**THE**

House of Assembly Debates

**(UNEDITED REPORT)**

The honorary member for St James North.

I thank you Mr. Speaker.

I rise today as an extremely proud member of the parliamentary team of the Barbados Labour Party to be the first government of this country to bring integrity legislation

Before this parliament promises had been made in the past and never kept by the previous government to do so In fact the genesis of what we are doing today and what we started last week Mister speaker goes back to about 1984 as was mentioned earlier in the debate when the now Sir Henry Ford former attorney general of Barbados would have tabled legislation in this parliament on the issue of integrity The dissolution of parliament in 1986 would have meant that that bill would have died

Subsequent to that the last Barbarous Labour Party administration would have empowered another former attorney general distinguished and St George South Member of Parliament Sir Louis Tull to look into the bringing in of anti-corruption legislation in Barbados as part of a Caricom effort and at caricom level But that didn't come to fruition either before the barbarous Labour Party was voted out of office at the will of the people in 1980 919 94 The reality of the situation is that the last democratic Labour Party government and many would say that they came into office largely because of their promises made in the 2008 general election that they would pass integrity legislation and prevention of corruption legislation within the first 90 days of their office

Of course Mister speaker as you are well aware they were in office for over 3700 days and did not find it fit to establish such legislation The result of that was that Barbados declined for example from number 15 in the world in terms of ratings by Transparency International in terms of prevention of corruption out of 182 countries with a score of 76 with a score of 61 in fact to 31 out of 176 countries declining by points in terms of 15 percentage points And as has been said by some of my colleagues previously corruption costs a country in terms of its socio economic development

In fact it's estimated that the gross national product of a country declines by about 4% on average because of corrupt practices by those especially in high places but not only those in high places at all levels in society And Barbados became the laughingstock not only of the Caribbean but of the whole world because of the lack of because of the whole treatment of governance by the previous government And as the honorable member for Christchurch said earlier today the mandate of the people of Barbados in the election two months ago was not only a vote against an incompetent and callous set of people but it was also a vote against corrupt practices of the highest order spiritual wickedness in high places that the Lord in the Bible condemns to the highest degree

But we had what do you expect Mister speaker? We had a tremendous reluctance by the last government to fulfill that manifesto promise of theirs in 2008 to bring in legislation to prevent corruption by their own people in this country and to bring in integrity legislation You had the then Attorney general gladly The honourable member for St Philip west has got rid of him hopefully from the political landscape

St Philip south sorry got rid of him hopefully from the political landscape for the rest of eternity He said that people who were talking about integrity legislation were making silly and stupid noises and that he couldn't find money to establish the anti-corruption commission after they went through all aspects of debate in this parliament both in the lower and upper house and passed an a prevention and corruption act as one of their last acts of parliament in their first term of office But he couldn't find money to establish a commission

But he said that he had to do more significant things in his ministry But yet they could find money to appoint 450 people to constituency councils to give largesse to their people A prime minister who again thankfully because of the honorable member for St Michael south will never see I state confidently any political office again in Barbados saying that a 1929 act Mister speaker as you know based on a 1917 colonial act the United Kingdom act over 100 years old was adequate enough to serve Barbados right now in an act that was passed in an age where no one even contemplated that they would have one computer in the world or that social media would be any concept that could be envisaged as we know it now but that act was adequate

He said that only last year October November and this is the same person former prime minister who up to 2012 was saying that the only reason why the Dems were not bringing in integrity legislation because it conflicted with the Prevention of Corruption act which was not the law of Barbados So this kind of fooling people by fraud and was something that the people of Barbados voted 30 love in a massive massive way last election And each and every politician each and every person who offers themselves for public office or political office going forward has to understand that we on this side we in this parliament certainly understand that

Mister speaker we had a situation where as the honourable prime minister and attorney general have both said where contracts were given out in breach of financial and audit rules that we as members of parliament and members of cabinet understand in a forum and before that have to be observed have to be if you want to maintain the integrity and transparency and accountability of a system for the good of everyone who lives in this country But yet we had as has also been said during this debate at least two government ministers from the former cabinet driving about with impunity two luxury vehicles given to them Bye

Contractors doing business in departments in statutory boards falling under their ministerial mandate And when we told them from that side Mister speaker in the last parliament that is wrong because you know you either learn right or wrong when you're a young person As you know mister speaker you're trained in criminal law and sociology

You understand life You don't become someone who has integrity because you know a member of parliament or cabinet minister You learn this when you're young

