cetera, which does contribute to the economy from a hospitality and tourism standpoint. So, you know, again, [it] can be considered, but at this time it is not included.

And again, thank you for the support and ideas on how to actually make the reduction on the essential goods more palatable, I guess, for individuals as to how to implement and use it because oftentimes when we talk about when people are on a specific regimen in particular, you know, there are recipes, et cetera, provided. So, that would actually help to augment what is trying to be achieved. And so, I think that those are good comments and valuable comments on what potentially . . . how we can make sure that it is getting the right use for the right individuals. So, we do appreciate that.

So, with that said, Madam President, I do believe that, you know, the qualification, particularly on the motor vehicle parts and making those sorts of clarifications, I am sure that it has made those in that industry a lot more . . . It is going to make it more, I guess, amenable and acceptable to those as well. I think we all value our cars in Bermuda. So it is nice to know that we can repair them at a rate that maybe is not quite as exorbitant.

So, with that, Madam President, I move that the Bill entitled the Customs Tariff Amendment Act 2026 be now read a second time.

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

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that [Standing Order] 26 be suspended in respect of this Bill.

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

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill entitled the Customs Tariff Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading? No objection.

BILL

THIRD READING

CUSTOMS TARIFF AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to the passage of the Bill?

No objection. The Bill is passed.

[Motion carried: Customs Tariff Amendment Act 2026 was read a third time and passed.]

The President: Thank you, Minister Caesar, and thank you, Senators.

We will now move on to the next item that has been agreed to be considered, and that is consideration of the Health Insurance (Standard Health Benefit) Amendment Regulations 2026. And that is in the name of Senator Lauren F. Bell, the Junior Minister for Health.

Senator Bell, when you are ready, you can present your Bill.

Sen. Lauren Bell: Okay, thank you. Thank you, Madam President.

SUSPENSION OF STANDING ORDER 71(2)

Sen. Lauren Bell: I move that Standing Order 71(2) be suspended.

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

[Motion carried: Standing Order 71(2) suspended.]

Sen. Lauren Bell: Thank you, Madam President.

I move that Senate do now take under consideration the Health Insurance (Standard Health Benefit) Amendment Regulations 2026 proposed to be made by the Minister responsible for Health acting on the recommendation of the Council in exercise of the power conferred by section 40 of the Health Insurance Act 1970.

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

Sen. Lauren Bell: Thank you, Madam President.

DRAFT REGULATIONS

HEALTH INSURANCE (STANDARD HEALTH BENEFIT) AMENDMENT REGULATIONS 2026

Sen. Lauren Bell: Madam President, I rise today to introduce the [Health Insurance \(Standard Health Benefit\) Amendment Regulations 2026](#). These regulations seek an adjustment to the Standard Premium Rate, otherwise known as the SPR, effective 1 April 2026 as previously outlined in the 2025/26 Budget Statement.

This adjustment represents the first change to the rate in over four years, and it is a vital step in ensuring the financial solvency of the health care system and the stability of the only acute care hospital in Bermuda.

Madam President, this increase aims to ensure that when the residents of Bermuda require emergency care, surgery, or other life-saving treatments, our hospital has the staff, equipment, and resources needed to deliver that care. Practically speaking, this adjustment is about fairness for the health care professionals who continue to provide frontline support post-pandemic care, sustainability for the Mutual Reinsurance Fund [MRF], and an intentional move towards long-term resilience of the health system.

Madam President, the present adjustment must be contextualised with history for the fullness of understanding. The Standard Premium Rate was last increased on 1 November 2021, when it was set at \$400.31 per member per month. Since that time, nearly four and a half years later, the rate has remained unchanged. During the most volatile economic period induced by the pandemic, the Government made a deliberate decision to shield residents from increases to the Standard Premium Rate. In an effort to shield families from the rising tide of global medical cost increases, the Government froze the SPR. Instead, funds from the excess borrowing fund were used to provide temporary support and maintain stability within the health financing system. Had the Government followed standard inflationary trends during this period, residents would have seen incremental increases, but the freeze provided relief to policyholders since 2021.

Madam President, while the Government refrained from adjusting the SPR, health care costs have not stood still. Across the world, medical inflation continues to rise. It affects the cost of clinical care, medical equipment, pharmaceuticals, and hospital operations. Bermuda is not immune to these pressures, and these adjustments are critical to maintaining quality care within the health system, especially at the Bermuda Hospitals Board [BHB].

Madam President, the nurses, technicians, and support staff of the BHB are essential assets to our health system. The hospital is only as functional as the professionals who operate it, and the recent conclusion of negotiations with the Bermuda Public Services Union resulted in salary uplifts of 18.23 per cent, along with a cost-of-living allowance covering the period April 2022 through October 2025. The retroactive payments, that total \$38 million, recognise the dedication of nurses, technicians, clinicians, and support staff who support Bermuda's health care system every day. These retroactive payments will be issued in two equal instalments. The first was paid on 30 January 2026 and the second by 30 April 2026, in accordance with the negotiated agreement.

Madam President, ensuring that frontline health care professionals are fairly compensated is essential to maintaining a strong and resilient health system. While the Government has already funded the first \$19 million, the remaining balance requires structural adjustments to the health financing system through an adjustment to the Standard Premium Rate. Following an independent actuarial review, it has been determined that an increase of \$39.24 per member per month is necessary in order to maintain the integrity of Bermuda's health financing system. Accordingly, the Standard Premium Rate will increase to \$439.55 per member per month effective 1 April 2026.

Madam President, the Standard Premium Rate forms the premium structure across health insurance policies in Bermuda, and as such, this adjustment will be reflected in both public and private insurance premiums. For clarity, the \$39.24 per month per member represents the increase directly associated not only with salary uplifts but also the funding needs of the Mutual Reinsurance Fund, otherwise known as the MRF. Additionally, I wish to reiterate that this adjustment will not apply to individuals enrolled in a FutureCare plan.

Madam President, the Mutual Reinsurance Fund is a cornerstone of Bermuda's health system, supporting high-cost and hospital-based services and ensures that risk is shared broadly across the population. It allows essential treatment to remain available when individuals face catastrophic illnesses or complex medical needs. In light of this context, our decision was not taken lightly. If the MRF is not stable, the system cannot remain stable. A shortfall in this fund would compromise the access of every insured resident to essential hospital-based services. Therefore, unfreezing the SPR was a responsible, protective, and proactive decision.

Madam President, I have made it clear that the SPR adjustment is the sustainable path forward to both maintaining hospital services funded through the MRF and meeting the contractual obligations to the very staff who keep our hospital functioning. This adjustment restores balance to the system and ensures that the resources required to sustain hospital services remain available.

Madam President, in closing, Bermuda has one acute care hospital, and that hospital must remain strong. It must remain properly resourced. And it must remain capable of delivering the critical services our people depend on for emergency care, surgery, diagnostics, and treatment of serious illness. Every day, our residents rely on the professionals at the Bermuda Hospitals Board to provide that care.

The simple fact is that the Government must ensure that the system which supports the care remains financially sound and continues to function for the benefit of our people. Our duty is not only to manage today's cost but to safeguard the system on which every resident of Bermuda may one day depend.

Thank you, Madam President.

The President: Thank you, Senator.

Would any Senator care to speak on this Bill?

Senator Wight, Vice President, you have the floor.

Sen. John Wight: Thank you, Madam President. Thank you. I would like to thank the Junior Minister for bringing this forward.

