



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
ELECTRONIC VERSION**

2013/14 SESSION

26 February 2014

Fourth Sitting of the Fifth Meeting

(pages 619–652)

**Hon Juliana O'Connor-Connolly, JP, MLA
Speaker**

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PRESENT WERE:

SPEAKER

Hon Juliana Y O'Connor-Connolly, JP, MLA

MINISTERS OF THE CABINET

Hon Alden McLaughlin, MBE, JP, MLA	<i>Premier</i> , Minister of Home and Community Affairs
Hon Moses I Kirkconnell, JP, MLA	<i>Deputy Premier</i> , Minister of District Administration, Tourism and Transport
Hon D Kurt Tibbetts, OBE, JP, MLA	Minister of Planning, Lands, Agriculture, Housing and Infrastructure
Hon Osbourne V Bodden, MLA	Minister of Health, Sports, Youth and Culture
Hon Marco S Archer, MLA	Minister of Finance and Economic Development
Hon G Wayne Panton, MLA	Financial Services, Commerce and Environment
Hon Tara A Rivers, MLA	Minister of Education, Employment and Gender Affairs

EX OFFICIO MEMBERS OF THE CABINET

Hon Franz I Manderson, Cert. Hon, JP	<i>Deputy Governor</i> , ex officio Member responsible for the Civil Service
Hon Samuel Bulgin, QC	Attorney General, ex officio Member responsible for Legal Affairs

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Hon Anthony S Eden, OBE, JP, MLA	Deputy Speaker, First Elected Member for Bodden Town
Mr Roy McTaggart, MLA	Second Elected Member for George Town
Mr Winston C Connolly, Jr, MLA	Fifth Elected Member for George Town
Mr Joseph X Hew, MLA	Sixth Elected Member for George Town
Mr Alva H Suckoo, MLA	Fourth Elected Member for Bodden Town

OPPOSITION MEMBERS

Hon. W. McKeever Bush, OBE, JP, MLA	<i>Leader of the Opposition</i> , First Elected Member for West Bay
Mr Bernie A Bush, MLA	Third Elected Member for West Bay
Capt A Eugene Ebanks, JP, MLA	Fourth Elected Member for West Bay

INDEPENDENT MEMBERS

Mr D Ezzard Miller, JP, MLA	Elected Member for North Side
Mr V Arden McLean, JP, MLA	Elected Member for East End

**OFFICIAL HANSARD REPORT
FIFTH MEETING OF THE 2013/14 SESSION
WEDNESDAY
26 FEBRUARY 2014
10:35 AM
Fourth sitting**

[Hon. Juliana O'Connor-Connolly, Speaker, presiding]

The Speaker: Good morning.

I will invite the Fourth Elected Member for Bodden Town to grace us with prayers.

PRAYERS

Mr. Alva H. Suckoo, Jr., Fourth Elected Member for Bodden Town: Let us pray.

Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Legislative Assembly now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.

Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Speaker of the Legislative Assembly, Official Members and Ministers of Cabinet and Members of the Legislative Assembly, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

The Lord bless us and keep us. The Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.

The Speaker: Please be seated.
Proceedings are resumed.

READING BY THE HONOURABLE SPEAKER OF MESSAGES AND ANNOUNCEMENTS

APOLOGIES

The Speaker: I have received apologies for the late arrival of the Fourth Elected Member for West Bay.

PRESENTATION OF PAPERS AND OF REPORTS

MINISTRY OF DISTRICT ADMINISTRATION, WORKS, LANDS & AGRICULTURE, ANNUAL FI- NANCIAL STATEMENTS YEAR ENDED 30 JUNE 2011

The Speaker: Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure.

Hon. D. Kurt Tibbetts: Madam Speaker, I wish to lay on the Table of this honourable House the Annual Financial Statements for the year ended 30 June 2011 for the Ministry of District Administration, Works, Lands & Agriculture.

The Speaker: So ordered.

Does the Honourable Minister wish to speak to it?

Hon. D. Kurt Tibbetts: Madam Speaker, the document itself is self-explanatory, so I don't think that I need to speak to the laying of it.

The Speaker: Thank you.