And if you don't know right or wrong as those two former cabinet ministers obviously did not know you would never learn because one stood And again thankfully the honorable member for Christchurch has ensured that he will never see the light of political day again He stood in this parliament and said that nobody can tell him what car he could drive

So he felt free to drive a car given to him as a gift as a bribe by a company that he then or his ministry obviously with his influence awarded millions and millions and millions of dollars Whether it was through Cahill whether it was through other aspects of barbarian economy all to the detriment of the Barbados taxpayer And then we wonder how Barbados has reached here

We wonder how Barbados on May 24 election was at the bottom of the pole in social and economic turmoil for the first time in its history since the abolition of slavery But that is where we found ourselves never before since the right Excellent Sir Grantly Herbert Adams took the reins of this country and brought up the vast majority of people from where we were before that

We get a group of people given power with that kind of attitude and absolute disdain believing that the taxpayers purse that the coffers of the Barbaris government belong to them and that no one can tell them what they could do how they must live whether they could put money in a deceased relatives bank account away from the siblings whether they could have overseas bank accounts with vast sums of money whether they could have yachts all about the place whether they could have big houses that you see on social media and whether they could have six luxury vehicles and be boasting that they have $15 million in an overseas bank account like one of them That is what Barbados came to say That is what the people have put us here to guard against

This is why this debate is an extremely decent extremely important debate because rumors spread abound and in the absence of integrity legislation this type of legislation So rumors were spread This is Barbados a small country that thrives on rumors

And the honorable attorney general said that he had people come to him and I had people have people come into me too sir So I know what you're saying is true about them having to pay $10 000 for ZR license So these are the kind of people that this legislation seeks to protect because those individuals now by the whistleblower legislation which we will have an opportunity to strengthen even more when it goes to select committee because the whistleblower legislation will now allow someone who was told that they have to pay $10 000 for a ZR license to come and say who told them that and where the money went because that can’t be right.

We not accustomed to that We should never have been that way But then sir you had ministers as well summoned before the Public Accounts committee an important committee if not the most important committee of this parliament constitutionally enthroned

Summoned before that committee on matters of housing and infelicities in the Ministry of Housing and telling you straight that did not come in the attorney general rebel attorney general spoke to that too because he was a member of the public Accounts committee and lawyers writing the public Accounts Committee to say that these ministers two former ministers are housing for instance not coming to appear before a constitutionally enshrined committee of this parliament and lawyers who are beneficiaries of these corrupt practices charging $5 million for Cahill workers We have heard in this parliament awarded qcs recently not a one $1 4 million

All incestuous All the same people involved in this nonsense and corrupt practices though they are the two of the lawyers who wrote but could charge $1 4 million and be paid to water by water authority

Trapped water authority as the honourable member for Christchurch east will tell you But this is all part of the corruption that pervaded Barbados over the last ten years and which has to be and will be brought to a stop And the people of Barbados sir tell us every day I mean at least ten people tell me every day sir that a politician got to get knock up has to face the arms of the criminal justice system of this country

And I give 100% support to the attorney general on that He has my full backing sir I praise him for for bringing this bill before parliament

I praise the honorable prime minister for insisting that it be brought as he said it would have been at our conference in October last year that it would be brought on the first day of parliament It wasn't brought on the first sitting day of parliament It was brought later in this parliament on the second sitting day of this parliament

And we here debating it today even though we have economic issues to deal with debt everything we believe that is significant enough to be brought before you before your honourable house today sir that is how serious we feel The democratic Labour party fooled around with this issue As I said they passed it through this parliament as one of its last acts of parliament in December 2012 just so that they could see in their manifesto in DLP performance which is a document that he holds 2000 820

Twelve that day enacted legislation but never had any intention whatsoever of establishing the commission to deal with it because one cabinet minister in that time in fact told me they ain't bringing the legislation to lock up their own That was their attitude You've heard of you've heard other speakers other of my colleagues sir speak towards how you know you come into politics to do good to serve people and not for your selfish means

And you could judge on that score sir the previous government they failed to enact procurement legislation I think they brought that too Or they laid that in parliament just before they allowed parliament to dissolve itself because they wanted to have the authority to give contracts to their friends and their fatted calf colleagues

And all of this has repercussions on campaign financing because sir you're a man of the world I know that You know that

That those who were beneficiaries of these contracts didn't keep all for themselves They went back in other people's pockets That is how that democratic Labour party operates

They feel the past freedom of information legislation which we again are committed to bring So because this all of this has to be a group of legislation that comes in in terms of integrity and keeping the people informed And again I praise the honorable prime minister sir