I am fully supportive of this increase. I think the Standard Premium Rate, as the Junior Minister has mentioned, has not risen along with medical inflation, which, in Bermuda, has been roughly 8 per cent for many years now. So I think it is, even raising it to the level that is being proposed now, still far in excess of what it actually costs to deliver these services in Bermuda. So, with that, I am supportive, and I would just ask that this be raised every year in accordance with inflation rather than holding off and having to have sort of a knee-jerk reaction when it gets too far behind the actual cost to deliver medical services. So, in conclusion, I am fully supportive of this Bill.

Thank you, Madam President.

The President: Thank you, Senator Wight, Vice President.

And Senator David Rogers, you have the floor.

Sen. David Rogers: It is my view that the Standard Health Benefit is one of the significant challenges in our health system. I will support this Bill, but I support it under duress because the Standard Health Benefit [SHB] has strayed so far from what it was intended to be. While originally intended to be a way to ensure reliable payment to the Bermuda Hospitals Board and support its financial sustainability, it has over time enabled a level of fee setting that has not always been sufficiently constrained by robust cost controls or effective oversight.

This concern was in part the reason why the hospital was moved to the block grant in the first place. There have also been issues with insurers deriving substantial financial benefit from holding and administering SHB funds, hence why they were removed out of

the loop later. At present, there are concerns that the SHB framework primarily serves right now to guarantee payments to a relatively small number of private health care providers and that it operates without significant regulatory oversight. Furthermore, attempts to regulate and introduce greater accountability at times has been met with interference from the Government. Based on these issues, we cannot keep kicking this can down the road. SHB is problematic and we should be looking at ways to modernise and move to a different system.

In light of that, with the increase in SHB funding, are there any plans to . . . sorry. I am moving to questions.

The President: Mm-hmm.

Sen. David Rogers: Are there any plans to expand the number or categories of health care professionals eligible to provide SHB covered services and receive the associated funding?

My second question would be, With the imminent switch to the UHC [Universal Health Coverage] later this year, why is there a need to increase SHB funding in the first place if we are moving to universal health care this year?

The President: Thank you.

Would any other Senator care to speak on this Bill?

Hearing none, then it is over to you, Senator Bell.

Sen. Lauren Bell: Thank you, Madam President.

First, I would like to acknowledge the support that has been expressed by both the Independent Senator and the Opposition. I do acknowledge and appreciate the support recognising how important these amendments are to ensure we have a well-funded hospital.

I am just waiting for my technical team to provide me with some responses to the two questions that were proposed by Senator Rogers. Thank you.

[Pause]

Sen. Lauren Bell: Madam President, I do have a response to one of the questions posed by Senator Rogers. It is an acknowledgement that part of the UHC is stabilising the fundamentals of the system, and the hospital is at the core of that.

There was a question about, Why increase Standard Health Benefit funding considering the universal health . . . UHC? So, part of the UHC is stabilising the fundamentals of the system, and the hospital is at the core of that. UHC is about protecting access to care, and the hospital must provide critical services.

[Pause]

Sen. Lauren Bell: Madam President, can I ask Senator Rogers to repeat his first question related to whether there were plans to increase those that have access to . . .

Sen. David Rogers: Yes, basically, with SHB funding increasing, is there an intention to increase the number [of] professionals eligible or the number of people who will be able to provide coverage under SHB and receive the associated funds?

[Pause]

Sen. Lauren Bell: Madam President, thank you for your patience. There is a moratorium for the SHB as we move into the UHC.

Madam President, I believe that I have answered both of his questions.

The President: You can move your Bill [sic] since there are no other questions.

Sen. Lauren Bell: Thank you.

The President: The Regulations, I mean, be approved.

Sen. Lauren Bell: Madam President, I move that the said draft Regulations be approved and that the following message be sent to His Excellency the Governor.

“May it please Your Excellency, the Senate, having had under consideration the draft Regulations entitled the Health Insurance (Standard Health Benefit) Amendment Regulations 2026 proposed to be made by the Minister responsible for Health, acting on the recommendation of the Council in exercise of the power conferred by section 40 of the Health Insurance Act 1970, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations.”

The President: Any objection to the message being sent?

No objection.

The message will be sent.

[Motion carried: The Health Insurance (Standard Health Benefits) Amendment Regulations 2026 were approved.]

The President: And thank you, Senators.

And I believe you have another Bill to present, Senator? Yes. That is the Health Insurance (Mutual Re-Insurance Fund) (Prescribed Sum) Validation Act 2026.

Sen. Lauren Bell: Yes, thank you, Madam President.

Madam President, I move that the Bill entitled Health Insurance (Mutual Re-Insurance Fund) (Prescribed Sum) Validation Act 2026 be now read a second time.

The President: Is there any objection to that motion?

No objection.

Sen. Lauren Bell: Thank you, Madam President.

BILL

SECOND READING

HEALTH INSURANCE (MUTUAL RE-INSURANCE FUND) (PRESCRIBED SUM) VALIDATION ACT 2026

Sen. Lauren Bell: I rise today to introduce the [Health Insurance \(Mutual Re-Insurance Fund\) \(Prescribed Sum\) Validation Act 2026](#). This Bill seeks to validate payments made from the Mutual Re-insurance Fund from November 2021.

By way of context, this measure addresses the administrative gap. When the standard premium was increased in November 2021, the corresponding legislative amendment required to support adjustments to the prescribed sum under the Mutual Re-insurance Fund was not enacted at that time. This Bill, therefore, serves to regularise and validate those payments retrospectively.

Similar to the [Regulations] that were just passed, the Health Insurance (Standard Health Benefit) Amendment Regulations 2026, this Act ought properly to have been brought forward in November 2021 alongside the premium increase. Madam President, Honourable Senators will recall that 2021 was an extraordinary period during which it was critical that our health system remain properly funded and operational. Payments from the Mutual Re-insurance Fund were therefore made with Cabinet's approval to ensure that key institutions, including the Bermuda Hospitals Board, the Health Insurance Fund, and the Bermuda Health Council, could continue to carry out their essential function.

Madam President, the Bill before the Senate validates those payments made from November 2021 onward until such time as the updated prescribed sum order issued under section 3A(2A) of the Health Insurance Act 1970, comes into force on April 1, 2026.

Madam President, it is important to emphasise that this Bill does not introduce new policy. It confirms that the payments made during the period of November 2021 until March 2026 are recognised in law.

Thank you, Madam President.

The President: Would any Senator care to speak on this Bill?

Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

I just have one question for the Junior Minister: What about the payments that were made before November 2021?

Thank you, Madam President.

The President: Would any other Senator care to speak on this Bill?

Senator Rogers, you have the floor.

Sen. David Rogers: Coming to these exact figures I know takes a lot of collaboration and consultation, and it is a robust data set that you have to look at when evaluating the right number.

In preparation for this discussion, I have looked at the following publicly available documentation: The Health Council Actuarial Report 2018, published on May 22, 2019; The 2020–2022 Combined Annual Report for the Bermuda Health Council, published August 2023; the BHB Annual Reports for 2020–2023; and the Health Insurance Department [HID] End-of-Year Report for 2018/19. Many of these documents have a statutory requirement to be laid before the Legislature on an annual basis, yet some of them seem woefully out of date. Can the Junior Minister advise what additional data or unpublished information was used to come to the current figures that she is placing before the Senate? And when will such data be made publicly available in the interests of transparency and informed scrutiny?