WATER AUTHORITY OF THE CAYMAN ISLANDS, OWNERSHIP AGREEMENT ANNUAL REPORT FI- NANCIAL YEAR ENDED 2011/12

The Speaker: Honourable Minister of Planning, Lands, Agriculture, Housing and Infrastructure.

Hon. D. Kurt Tibbetts: Madam Speaker, I wish to lay on the Table of this honourable House the Ownership Agreement Annual Report for the Water Authority of the Cayman Island for the financial year ended 2011/12.

The Speaker: So ordered.

Does the Honourable Minister wish to speak to it?

Hon. D. Kurt Tibbetts: As per the document before, Madam Speaker, it is self-explanatory, so no need to speak to it.

The Speaker: Thank you.

MINISTRY OF FINANCE, TOURISM AND DEVELOPMENT PUBLIC FINANCE, ANNUAL FINANCIAL STATEMENTS YEAR ENDED 20 JUNE 2011

[Deferred]

The Speaker: Honourable Premier would you like this item deferred until the Minister of Finance and Economic Development arrives?

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker.

Yes, I would be grateful if we could defer the matter.

The Speaker: The question is that the Paper and Report under the auspices of the Minister of Finance and Economic Development be deferred until later today.

All those in favour please say Aye. Those against, No.

Ayes.

The Speaker: The Ayes have it.

Agreed: Paper deferred.

CAYMAN TURTLE FARM (1983) LIMITED, FINANCIAL STATEMENTS YEAR ENDED 30 JUNE 2013

The Speaker: I recognise the Honourable Minister of District Administration, Tourism and Transport.

Hon. Moses I. Kirkconnell: I beg to lay on the Table of this honourable House, The Cayman Turtle Farm (1983) Limited, Financial Statements for the year ended 30th June 2013.

The Speaker: So ordered.

Does the Honourable Minister wish to speak to it?

Hon. Moses I. Kirkconnell: No, Madam Speaker. The document is self-explanatory. Thank you.

The Speaker: Thank you.

STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

The Speaker: I have received no notice of any statements for this morning.

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO. 2 –2013/4— AMENDMENT TO THE LABOUR LAW (2011 REVISION)

The Speaker: I recognise the Elected Member for the district of North Side.

Mr. D. Ezzard Miller, Member for North Side: Thank you, Madam Speaker.

I wish to move Private Member's Motion No. 2 2013/2014—Amendment to the Labour Law (2011 Revision).

WHEREAS there are many social and economic reasons why the Cayman Islands Government need to prescribe a single National Minimum Basic Wage;

BE IT NOW THEREFORE RESOLVED THAT this Legislative Assembly consider amending the Labour Law (2011) Revised as follows: (1) That the Principal Law is amended in section 20 by deleting section 20(1), (2) and (3) and substituting a new section 20(1), (2), (3) and (4), which reads as follows –

“20 (1) There shall be a National Minimum Basic Wage in the amount of five Cayman Islands dollars per hour.

(2) The National Minimum Basic Wage shall be reviewed at least once in every five years.

(3) The review of the National Minimum Basic Wage shall be in accordance with section 21.

(4) Any National Minimum Basic Wage prescribed under subsection (1) shall not apply to the payment of wages to juveniles required by any law to attend school.”

(2) The principal Law is amended in section 21(1), by deleting the words “recommendations as to the minimum rates of wages which should be payable” after the word “make” and substituting the words “recommendation as to any increase in the National Minimum Basic Wage”.

The Speaker: Is there a seconder?

I recognise the Member for East End.

Mr. V. Arden McLean: thank you, Madam Speaker. Madam Speaker, I beg to second the Motion.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED THAT this Legislative Assembly consider amending the Labour Law (2011) Revised as follows:- (1) That the Principal Law is amended in section 20 by deleting section 20(1), (2) and (3) and substituting a new section 20(1), (2), (3) and (4), which reads as follows –

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(2) The principal Law is amended in section 21(1), by deleting the words “recommendations as to the minimum rates of wages which should be payable” after the word “make” and substituting the words “recommendation as to any increase in the National Minimum Basic Wage”.

The Motion is open for debate. Does the Member wish to speak to the Motion?

Mr. D. Ezzard Miller: Thank you, Madam Speaker.