She has that honourable member for saying Michael Northeast has in 50 days given more press conferences and be more accessible to the public than the two prime ministers together that the Dems had in the 3700 days together And that's what it is about So freedom of information legislation will come to sir because the public has to have access contract to general legislation which has been spoken about in this parliament as well sir has to come into effect that you have an individual or commission that can oversee who contracts are given to

All of that is part of a good governance of a society that is so important If Barbara is to and we will sir move it again to the leading small developed developing country in the world where we had already planned to put it in terms of being on the crest of developed country status The Jamaica government sir in fact has now integrated contractor general legislation very recently into anti corruption legislation so that it all is in one

The failure of the Democratic Labour Party the last government to pass any kind of this legislation is even more appalling in the light of the fact that Antigua has this legislation St Vincent has it Trinidad has it St Kitts has it St Lucia has it But the Democratic Labour Party felt that Barbados should not have it because of their own purposes

And we sir and it has already been done And I join those sir who give the integrity barbarous praise on this issue sir Democratic Labour Party But it's appalling because I believe they're having an annual conference a couple of weeks ago

Not one of them have any credibility We bring a budget the honorable prime minister brings a budget before this House 17 days after our victory and four massively defeated candidates on social media talking about what about the budget? They should be talking about where all the money gone that we left for them in 2008 That's what they should be talking about sir

But this bill sir has played what a fine line because as has been said earlier today you can't make the criteria so strenuous that you in fact the honorable prime minister said this that you can't make the criteria so strenuous that And persons with a worthy contribution to make to national development say that they're not going to serve on a board because they have to declare their assets and their liabilities and everything else So in fact whereas the Prevention of corruption bill that the Democratic Labour Party had spoke to people in public life who would have to declare their assets and liabilities bringing it down to all members of statutory boards

And in fact when that bill went to select committee sir I was not in parliament That was in their first term of office I wrote a memorandum to the select committee saying that you're going too far and wide

You can't include every board member an ordinary member of a statutory board would not have that influence Leave it to chairpersons of the board If you want go down to deputy chairpersons probably go down to them

And this bill brought here today by the honorable member for St Joseph does exactly that because it speaks to chairman of boards and commissions and that kind of thing permanent secretaries heads of departments within the public service you know chairman persons of corporations that have government control chief executive officers in other words the top people sir So this bill solves that problem But on the other hand parliament also needs to ensure that certain categories of persons withholding public office are brought within the ambit of the law

And that has to be so So it specifies in a the second schedule the persons in public life to whom it will apply And again when we go to a select committee there will be a chance to review that because it speaks to magistrates but not judges

But you know thats why we are sending to fine tune that And the attorney general the honourable attorney general has promised to have it back in after we come back from summer recess probably two months from now The

Myself sir I am I regret that this such legislation didn't come in before I came into this parliament so I have nothing to hide whatsoever I'm part of that

And the honorable prime minister I believe said virtually all of us have filed declarations of assets and liabilities in a seal envelope that are being kept under lock and key in a safe vault We've done that and there's no such legislation We had no legislative requirement to do that

But even before the passage of this we have done that because we have nothing to hide I myself sir resigned from a company that's controlled by my wife And in fact the day after the election she in fact wrote the letter to the corporate registrar saying removing my name from the board of directors didn't have to wait

Something we had discussed because I'm going to be in no conflict of interest position And my colleagues the same way sir that we are devoting our minds fully to trying to restore this country and to bring it back to the preeminence that it used to have before This bill speaks towards a court of conduct and in fact gives penalties for breaches under that court of conduct

Again that was something that the late prime minister the first one elected when did the LP one in 2008 said was going to happen that his ministers would have had to sign a court of conduct I don't know what kind of court of conduct they signed the kind of behavior that permeated right down And you had sir a prime minister you know the Democratic Labour Party manifesto of 2013 said the DLP has a leader with the highest ethical standards

I don't know what the honorable member first here Michael south laughing sir I don't know what ethical standards you could have when you proudly lead an administration of that kind of ilk that was led by the last administration And it went on to say through the DLP manifesto 2013 that his administration will establish an integrity commission to facilitate the implementation of the act Sir you know sir in the last last sitting in the parliament I almost tore up this but I refrain from tearing it up because I can refer to it

There are going to be opportunities to refer to it again to sow the breaches of promises and the extent of fraud committed by that party by that government on the good people of Barbados on our constituents In 1929 at which the then prime minister said was adequate for Barbados sir Let's all you know about it sir but for the sake of the public let's talk about it