Additionally, it is public knowledge that BHB has used overdraft facilities in the past. It has been reported by *The Royal Gazette* that the Bermuda Hospitals Board was forced to take a bank overdraft to cover emergency expenses up to \$30 million over four years due to rising operational costs. Also, during the most recent union negotiations, it was reported that the hospital would be unable to meet the cost of the uplift without additional support from the Government. We know the BHB is mandated under legislation to meet its expenses out of revenue, or in layman terms, it must operate a positive balance sheet, meaning that in a real technical sense, overdrafts over multiple years are technically illegal. At this current period, has the BHB needed a loan facility or overdraft to meet its current obligation? If so, how much? Is the adjustment in the MRF funding intended to alleviate the need for such borrowing in the future?

[Pause]

Sen. Lauren Bell: Thank you, Madam President.

While I wait for more responses for the questions posed by Senator Rogers, I can respond to Senator Wight's question. He had asked about the payments that were made before November 2021. I can confirm that those were regularised using the prior prescribed sum.

And to Senator Rogers' question regarding whether the MRF is intended to alleviate borrowing in the future, the hospital funding will be adjusted accordingly to provide data from the hospital, such as utilisation and inflation. They will also be expected to be more efficient.

And I am just waiting for a few more responses from the technical team.

[Pause]

Sen. Lauren Bell: Madam President, the Health Council statutory document is the annual report. We can confirm the 2023/24 report is currently being done by the Auditor General. The Council has worked with the actuaries to provide up-to-date reports. Updated presentations will be posted. We can confirm—and it is the public record—that BHB does have a current overdraft. BHB is also currently working on recent audits. BHB audit matters are currently in the public domain as it came up during the budget debate.

The President: Senator Tannock, you have a comment or additional question?

Sen. Tawana Tannock: Yes, I have a supplemental question to Senator Rogers' question. What is the amount of the overdraft, and do we know what it has gone toward?

So, two, [what is] the amount of the overdraft? And how has it been applied: operating expenses, payroll tax remediation, just what?

Thank you.

[Pause]

Sen. Lauren Bell: Thank you, Senator Tannock, for your questions. That information about what the overdraft was used for was also in the public domain. It was used for salary uplifts, operational expenses, and vendor payments.

The President: Mm-hmm.

Sen. Tawana Tannock: I have a follow-up question, Madam President.

The President: Yes, Senator Tannock.

Sen. Tawana Tannock: Salary uplifts—so the BHB got an overdraft to pay salary uplifts. Can you explain to me what that is? Are those bonuses? Are those salary increases? Because if they are salary increases, then how will you . . . you know, you cannot get an uplift. You cannot take an overdraft continually to pay salary. So, I do not understand that part. What bonuses or what type of salary uplift [were there]? Your salaries are budgeted.

Sen. Lauren Bell: So, as it was included in my brief, there were negotiated salary uplifts. Part of those salary uplifts were partially funded through the overdraft. I can confirm that the overdraft is \$12 million.

Madam President, now that we have answered those questions, I move that [Standing Order] 26 be suspended in respect to this Bill.

The President: Do your second reading first.

Sen. Lauren Bell: I am sorry.

Madam President, I move that the Bill entitled the Health Insurance (Mutual Re-Insurance Funds) (Prescribed Sum) Validation Act 2026 be now read a second time.

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

SUSPENSION OF STANDING ORDER 26

Sen. Lauren Bell: Thank you, Madam President.

I move that [Standing Order] 26 be suspended in respect of this Bill.

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

[Motion carried: Standing Order 26 was suspended.]

Sen. Lauren Bell: Madam President, I move that the Bill entitled Health Insurance (Mutual Re-Insurance Funds) (Prescribed Sum) Validation Act 2026 be now read a third time.

The President: Is there any objection to the third reading?
No objection.

BILL

THIRD READING

HEALTH INSURANCE (MUTUAL RE-INSURANCE FUNDS) (PRESCRIBED SUM) VALIDATION ACT 2026

Sen. Lauren Bell: Madam President, I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that motion?
No objection.
The Bill has passed.

[Motion carried: The Health Insurance (Mutual Re-Insurance Funds) (Prescribed Sum) Validation Act 2026 was read a third time and passed.]

The President: Thank you, Senator Bell and all Senators.

We now move on to the next item on our agenda, and that is the Corporate Income Tax Agency Amendment Act 2026, and that is in the name of Minister Crystal Caesar, the spokesperson for Finance in the Senate.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled the Corporate Income Tax Agency Amendment Miscellaneous Provisions *[sic]* Act 2026.

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

[Motion carried: Leave granted for the [Corporate Income Tax Agency Amendment Provisions Act 2026] to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill entitled Corporate Income Tax Agency Amendment Miscellaneous Provisions *[sic]* Act 2026 be now read a second time.

The President: Is there any objection to the second reading?
No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BILL

SECOND READING

[CORPORATE INCOME TAX AGENCY AMENDMENT ACT 2026]

Sen. the Hon. Crystal Caesar: Madam President, [I rise] on behalf of the Government in this Honourable [Senate], to debate the Bill entitled [Corporate Income Tax Agency Amendment Act](#) Miscellaneous Provisions *[sic]* 2026, this Bill proposes amendments to the Corporate Income Tax Agency Act 2024 and certain related pieces of legislation to make certain miscellaneous updates.

By way of background, the Corporate Income Tax Act 2024 has now been in force for two years, and the Corporate Income Tax Agency Act was enacted in 2024 to support its administration. With the transition period now complete, Bermuda has fully entered the operational phase of the corporate income tax regime.

As the regime moves forward, several components have required refinement to ensure the framework remains aligned with international standards, reflects practical implementation needs, and provides clarity for both taxpayers and administrators as the system becomes fully embedded.

This amendment Act makes changes to the Corporate Income Tax Agency Act 2024 to clarify the sources of funding available to the Agency and to strengthen its financial management framework. This is of particular importance, given the expanding scope of responsibility being assigned to the Agency. Specifically, the amendment confirms that investment income generated from the Tax Refund Reserve Fund established under regulations made pursuant to the Corporate Income Tax Act 2024, including investment income, may be used to support the Agency's operating expenses.

The amendment also requires the Agency to establish and maintain a general reserve account into which any annual operating surplus may be transferred up to a maximum of 50 per cent of the Agency's approved budgeted expenses for the following financial year.

Madam President, this reserve is intended to provide financial support to help manage potential fluctuations in revenue or operational needs. Any surplus funds beyond this threshold will be transferred to the Consolidated Fund, unless otherwise directed by the Minister, while any deficit that exceeds the balance of the reserve account may be supported by the Consolidated Fund to ensure the continued operation of the Agency.

Madam President, further to these changes, consequential amendments are proposed to the Corporate Income Tax (Tax Refund Reserve Fund) Regulations 2025 to ensure sustainable funding for the Agency and its work. It is proposed that Regulations be amended to allow the use of monies accruing from the investments made under the Tax Refund Reserve Fund to support the Agency's ongoing operations.

Previously, investment income was swept into the Consolidated Fund in the first instance. Under the proposed amendment, the default position will be that investment income from the Fund will automatically be paid to the Agency to support its operations in accordance with the budget approved by the Minister. Only excess sums not required for the Agency's approved budgeted costs and not required to maintain the reserve fund will be swept to the Consolidated Fund.

Madam President, consequential amendments to the Tax Credits Act 2025 are also proposed to ensure the legislation remains aligned with the updated framework. The Tax Credit Act 2025 establishes several qualified refundable tax credits, including the community development tax credit, which was designed to support charities. The community development tax credit, as currently enacted, limits eligibility to

donations made to charities that are required to submit audited financial statements.