Madam Speaker, for the third time in four years I am asking the Government to institute a minimum basic wage. I asked the previous Government on two occasions. On the second occasion the Government approved the motion, and although they remained in office for some 19 months after accepting the motion, nothing was done about it.

Madam Speaker, minimum wage is a current topic in the international world, with most countries (approximately 200 of them) discussing increasing their legislated national minimum basic wage and how much it should be increased—unlike Cayman where we are still trying to pass legislation to set a minimum wage since the current Labour Law (in its amended form) was passed into law in 1987.

Prior to that, Madam Speaker, the country had a Minimum Wage Law which was enacted on 31 December 1946, and which was repealed with the passage of the Labour legislation in 1987. At the time the Minimum Wage Law was repealed the current minimum wage (which had been established on the 21st November 1967) was six shillings an hour for an eight-hour day. Part of the compromise of the Labour legislation enacted in 1987 was, unfortunately, the repeal of the basic Minimum Wage Law. And what was put into that law was a very convoluted and diffi-

cult process to set a new minimum wage, which is partly, I believe, the reason why we have not been able to set a basic national minimum wage.

Madam Speaker, I believe it is disrespectful to our political forefathers to not have put back in place a basic minimum wage which they saw as being necessary as early as 1946.

The current debate in the country, particularly during the last three or four years, has been on the negative effects of a national basic minimum wage, with very little consideration being given to the positive effects a national basic minimum wage would have on our economy and on our social structure in the country, particularly under our present employment situation where many of the people who would be affected by this wage are people who are imported into the country and basically, in my view, Madam Speaker, treated not much better than those who were imported from the west coast of Africa some many, many years ago.

Many parts of our community believe that because employers are allowed to import employees and pay them these ridiculously low wages—which we all know nobody can live reasonably well on in this country—of two and three dollars per hour in Cayman . . . and often have to work 9-, 10-, 12-hour days. Madam Speaker, I believe we need to pay closer attention to the positive effects of what a national basic minimum wage would bring the country. I am not, for one moment, suggesting that the introduction of a national basic minimum wage is the total answer to employment of Caymanians in the workforce, but it is one of the components that needs to be done to prevent these employers who take advantage of these people from countries with lower income levels and bring them here and extract the maximum work time and effort from them.

Madam Speaker, I believe (as the Motion refers to) that it is very important to amend the Labour Law in the way that a minimum wage is established. And in order to get it . . . and, Madam Speaker, I believe it is fair to say that successive Governments have tried to establish minimum wages. The same forces that were against the Labour legislation when it was brought in 1987 made sure, when I became a member of Executive Council (as it was called at that time), that the then Governor did not assign Labour to my Ministry or Portfolio because they felt confident that the country would have gotten a minimum wage during that four years of administration. So, they made sure that Labour legislation went to a member of the Government whom they had much more influence over.

The National Team Government from 1992 to 2000 talked about it and could not get it done. The UDP Government from 2001 did not get it done, although there was much talk. That Government was led by the now Leader of the Opposition who, along with myself, fought very hard in the 80s to get this Labour

legislation put on the books. The battle scars still exist from the battles we had with the merchants of the community at that time.

The PPM Government from 2005 to 2009, again, talked about it but didn't get it done. The UDP Government from 2009 to 2013 talked about it, passed a ¹motion on September 8, 2011—which is the exact same Motion before the House today, except that motion did not use the word “consider” in the resolve section. The motion at that time said: “BE IT NOW THEREFORE RESOLVED THAT this Legislative Assembly amend the Labour Law . . .” There are some legal authorities that might say that because we passed that motion we did in fact amend the Labour Law as provided for in the motion.

But they promised, after some kind of convoluted debate by the Minister of Labour at the time and the Fourth Elected Member for George Town at that time (who is now the Premier), who labeled [the Minister] in that debate “the Minister of hard labour,” or indicated that that was who he was talking about, who thought, strangely, that \$5.00 was too much but \$10.00 was too low.

But we always seem—

[Inaudible interjection]

Mr. V. Arden McLean: His position was that the \$5.00 that I recommended was too high, but he thought that \$10.00 was too low. It is documented in the Hansards.