It had ten sections sir It speaks to being guilty of misdemeanors sir nor even crime sir Well you would know that better than me because you're one of the top criminal lawyers in Barbados

The maximum fine was $2 400 sir That is where we had pound shillings and pipes The DPP is who used to institute the proceedings and only had six months to institute the proceedings

So in other words if somebody knew about an alleged piece of corruption sir you know that you had to get the evidence within six months If not it becomes statute barred sir You understand

You would understand why he says But the then prime minister said that with daddy Crip for Barbados sir So now we have a situation where we have a commission sir given the powers of a judge in other words real force investigative powers

Officers having investigative powers sir can obviously liaise and collaborate with the police on these issues But this 1929 act 100 years old based on 1917 UK act that the prime minister said was adequate sir You ever heard about anybody investigated or arrested under it? Or prosecuted sir but that in itself will tell you that it wasn't adequate

It wasn't like Trinidad sir where a former prime minister spent a few days in jail It can be right that people from the lower income districts of all our constituencies arrested for taking two tins of sardines And I don't I don't condone that sir but it can't be right

Life has to be fair and you can't be in jail on remand and you don't get bailed for a couple weeks stealing Two things aside deans and men steal millions of dollars and gone clear because as Edmund Burke said among the people generally corrupt liberty cannot exist People can't be free where there's corruption pervading society condoned by those in high places

Elected officials as the honorable member for saying for the city sir who spoke just before me said barbados is a signatory to the United Nations Conventions on Prevention of Corruption 2003 And before that you had the Inter American Convention against Corruption adopted in Caracas Venezuela in 1996 We can't be signatories to these conventions

And in other words at international level we have commitments to other countries But you don't enact it to be part of the law of your land It doesn't go that way in international law sir

And multinational corporations When I used to enjoy before I was in parliament sir going to International Bar association conferences I was heavily involved in that association And time and time again I would attend discussions on corruption in third world countries especially and the unwillingness of multinational corporations to deal with countries which didn't have any prevention of corruption or integrity legislation

These things cost Barbados at many levels not only taxpayers in terms of Tiffery and bribery because then when a company gives two ministers $400 000 luxury cars to drive they're going to get that back somewhere They're going to charge a million dollars for instance on a contract that only worth a half million dollars It costs the taxpayers but it also costs at international level because multinational corporations don't want do business with you

Because when they come sir and somebody in a high place tells them that they have to give them 10% or 15% sir But these are serious people sir They enable banana republics and ministers that feel that they must get their hands on everything

That is not how the world operates these days So you have to have this type of legislation on your statute book sir This barbarous Labour party today has fulfilled yet another campaign promise

We as has been said published a draft of this bill for public comment It was on the website since November or so last year sir The public has commented and we praise those who commented and put input in this

Going before the select committee gives an opportunity Your honor has two more minutes Thank you sir

Going before the select committee gives us the opportunity to firm up in terms of the quantum of fines for instance the penalties But the bill sir speaks towards addresses many of the issues of today I mean it speaks towards anti money laundering which we know is a major issue

It speaks towards transnational bribery Bribery across nations speaks towards blind trust And obviously as we said sir you have to make declarations of your assets and liabilities every two years

It speaks towards conflict of interest situations It speaks towards tracing and freezing and seizing and confiscating assets So therefore those politicians that feel that they could have put bank accounts in Jersey and America and United Kingdom sir must know that this government as the attorney general said will come after them sir

Speech towards in section 55 a presumption of corruption In other words the corruptors have to prove their innocence Sir

So where in any proceedings for an offence it is proved that in seeking to obtain a contract from government a person received or gave money or gift or other benefit The money or gift or benefit shall be presumed to have been given or received as an inducement or a reward Unless on the balance of probabilities

The country has proved fantastic Sections putting the burden on the corruptors and the corruptees to prove their innocence It defines corruption

Wide ranging definition In section 51 covering everything sir And I am as I said sir proud of my colleagues

Proud to be given the opportunity sir to be part of this team To be it I mean

I mean those who worked on it sir The honourable member for christchurches The attorney general

Those lawyers in private practice sir The attorney Sorry

The honorable member for Christchurch He's given me a little credit sir which I'm thankful for to be a part of the drafting of this too Could you honor me please? Yes sir

And so we will get this done This has to be part of the framework of us going forward to now Make this country better sir

And we will get this right We will do good by the people I'm obliged to you