Representatives from the charitable sector have noted that, if this remains, it could create an unintended incentive for taxpayers to favour larger charities that are required by law to file audited financials, whereas smaller charities are not required to file these statements, and this may inadvertently place smaller charitable organisations at a disadvantage. While the original inclusion of the audit requirement was intended to promote transparency, tax advisors have indicated that removing this requirement for the purpose of the credit would not represent a substantive change to the overall policy framework. It must be noted that charities must still be in good standing.

Madam President, in closing, I wish to emphasise that the Government remains confident that the corporate income tax framework upholds Bermuda's strong commitment to global compliance and strategy, while maintaining the Island's respected reputation internationally. The progress achieved thus far has been made possible through the invaluable contributions of the International Tax Working Group, whose expertise and dedication continue to play a central role in advancing this important initiative.

I thank everyone from the Ministry of Finance and the Corporate Income Tax Agency, along with our dedicated advisors, for the time, effort, and expertise they have contributed to this work. I also extend my appreciation to the drafting team at the Attorney General's Chambers for their support through the process.

In that regard, as has been mentioned in another place, we extend condolences to the drafting department on the passing of their colleague, Gwen Johnson, who played a significant role in the development of all corporate income tax-related legislation. Her professionalism and commitment will be remembered with deep gratitude.

Thank you, Madam President.

The President: Thank you, Minister Caesar, Spokesperson for Finance [in the Senate].

Would any Senator care to speak on this?

Senator Victoria Cunningham, Opposition Leader in the Senate, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

I just wanted to confirm that we are looking at the amended version that was emailed out today that literally has one change that adds tax "refund" reserve fund. Yes, okay, that was the only change I saw. Okay, thank you very much.

So, I think, you know, as has been acknowledged for all these corporate income tax amendments, we, the Opposition, support changes that basically help us continue to implement this tax regime. Obviously, there needs to be strong oversight and clarity, but I

think putting mechanisms in place . . . I could argue about numbers, but I am not going to.

I think my first question is around the long-term vision for CITA. So, for the Agency, how does this funding structure align with that long-term? I mean, is it the goal that the Agency becomes fully self-sustaining in the future? And then, I guess, how will that success be measured?

And then, secondly . . . And I will declare my interest as an executive director of a Bermuda-registered charity, but one that does have audited financial statements annually. But I am delighted I went to a meeting of charities at KPMG, and this was one of the items that came up. I think my question . . . And I went to look at the latest charities list and saw one from February 2026, which is great. I just wanted to know how many . . . or how often (sorry) that list is updated, as I assume . . . And I would assume that organisations or insurers, whoever is making these donations, will make sure that there is the due diligence. But I think, yes . . . I think that is very welcome from the charity sector.

And that is it for me.

The President: Thank you.

Would any other Senator care to speak on this Bill?

Hearing none, Minister Caesar, [it] is over to you.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I would like to point out that, and as my fellow Senator may or may not realise, charities actually do not fall within the provision of the Ministry of Finance. It actually falls under, I believe, the Ministry of Youth, Social Development, and Seniors. And so, we may not have that answer [at] hand as to how often that list is updated as they may have provision of that particular list. But I do know that there is a requirement—I want to say at least an annual requirement—for charities to maintain their good standing, for lack of a better term. So, at least annually, I would assume, but that can be confirmed at another time.

Sen. Lindsay Simmons: Point of information, Madam President, if you do not mind.

Sen. the Hon. Crystal Caesar: Sure, thank you.

The President: Yes.

POINT OF INFORMATION

Sen. Lindsay Simmons: You are welcome.

I am the Junior Minister for Youth, Social Development, and Seniors, and I can confirm that it is yearly. Everybody has to send in their documents and be compliant.

The President: Thank you for that response, Senator Simmons.

Minister, you can continue.

[Pause]

Sen. the Hon. Crystal Caesar: Okay, thank you, Madam President.

[Crosstalk]

Sen. the Hon. Crystal Caesar: So, to answer—

The President: Yes, go ahead.

Sen. the Hon. Crystal Caesar: Oh, okay. I was not sure if somebody was talking to me or not, giving me some intervention.

But to answer the question with regard to the long-term vision, yes, it is the vision for the Corporate Income Tax Agency to become self-sustaining and ongoing monitoring measurement, obviously, year on year. There is no specific end date, but of course it would become when they are able to appropriately sustain any operating and/or other expenses that are required to ensure that they are independent. So, that is on an ongoing basis. So, to give a definite . . . We would not be able to give that at this particular time, but the vision is yes, ultimately for it to become self-sustaining.

With that, Madam President, I believe that those are the questions.

The President: Yes.

Sen. the Hon. Crystal Caesar: And so, at this time, Madam President, I move that the Bill entitled the Corporate Income Tax Agency Amendment Miscellaneous Provisions *[sic]* Act 2026 be read a second time.

The President: Is there an objection to the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that Standing Order 26 be suspended in respect of this Bill.

The President: Is there an objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

Madam President, I move that the Bill entitled Corporate Income Tax Agency Amendment

Miscellaneous Provisions [*sic*] Act 2026 be now read a third time.

The President: Is there an objection to the third reading?

No objection.

BILL

THIRD READING

[CORPORATE INCOME TAX AGENCY AMENDMENT ACT 2026]

Sen. the Hon. Crystal Caesar: Madam President, I now move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there an objection to that motion?

No objection.

The Bill is passed.

[Motion carried: [The Corporate Income Tax Agency Amendment Act 2026] was read a third time and passed.]

The President: Thank you, Minister, and thank you, Senators.

That leaves us to move on now to the next item, the second reading of the Economic Substance Amendment Act 2026, and that is also in—

Sen. the Hon. Crystal Caesar: My name.

The President: —your name.

Sen. the Hon. Crystal Caesar: Yes, Madam.

The President: When you are ready, Minister, you can present your Bill.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

STANDING ORDER 25

Sen. the Hon. Crystal Caesar: Madam President, I move that the provisions of Standing Order 25 be granted so that the Senate may now proceed with the second reading of the Bill entitled the Economic Substance Amendment Act 2026.

The President: Is there an objection to that motion?

No objection.

[Motion carried: Leave granted for the Economic Substance Amendment Act 2026 to be read a second time on the same day as its first reading.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill entitled the Economic Substance Amendment Act 2026 be now read a second time.

The President: Is there an objection to the second reading?

No objection.

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

BILL

SECOND READING

ECONOMIC SUBSTANCE AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: On behalf of the Government, I provide the second reading of the Bill entitled the [Economic Substance Amendment Act 2026](#).

This Bill proposes to amend the Economic Substance Act 2018 to transfer responsibility for the administration, monitoring, and enforcement of Bermuda's economic substance regime from the Registrar of Companies [ROC] to the Corporate Income tax Agency [CITA].

By way of background, Madam President, the Economic Substance Act 2018 was enacted as part of Bermuda's response to implementing updated requirements of the Organisation for Economic Cooperation and Development (or OECD), and the European Union (EU), in relation to their work to address shifting of profits by multinational enterprises to low- or no-tax jurisdictions. The concerns in this regard centred on arrangements that allowed entities to benefit from such jurisdictions without maintaining a meaningful economic presence within them.

Madam President, in response, the Act introduced requirements for companies, partnerships, and limited liability companies engaged in certain relevant activities to demonstrate adequate economic substance in Bermuda, thereby reinforcing the jurisdiction's commitment to transparency and international tax compliance.

At present, the Act is administered and monitored by the Registrar of Companies, which also oversees enforcement through powers provided under the Registrar of Companies (Compliance Measures) Act 2017.