[Inaudible interjection]

Mr. D. Ezzard Miller: No, I think that is the typical kind of deliberation that Member gave to issues before the Parliament. And I think it is interesting to note that neither that Minister of Labour nor him are here today. So, I would warn the current Minister of Labour that there is an election coming up in 2017 as well.

Madam Speaker, that is a period of some 20 years and we can't get it done. Approximately 200 countries that have legislation for national basic minimum wage are unlikely to be wrong and Cayman be right by not currently having it—although we had it for an extended period of time from 1947 to 1987, some 42 years. So, I think it is time for us as parliamentarians to demonstrate political will and let us set a minimum wage.

Is \$5.00, Madam Speaker, the absolute, absolute correct figure? Probably not! Can we ever study this long enough, hard enough, and get enough expertise to absolutely calculate what the correct amount is? I do not think we can. But, Madam Speaker, I am comfortable in recommending in this Motion

that \$5.00 per hour is not an unreasonable position to start. And what we need to do is get it done.

So, Madam Speaker, I would invite the Government to accept the Motion and bring the relevant amendments as recommended in the Motion during this financial year—that is, before 30th June this year.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause].

I recognise the Honourable Minister responsible for Education.

Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs: Thank you, Madam Speaker.

Madam Speaker, I rise to reply on behalf of the Government as the Minister who has been given constitutional responsibility for Employment.

Madam Speaker, for many years prior, and as we have just heard, for some 20 years until recently during the 2013 campaign for office and up until most recently in the media when this Motion was tabled and the discussion ensued thereafter, the idea of setting a national minimum wage has been the subject of fierce debate in the Cayman Islands.

As the Member for North Side has pointed out, he has tried on a number of occasions to bring this Motion to be considered by this honourable House and that on three separate occasions (which he has outlined) Governments of the day have talked about the issue, yet we are still in a situation where we don't have a national minimum wage or a minimum wage regime. So, the first question that needs to be answered is: Why?

Why, then, Madam Speaker, do we not have a minimum wage? And why are we here once again prepared to talk about and debate this Motion?

Madam Speaker, the answer is quite simple. As long as we continue to have discussion and debate in a vacuum, as long as our dialogue of this issue is limited to the opinions and views of the many armchair economists, the more we continue to talk, discuss and debate the issue of a minimum wage without [making] any significant progress towards enacting one, that is exactly what is going to happen—the proliferation and continuation of heated talk, debate, discourse.

Madam Speaker, for the benefit of the listening public and Members in this Chamber, when I refer to “armchair economists,” I am referring to persons who offer up very strong views and opinions about what the national minimum wage in the Cayman Islands should or should not be, without having the benefit of sound economic research and analysis in the Cayman Islands’.

Madam Speaker, we are all entitled to our opinions. However, major public policy decisions such as the introduction, or the re-introduction, of a national

¹ Private Member's Motion No. 1 2011/12—Amendment to the Labour Law (2007 Revision)—National Minimum Basic Wage

minimum wage in the economic reality here in the Cayman Islands today, the level of detail, including the rate of such, and the frequency of review of such, should not be based solely on opinion, especially that of few individuals.

Madam Speaker, as a former Nobel Peace Prize winner once said, **“The opinions that are held with passion are always those for which no good ground exists; indeed the passion is the measure of the holder’s lack of rational conviction. Opinions in politics and religion are almost always held passionately.”**

Madam Speaker, the introduction (or the re-introduction) of a national minimum wage structure in the Cayman Islands should only come as a result of sufficient economic research and analysis that considers how best and at what level or levels to introduce such wage or wages, and considering how best to mitigate the potential negative, unintended consequences of introducing a legislated minimum wage, while achieving the primary goals that a national minimum wage or wages seeks to achieve.

With all due respect, Madam Speaker, this Motion as presented today does not do this. This Motion represents the movers’ view on how and what the minimum wage in the Cayman Islands should be and how often it should be reviewed. It is for that reason, Madam Speaker, that this Government is not prepared to accept the Motion as presented. Complex economic and labour policy cannot be made on a whim or a fancy, no matter how popular the idea may or may not be, and no matter how passionately the argument is put forward.

Madam Speaker, it is our view that the introduction of a national minimum wage structure should complement and underpin this Government’s wider employment policies and strategies, which includes the introduction of a welfare-to-work programme, the introduction of training and development initiatives, such as a national apprenticeship programme and a national internship programme, and the strengthened, more efficient, more collaborative and more transparent working relationship between the NWDA and the Immigration Department as it relates to the work permit process, to name a few.

Madam Speaker, since taking office at the end of May 2013, a lot of work has begun and is taking place on these various employment initiatives, and I have a number of exciting announcements to make in this regard in the very near future.

Madam Speaker, it is essential for us to understand what a national minimum wage will mean for individuals and businesses across the various industries and islands. A national minimum wage structure must address the worst cases of exploitation that exist in our society (and the [Member] for North Side mentioned a few cases). A national minimum wage must provide a real incentive to make work pay, without necessarily jeopardising job opportunities.

A national minimum wage structure must be enforceable and not riddled with loopholes which could easily be exploited by unscrupulous competitors. In essence, Madam Speaker, a national minimum wage should support a competitive economy, be set at a prudent level, be simple and straightforward, and make a tangible difference in the lives of low paid workers in our society.

Madam Speaker, before we move to introduce a legislated minimum wage to become a part of the economic reality in the Cayman Islands today, we must be as clear as possible in our answers to a number of very important questions.

What do we mean by the term “minimum wage”? What does it entail? Does it mean base salary? Should it include payment by results, such as commissions, gratuities, tips, bonuses? What about benefits-in-kind and other non-cash payment, such as housing, food, et cetera? How do we account for these forms of “payment” in the proposed minimum wage structure here today? This Motion does not help to address this fundamental question.

Another question, Madam Speaker, is: What constitutes working time for the purposes of a national minimum wage? Is it actual working time exclusive of breaks and periods of leave? Or is it normal working hours which generally excludes overtime? Or is it full working time, meaning any time a person is contractually required to be part of that work?

Another question that needs to be addressed in the context of determining a minimum wage is: What should the appropriate pay reference period be in determining whether a minimum wage has been paid by the employer? Is it one day, one week, one month, three months, six months, one year? The suitable reference period will in large part depend on what type of remuneration is considered for a minimum wage. Will it be straight salary, bonuses, commission, gratuities, et cetera?

Madam Speaker, another important question that needs to be answered when looking at establishing a national minimum wage is: How will it impact training and development programmes aimed at improving people’s employability prospects and ability to command higher pay and career progression? How will it impact young people’s ability to find employment?

Madam Speaker, it is a well-known fact that young people are more likely than older people to be unemployed and in low-paying jobs. Just look at the rate of unemployment among youth in the Cayman Islands ages 15 to 25, according to the 2012 Labour Force Survey—over 21 per cent—more than double that of the national unemployment average. This is the economic reality we are faced with today, and any introduction of minimum wage must be made cognisant of these challenges and must take into account any reasoned and rational and analysed

manner as to the impact of young people's employment prospects with such a move.

Madam Speaker, the introduction of a national minimum wage regime must not be a barrier to the development of structured training programmes which this Government is diligently working on developing and introducing in conjunction with private sector initiatives, such as the Hotel Training School launching this September, which is a joint initiative of the Ministries of Tourism and Employment, UCCI and the hospitality industry. In addition, two new initiatives which my Ministry has been working on since [my] taking office are the development of a National Apprenticeship Programme and a National Internship Programme which, the latter is expected to launch this Summer 2014. More details of these and other initiatives will be forthcoming in the near future. Nor should the introduction of a minimum wage provide a disincentive for employers to train employees on the job.

In relation to unemployment, as with other countries, we have seen that our young people are disproportionately affected, especially our young men. It is incumbent upon the Government to take proactive steps to ensure that our youth have every opportunity for employment so that they can build the skills necessary to support themselves and this country as our older workers move into retirement.

Consideration needs to be given as to whether or not there should be a separate minimum wage regime for young people and trainees in accredited training programmes. This is what is done in many of those countries that the Member for North Side alluded to with respect to their minimum wage regimes; countries including the US and the UK, to name a few. However, again, this Motion does not contemplate or make any provision for this situation. The carve-out mentioned speaks only to students of compulsory age for secondary school. Again, Madam Speaker, this is an area that needs to be considered very carefully when we talk about how the minimum wage structure should be implemented.