Madam President, this amendment Act provides for the transfer of these responsibilities to the Corporate Income Tax Agency, thereby aligning the administration, oversight, and enforcement of the economic substance regime with Bermuda's evolving international tax governance and administration framework. This transition is a natural extension of the Agency's responsibility. Making the transition at this time allows

for greater operational and administrative effectiveness and efficiency in handling both corporate and tax matters and reinforces Bermuda's ongoing commitment to compliance and transparency.

Madam President, the legislative amendments are necessary to give full effect to this transition. They will replace all statutory references to the Registrar of Companies with references to the Agency, introduce updated operational provisions, and repeal or restructure provisions that are no longer applicable under the revised framework. These amendments will also enhance the administrative safeguards required to support the effective functioning of the regime under the Agency.

In keeping with Bermuda's ongoing international tax cooperation obligations, the legislation once enacted will be shared with the OECD Forum on Harmful Tax Practices [FHTP] and the European Union Code of Conduct Group (business taxation). (That is a mouthful.)

Madam President, in closing, I wish to emphasize that the Government remains confident that the corporate income tax framework upholds Bermuda's strong commitment to global compliance and transparency, while maintaining the Island's respected reputation internationally.

Again, I express my appreciation to the Ministry of Finance and the Corporate Income Tax Agency, as well as the advisors for work in advancing this initiative. And I once again thank the Attorney General's Chambers' for drafting the legislation and for their continued support through the process.

Thank you, Madam President.

The President: Thank you, Minister Caesar.

Would any Senator care to speak on this Bill?
Senator Tannock?

Sen. Tawana Tannock: Yes, thank you, Madam President.

The President: I saw your hand first, so . . .

Sen. Tawana Tannock: Oh, thank you, Madam President.

As I stated, when the Government kindly gave us a briefing on this Bill, you know, we in the business sector were subject to raise fees for the Registrar of Companies because of the volume of work that they had to take on. And my understanding is that those fees were to go toward hiring other people. Those hires never occurred. However, the sense was that there was just a large volume of work that had to be done at any rate. And so, my question is, Will we be expected to pay any fees to the CIT [Corporate Income Tax]? For those companies who are not in scope for taxes, who are not in scope, will they be expected to have to pay any fees to the CIT for the processing of the economic substance documentation? That is my first question.

Do you want me to ask my second one, Minister?

[No audible response.]

Sen. Tawana Tannock: Okay.

And then my second question is simply (and I know I have stated this at least three times in the Senate and twice on information calls) my concern about the tax identification number and the fact that, okay, if you were not in scope, you did not get a tax identification number. I have had an issue with that because we could no longer say Bermuda did not give them. But when we were submitting our filings to the Registrar of Companies, it was just we submitted our filings. However, now, even though we are not in scope, companies that are not in scope are submitting filings to the Corporate Income Tax Agency. And I would assume that in order to do so, you need some type of identification number.

I would like to know the clarity around that. What is being done about tax identification numbers for companies that are not in scope, in particular now that those not-in-scope companies will be submitting documentation to a tax agency?

Thank you.

The President: Thank you, Senator Tannock.

Senator Cunningham, you indicated you wanted to speak.

Sen. Victoria Cunningham: Yes. Thank you, Madam President.

And I was remiss of saying earlier that I appreciated the opportunity for the Government briefing that they gave us last week, yes, for both this and the CITA Bill we just passed. And once again, the Opposition is in support of this.

Two questions from me are, What independent oversight exists for CITA's exercise of expanded powers? So, obviously they are now taking over from the ROC.

And then secondly, what steps has Government taken to make sure that they have the adequate staffing, training, and systems because this is coming into force, or into effect, I should say, at the end of March?

Thank you. And the answer could just be people are moving desks from Registrar to CITA.

[Laughter]

The President: Vice President John Wight, you have the floor.

Sen. John Wight: Thank you, Madam President.

Yes, I just want to build on the comment that Senator Tannock made, which is a really, really important one. I am really glad she raised it in the session

because there are literally thousands and thousands of forms that have to be prepared by individuals and companies that say *I do not have them, my company does not have a tax information number.*

So, whatever the mechanism is, it has got to be called something different so that we can continue to respond to these queries and say that we do not have a tax identification number in Bermuda. So, it is a very, very important issue for Bermuda. It seems like a very small issue, but it is actually a very big issue if we get it wrong. So, I just want to build on what Senator Tannock previously mentioned.

Thank you, Madam President.

The President: Thank you, Senator John Wight.

[Pause]

Sen. the Hon. Crystal Caesar: Okay, Madam President, I can answer some questions as posed by colleagues.

So, with regard to the staffing, I think all would appreciate that the Corporate Income Tax Agency is still building capacity. And so, no, it is not completely staffed as it stands right now. It does have employees who have international expertise and is expected to become fully operational by the end of fiscal year 2027/28 as it implements a three-year strategic plan. And yes, there will be some employees, as some have mentioned or intimated. A small number of staff will move from the ROC over to CITA.

With regard to the question whether payments need to be made particularly by those companies that are not in scope, the short answer is no, Senator Tannock. And if you will just bear with me, I can get remaining answers.

[Crosstalk]

Sen. the Hon. Crystal Caesar: And so, Senator Tannock . . . Madam President, I beg Senator Tannock's indulgence as the CITA is still in the process of developing how they are going to deal with those companies that are actually not in scope but are doing filings. And so, I think there was an undertaking given that this process is under review. And so, we do not have a specific answer as it stands right now. I believe that it is appropriate to continue to seek that answer. But as it stands at this point, that process is still under review as to how that is going to be handled. So, I do not have a definitive answer specifically right now. I know that may not necessarily be the best answer, but it is the answer that is appropriate at this time.

And so, with that, Madam President, I would like to move that the Bill entitled (let me get the correct name) Economic Substance Amendment Act 2026 be now read a second time.

The President: Is there any objection to the second reading?

No objection.

SUSPENSION OF STANDING ORDER 26

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that Standing Order 26 be suspended in respect of this Bill.

The President: Is there any objection to that motion?

No objection.

[Motion carried: Standing Order 26 suspended.]

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill entitled the Economic Substance Amendment Act 2026 be now read a third time.

The President: Is there any objection to the third reading?

No objection.

BILL

THIRD READING

ECONOMIC SUBSTANCE AMENDMENT ACT 2026

Sen. the Hon. Crystal Caesar: Thank you, Madam President.

I move that the Bill do now pass.

The President: It has been moved that the Bill do now pass.

Is there any objection to that motion?

No objection.

The Bill is passed.

[Motion carried: The Economic Substance Amendment Act 2026 was read a third time and passed.]

The President: Thank you, Minister Caesar, and thank you, Senators.

And I think the final Bill—

[Crosstalk]

Sen. the Hon. Crystal Caesar: Madam President, thank you.

My colleague, Senator Fubler, is going to . . .

The President: Government Fees Regulations?

Sen. the Hon. Crystal Caesar: Yes. He is going to do the Government Fees Regulations, and I thank him.

The President: Senator Fubler, when you are ready, you can present.

Sen. Mischa Fubler: Thank you, Madam President. [I am] always here to help lighten the load of my colleagues. It is well late into the night.

[Laughter]

The President: Working hard!

Sen. Mischa Fubler: Yes, yes, several Bills in a row and we have more to come over the next week.

And so, in that regard, I move that the Bill [sic] entitled . . . I am sorry, not *Bill*. I move that the Government Fees Amendment Regulations 2026 be now read a second time.

The President: Is there any objection to the second—

The Clerk: Be considered.

The President: Oh. Be considered. Sorry.

Sen. Mischa Fubler: Be considered. Apologies. This one. I have it here. Apologies. It is more than that.

[Laughter]

SUSPENSION OF STANDING ORDER 71(2)

Sen. Mischa Fubler: I move that Standing Order 71(2) be suspended, Madam President.

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

[Motion carried: Standing Order 71(2) suspended.]

Sen. Mischa Fubler: Thank you, Madam President.

With the Governor's recommendation, and in accordance with section 36(3) of the Bermuda Constitution, I move that Senate do now take under consideration the [Government Fees Amendment Regulations 2026](#) proposed to be made by the Minister of Finance, in exercise of the power conferred by section 2 of the Government Fees Act 1965.

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

Sen. Mischa Fubler: Excellent.

The President: They are shaking their heads.

[Laughter]

DRAFT REGULATIONS

GOVERNMENT FEES AMENDMENT REGULATIONS 2026

Sen. Mischa Fubler: Madam President, in the Pre-Budget Report tabled in another place in February, I indicated this budget includes targeted steps to support domestic food production and reduce avoidable administrative costs that can stand between Bermudians and more affordable essentials.

Madam President, this budget provides for the waiving of certain government fees for registered farmers relating to applications, testing, inspection, and shipment processing for the regulated importation of approved pesticides, crop plants, and growing media used in local food production. These are technical charges, but for small and medium-sized producers, they accumulate quickly and can slow expansion. Reducing them is a practical way to support farmers and lower barriers to increased output.

The goal is to make it easier for local producers to grow more food more efficiently and at lower cost. A number of tax reductions were outlined that were under consideration to ease the tax burdens faced by residents and businesses.

Madam President, there is a further wording change to the Water Resources Act [1975] application fee to streamline the process with a new online payment system. There is no change to that fee. These fee reductions will take effect from 1 April 2026.

Madam President, the following fee within these regulations will be amended within the existing head in the revised 2026 Fee Schedule and is as follows:

- Head 1, Agriculture Act 1930 [paragraphs] (1) through (5); (7) through (21); and (23) through (28); and
- Head 80, Water Resources Act 1975 [paragraph (1)].

Thank you, Madam President.

The President: Would any Senator care to speak on these Regulations?

Senator Tawana . . . Sorry, Victoria Cunningham, you have been very busy today.

[Laughter]

The President: Senator Victoria Cunningham.

Sen. Victoria Cunningham: We are easily confused, I guess. Although I think Senator Tannock might be more of a Carnival diva than myself.

[Inaudible interjections and laughter]

Sen. Victoria Cunningham: There you go.

Madam President, once again, the Opposition has no issue. Obviously, we are looking for targeted steps. And this seems to give sensible ones to our food

producers, farmers. And I think, in the interest of timing, and . . . Well, actually, no. Let me give Senator Fubler a question. Well . . .

[Inaudible interjection]

Sen. Victoria Cunningham: No. I do not really . . . No, I will not. I will just give our support.
Thank you very much.

[Crosstalk]

Sen. Mischa Fubler: Thank you, Madam President.

The President: Would any other Senator care to speak on it? No.

It is over to you, Senator Fubler.

Sen. Mischa Fubler: Excellent. Thank you, Madam President.

I am a little disappointed. I reached out to my technical officers in advance because it is quite late. And I said, *I reckon they are going to ask some questions around this Bill.* And you know what? They have not. It is always better to be prepared.

And so, in that regard, Madam President, I move that the said draft Regulations be approved and that the following message be sent to His Excellency, the Governor:

“May it please Your Excellency, the Senate, having had under consideration the draft Regulations entitled the Government Fees Amendment Regulations 2026, conferred by section 2 of the Government Fees Act 1965, has the honour to inform Your Excellency that the Senate has approved the said draft Regulations.”

The President: Is there any objection to the message being sent?

No objection.

Sen. Mischa Fubler: Thank you, Madam President.
That is it?

The President: That is it. Yes. That is it, everyone.

[Motion carried: Draft Regulations entitled the Government Fees Amendment Regulations 2026 were approved.]

The President: And now, Senators, we will revisit the third reading vote on the [Municipalities Reform Act] that was agreed [to] this morning.

And I call on the Minister in charge, Madam Attorney General, Senator Wilkerson, to put the third reading motion for the Bill at this time. And remember, Senators, there is no debate during the third reading.

Senator Wilkerson, you have the floor.

BILL

THIRD READING

[Recommitted]

MUNICIPALITIES REFORM ACT 2026

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

I move that the Bill, Municipalities Reform Act 2026, be read a third time.

The President: Is there any objection to the third reading?

Yes, we have to have a division.

[Crosstalk]

The President: We have 1, 2, 3, 4, 5.

The Clerk: We have to have at least three Senators objecting—

The President: Yes.

The Clerk: —that is [Standing Order] 35, then [it] kicks in. So recite [Standing Order] 35.

The President: Where is [Standing Order] 35?

The Clerk: Do you have it?

The President: Yes, I have it. Sorry.

All right. Senators, I will now, for the benefit of you all, recite Standing Order 35.

“A Bill having passed through the Committee of the whole Senate, or by leave of the Senate, having been read a second time without referral to the Committee of the whole Senate, may forthwith be read a third time and passed unless at least three Members object to the motion for the third reading, in which case the third reading shall be deferred to the next day of meeting.”

The Clerk: So, that is the rule.

The President: That is the rule.

The Clerk: So, this means that, at this point, the third reading is deferred until the next day of meeting.

The President: Unless . . .

[Inaudible interjection]

The President: Yes.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

The President: And today is the third reading, so.

[Crosstalk]

The Clerk: We are trying to follow the correct procedure. This is what should have happened last Wednesday. The President cited [Standing Order] 35. Okay?

The President: Mm-hmm. So, the . . .

The Clerk: All right. So, is there any . . .

The President: Any objection to it?

The Clerk: No, no, no.

The President: No, that is it.

Sen. the Hon. Kim Wilkerson: That is the rule.

The President: That is it.

[Crosstalk]

Sen. John Wight: Can I just ask one question? Why could that not have been expressed to us this morning first thing? It does not . . .

The Clerk: Well, because we did not get to that stage.

Sen. John Wight: It didn't . . . Okay. Thank you.

The President: Yes, because, remember, there were some suggestions that we carry over, and that is why we are here. We are beyond it at this point.

The Clerk: So, at this point, the Bill will be on the Order Paper for the next meeting as a third reading on the next Order Paper.

Okay? So, everybody understands?

The President: Yes.

Some Hon. Senators: Yes.

Sen. the Hon. Kim Wilkerson: Thank you, Madam President.

The President: Senator Tannock.

Sen. Tawana Tannock: Yes, so when we come on Wednesday, is it possible to move that right up to the beginning of the day?

The Clerk: Yes, it would be the first item on the Orders of the Day.

The President: Yes, it will be. We have—

The Clerk: It will be decided.

The President: —decided.

The Clerk: Yes, it would be the second item after the Committee stage or whatever.

[Inaudible interjections]

The Clerk: Okay?

The President: So, we will resume in Committee for the debate and, immediately after that, we will move on to this.

The Clerk: The next Order would be the third reading.

The President: The next Order would be the third reading, sorry. But that is what we need to do.

The Clerk: Wow.

[Inaudible interjections]

The President: With that, now we will move on with the agenda.

MOTIONS

The President: There are none.

CONGRATULATORY AND/OR OBITUARY SPEECHES

The President: Senator Lindsay Simmons, you have the floor.

Sen. Lindsay Simmons: Thank you, Madam President.

Madam President, I want to give condolences to the family of the late Paulette Smith. Paulette became a part of my life a few years ago when her daughter, Sinae, began dating my cousin, Kyrie. I would see her from time to time, but our relationship actually grew when I ran in the bye-election. My chairman, Cleveland Richardson and I knocked on her door, and she did not give me a pass. Instead, she spoke to me honestly about what it would take to be successful as a PLP candidate, and she was hard. From that day, she became one of my core supporters and made sure I knew it.

People would usually see her on Facebook, and she had a lot to say, criticising the Government, criticising the Opposition. But she would not let anybody criticise me. She was there at my bye-election and made sure that she got in and voted. They told her she was not on the registry to vote, but my girl Paulette, she came with her voter's ID and [it] had her address on it.

I do not know why she was not on there, but she was able to go in and vote.

She gave me this green beaded bracelet with a cross on it and told me that I was special to her. She waited for the count, and even though I did not win, she told me I was still her MP. The MP in [constituency] 10 could never be her MP. The OBA candidate never stood a chance knocking on her door. She told him, *Leave*. She made sure she called me to let me know that he was not welcome.

When Paulette first took ill, she called me down to the hospital and shared the news. I asked her what could I do, and she simply asked, *Can you paint my bedroom? I want to go home to a room that is clean and fresh*. So, we got her a new bed, a new washer, a new dryer, and we painted that room. We spoke often, and she would always say that our wonton soup at Chopsticks [Fusion] was the only thing that she could keep down.

One of my greatest memories of Paulette was seeing her make her way to the events voting day. For the general election, she came in her hospital gown. So, I said, *Paulette, you know, you are supposed to be in the hospital*. She said, *Linda, I took the IVs out. I brought the oxygen tank. And I am coming to vote*.

The last time we spoke was February 25, 2026. Paulette reached out to me to ask me how I was doing and how the girls [were doing]. That was who she was. Even in her moments, she made sure that she thought of others. I will always remember Paulette as somebody who cared deeply about others and made sure I never forgot where I came from. So, to her daughters, her husband, her son-in-law, family and friends, I say, *Rest in eternal peace, Paulette*. I will always be your MP. Thank you. God bless you, Paulette, and rest in peace.

The President: Would any other Senator care to speak?

Senator Victoria Cunningham, you have the floor.

Sen. Victoria Cunningham: Thank you, Madam President.

I will be quick, but I wanted to congratulate Bermuda pickleball in general. I think we will be hearing on Wednesday about the increased domination of pickleball in Bermuda. Our team dominated the Caribbean Pickleball Championships. And I think it is a testament to the programmes that have been rolled out.

I also want to congratulate Naphisa Smith, one of my mentees, who was on the team. I actually saw them all in Docksider's with the visiting islands. I was with my husband who wears Bermuda shorts every day, and so some random person from Antigua has a picture of my husband in his Bermuda shorts on her phone. Anyway, congratulations to the Bermuda Pickleball Association.

Secondly, I want to congratulate my One Bermuda Alliance and former Senate colleague, Maurice Foley. They just announced the Bermuda Caregivers Alliance, which is a charitable organisation aimed at supporting caregivers throughout the Island with structured support groups, workshops, resource sharing, and advocacy. He is the deputy chairman, and Lisa James is the chair. I just want to wish them well with their new endeavours, quite well timed given legislative updates on corporate income tax.

Thank you very much.

The President: Thank you, Senator Cunningham.

Would any other Senator . . . I see Senator, first of all, Tarik Dunbar Smith, I saw your hand.

Sen. Tarik Smith: Thank you, Madam President, and good night to the listening audience and my fellow Senate colleagues.

I have three obits to get and one congrats. I just want to first wish my deepest condolences to the family of Leslie Wilson. His son, Mandel, is a constituent of mine and a good friend from Ord Road. Mandel and his wife, Makeba, and their daughters.

I do extend my condolences also to the family of Thomas Brown. His son, Thomas Jr., has been a friend of mine since he was about 17 years old. His daughter is actually my goddaughter. So, to Thomas and his siblings and my goddaughter and her brother, I do wish you all my deepest condolences.

Finally, in the condolences category, Mrs. Ruthella Smith, who worked at Bermuda [National] Library for many, many years, with my mother, one of the nicest human beings I think I have ever met in my entire life . . . She was kind-hearted, put others before herself. My mother is taking this one . . . it is very difficult. It is very difficult for my mom. So, on behalf of my family, I want to [send] my condolences to Ryan Sr., Ryan Jr., and Raquel, because Ruthella Smith was one wonderful, wonderful human being. And if anyone (and we were young, Lindsay) went to the library, you would see a small, petite lady, that would be Ms. Smith, who was always very helpful when we were doing our research projects.

Thank you so much, Madam President.

The President: Thank you, Senator [Tarik] Dunbar Smith.

Senator Rogers, I saw your hand. You have the floor.

Sen. David Rogers: I would like to communicate to the families of Eleanor Brown, Dorothy Hassell, and Ruthella Smith, that we are keeping you in our thoughts, and we are hoping the memories of your loved ones will comfort you in the difficult times ahead.

The President: Thank you.

Would any other Senator . . . Lindsay Simmons, you want to speak again?

Sen. Lindsay Simmons: I am sorry. I know this is not normal, but it would be remiss if everybody in the Senate today did not wish happy anniversary to Derek Lamb and his wife, Ashleigh. It is their third-year anniversary and he is here today stuck with us in the Senate. So, I just wanted to tell them happy anniversary from the Senate colleagues.

The President: Thank you. We all agree with you. Would any other Senator care to speak?

Hearing and seeing none, it is over to you, Minister Wilkerson regarding adjournment . . . oh, sorry. You wanted to speak yourself. Oh, and now Senator Tannock has [also] put her hand up.

[Crosstalk]

The President: No, no. [The] motion to adjourn.

Sen. Tawana Tannock: Okay. That is fine.

Sen. the Hon. Kim Wilkerson: Madam President, thank you.

The President: Minister Wilkerson, you are speaking on—

Sen. the Hon. Kim Wilkerson: Thank you very much. I am speaking on—

The President: —Congrats or obits? Okay.

Sen. the Hon. Kim Wilkerson: Really, really quickly, because my voice is gone. But I did want to, Madam President, to congratulate the Bermuda Youth Advisory Board for their advocacy on youth mental health issues. I was fortunate to join policymakers, including the Premier, the Minister of Health, and the Minister of Youth, Social Development and Seniors on Saturday afternoon to hear representations from this group of young people who are advocating on behalf of themselves and other youth for changes to the mental health laws and policies in Bermuda. They did an incredible job. And there will be more to hear from this group.

Thank you, Madam President.

The President: Thank you.

[Inaudible interjection]

Sen. the Hon. Kim Wilkerson: Youth Advisory Board. Yes.

The President: Thank you, Minister Wilkerson. With that, your adjournment?

ADJOURNMENT

Sen. the Hon. Kim Wilkerson: Yes. A motion to adjourn. Absolutely, Madam President.

I move that the House adjourn until Wednesday, March 25.

The President: Would any Senator care to speak on the motion to adjourn?

Senator Tannock, you have the floor.

MUNICIPALITIES REFORM ACT 2026 PROCEDURAL IRREGULARITIES

Sen. Tawana Tannock: Yes. Thank you, Madam President.

I am sorry that I did send an email, but I just sent it like 20 minutes ago. And I see you, Mr. Somner, are hard at work, so you did not get it. But I just wanted to speak about what happened today with the procedural irregularity. I can only speak for myself and say that I felt blindsided today when I got in and I learned what happened. And then I still feel like I did not understand completely.

So, my request is . . . And I do not know. And it probably is in the Standing Orders, but can all of the documentation that was referred to for the process today be printed out and given to us? I know that we had the Standing Orders electronically, but not all of us have access to a computer or printer . . . sorry, we have computers but not printers. [I ask] because I do not think that I clearly understood, even after it was explained, what would happen and that we would go until Wednesday. And so, I know for me it is a bit frustrating, and I can only imagine for the listening public who are not here, who expected this matter to be put to bed and see it to go over again.

It almost seems like, you know, we are trying to avoid addressing it. And that is not the issue. That is not what is happening here. But because the procedure is not clearly lined out, it makes it seem like that.

So, my request is that can we have documented what happened and what should have happened, and the steps that we took in addition to maybe in front of the Standing Orders so that going forward we can all understand how we can better, you know . . . because, Madam President, you are not in the Senate alone. So, if something should happen, we could say, *Oh, Madam President, what about X, Y, Z?* So, that is my one request. And I appreciate it is difficult. We have so much to balance, but I would like to be more informed.

Thank you.

The President: Thank you. Point taken.

Senator Smith. Yes, Senator [Tarik] Dunbar Smith, you have the floor.

Sen. Tarik Smith: No.

The President: No? Sorry. I beg your pardon. I beg your pardon. I am looking at hands, and . . .

Senator Rogers, you have the floor.

Sen. David Rogers: I do realise it is late, but I [have] got to get this out of the way, guys.

The President: His speech. You have the floor.

MAIDEN SPEECH

Sen. David Rogers: Thank you so much, Madam President.

Madam President, I would like to begin with gratitude. I would like to thank the leadership of the One Bermuda Alliance for placing their trust in me with this appointment. Service in this Chamber is an honour that I do not take lightly. I am deeply aware of the responsibility. I also acknowledge my fellow Senators. Each of us has come here by a different road, shaped by different experiences and perspectives, yet we are united in a single purpose, the service of our country. In that service, we must bring diligence, integrity, and respect for the institution and for one another.

[To] the people of Bermuda who have placed their faith in our democratic system, I am grateful for the opportunity to speak to your concerns and aspirations. One of the responsibilities of leadership is to remember that the authority we hold in this Chamber is borrowed from the people. It must always be returned to them in the form of better governance.

I would also like to thank my family whose support has made this possible. To my wife and my child, thank you for your patience and encouragement. Public service demands much of those who undertake it, as we are here tonight at nine o'clock. But it demands even more of those who stand beside us.

To my mother and father who instilled the values of hard work and service, I am forever grateful. To my mother-in-law, thank you for your continued support and encouragement.

And finally, I wish to thank the Members of Parliament, of Senate, and the members of the OBA who have served as mentors and friends. Your guidance and example have helped shape my understanding of public service and leadership.

Madam President, the Senate holds a special place in our parliamentary democracy. It is not designed to be the loud Chamber. It is designed to be the thoughtful one. This Chamber is not simply an extension of partisan politics; it is a place for careful thought, deliberation, and sober second judgment. It is here that legislation must be examined, not through the lens of politics, but through the lens of policy, practicality, and long-term impact, not just the will to win based on tactics or technicalities. I come to this Chamber with a deep respect for that responsibility.

Like all who have entered public life, I bring with me political beliefs and convictions. However, I

intend to approach this role not simply as a partisan combatant, but as an honest broker of ideas.

As a Member of the Opposition, I recognise that my role includes holding the Government to account. But accountability is not obstruction. Where good ideas emerge, they will be supported. Where concerns arise, they will be raised. My goal is to contribute to this Chamber as someone who values evidence, sound policy, and thoughtful debate because at the end of the day, Madam President, there is no Government hospital or Opposition hospital. There are no Government families or Opposition families. There are no Government businesses or Opposition businesses. There is only one Bermuda.

Madam President, gratitude alone is not why we are here. We are here because Bermuda is facing very real challenges requiring serious attention and thoughtful leadership. Today, our Island faces rising health care costs that place pressure on families and employers alike. Our hospital struggles with overcrowding and the unacceptable reality of hallway medicine.

We face shortages in health care workers, nurses, physicians, and allied health professionals, in a system that is already carrying significant strain. Our population is ageing, which means the demand for health care services will only grow in the years ahead. Chronic diseases such as diabetes, heart disease, and hypertension continue to affect far too many Bermudians. Health inequality remains a reality with some residents struggling to access the care they need when they need it. And as a small Island system, we are constantly confronted with questions about financing, sustainability, infrastructure of this system.

For many Bermudians, these challenges are not just theoretical. They are not abstract policy decisions. And for my family, they became very real and very personal.

I am here in part because of what I witnessed when my wife needed treatment for breast cancer. I saw first-hand the anxiety, the uncertainty, and the frustration that can arise when a patient and their family are forced to fight with an insurer for necessary care. I have experienced the delays that can occur in a system when time is something a patient cannot afford to lose. Those experiences change how I view health care policy and remind me that behind every policy debate is a human life.

I believe Bermuda is capable of building a health care system that is both excellent and sustainable. But achieving that will require us to think differently.

The most affordable health care system is not the one that spends the least. The most affordable health care system is the one that keeps people healthy in the first place. We must invest in our people before they are unwell. We must take prevention, wellness, and early intervention seriously. A system that treats illnesses is necessary. A system that prevents illness is essential.

We must move away from the unacceptable realities of hallway medicine and ensure our health care infrastructure can meet the needs of our population. We must also ensure that the system we build is coordinated, efficient, and centred on the patient. And perhaps most importantly, we must invest in our people.

We must train Bermudians who enter the health careers: doctors, nurses, technicians, therapists, and administrators. A resilient health care system must be built by Bermudians and sustained by Bermudians, not consultants. This is not just good policy. It is essential for long-term resilience of our system.

Madam President, I did not come to the Senate to help manage a decline. I came to help build possibility. For more than 20 years, I have worked in health care. And during that time, I have seen our system from many angles. I have worked on the front line delivering care. I have worked both in public and private health systems. I have worked with insurers, administrators, responsible for financing care. And I have been involved in the regulation and policy frameworks that shape how care is delivered.

These experiences have given me a deep respect for the dedicated health professionals across our Island. They have also given me a clear understanding of what in our system works and what does not. I come to this Chamber not with opinions, but with knowledge and, more importantly, experience. And I hope to use that experience to contribute constructively to the difficult but necessary conversations that lie ahead.

Madam President, Bermuda is not a failing country. But it is, at times, a country that falls short of its true potential. Our greatest threat is not crisis. It is complacency. Bermuda possesses extraordinary advantages: a talented population, strong institutions, and a community that cares deeply about this Island's future.

Our Island may be small, but our ambition cannot be. If we are willing to confront the challenges honestly and work together with purpose, there is no reason Bermuda cannot build a stronger, healthier, more prosperous future.

And I am happy to be a part of it.

Thank you.

The President: Thank you, Senator David Rogers, on your maiden speech, and congratulations.

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

Hearing none, then, Senators, the Senate stands adjourned until Wednesday, the 25th of March.

Thank you. It's been a long day, and you have all worked very hard, and I thank you.

[At 9:06 pm the Senate stood adjourned until 10:00 am, Wednesday, 25 March 2026.]

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