Another important question that needs to be addressed is: What is the likely effect of the proposed minimum wage rate on low paid persons' ability to meet the demands of the cost of living and providing for their families? Obviously, Madam Speaker, the higher the rate the better you would assume their ability to be. But, on the other hand, what are the risks posed by a minimum wage rate as it relates to jobs being lost, or goods and services becoming more expensive as a result of the introduction of a minimum wage regime? For example, how will the introduction of a minimum wage for domestic helpers affect the single mother or single father who is barely making above the minimum wage his or herself?

Madam Speaker, if careful consideration isn't given to the determination of these questions, we can end up with a situation where the introduction of a minimum wage that is set too high in relation to the

economic reality that exists could end up having an immediate inflationary effect causing the price of goods and services sold to increase, which would completely negate the purpose of introducing a minimum wage in the first place—which is to increase a person's ability to pay the bills.

In other words, Madam Speaker . . . for example, if you are making \$3.00 an hour and the cost of milk is \$5.00, if—by introducing a minimum wage of \$5.00 an hour—all of a sudden the cost of milk increases at the till to \$7.00, are you any better off? On the other hand, Madam Speaker, if the rate introduced is too low, given the economic reality, then it will have little or no effect on combating poverty. The national minimum wage regime should be introduced at a rate or rates which offer real benefits to the low paid workers while avoiding unnecessary risks to businesses, cost of living, or jobs. That rate has yet to be determined in the Cayman Islands context.

Madam Speaker, another important consideration that must be given is: What is the potential or likely effect that a national minimum wage would have on public finances? How will it increase the Government's wage bill? The Minister of Finance would be better placed to discuss this in his contribution. But, as we all know, the Government is subject to strict FFR [Framework for Fiscal Responsibility] ratio restrictions and other restrictions with respect to spending. We need to at least appreciate what the ramifications of a minimum wage would be, if any, on the Government wage bill.

How will the national minimum wage regime be implemented and enforced? Madam Speaker, this is a question that I would like to put twice: How will the national minimum wage regime be implemented and enforced?

Introducing a national minimum wage by the end of this fiscal year, June 2014, without considering or making provisions for the necessary resources and mechanisms to do so would result in a toothless lion; a fireless dragon. How do we get verifiable data about what employees are being paid in an economy such as Cayman that does not require income reporting, as is the case in direct taxation jurisdictions? Do we simply rely on persons making complaints as to what they are or are not being paid?

What about those unscrupulous employers that would intimidate their workers against filing such complaints? Careful consideration must be given to how a national minimum wage regime should be implemented and enforced, and what the knock on effect is on such public sector resource requirements and finances, and what would be required in order to do just that—implement and enforce.

Madam Speaker, as Minister of Employment I am not interested in putting forward a regime without knowing how this is going to be implemented, because the country has suffered from enough empty promises.

I have spoken to my team at the Department of Labour and Pensions about what resources they believe would be needed. It was made very clear that there are a number of capacity issues that that department is dealing with at present. We all know the concerns about the lack of pension compliance and I would dare say the lack of health insurance compliance which falls under the Minister of Health. But, again, we are already suffering from these compliance issues with respect to legislation such as this without having the proper tools and resources in place to ensure that we have a functioning regime which promotes a culture of compliance.

By introducing an additional piece of legislation without thinking about the resource and making provision for the resourcing necessary to ensure that enforcement can be managed we would be setting the Government up for more criticism as to, *The Government doesn't enforce its laws*. And I can assure you, Madam Speaker, that there are probably a few people in this Chamber that would be singing that chorus loud and clear even though the implementation and compliance is not contemplated here today.

How should the Government assess the impact of the introduction of a national minimum wage regime? This is another question that needs to be answered. What are the monitoring and evaluation mechanisms that need to be put in place, which will in turn inform when and how often the minimum wage structure should be reviewed and adjusted? Should it be according to prescribed intervals, as in the UK? Or at the will of Congress, [as in] the US?

How did the movers of this Motion arrive at five-year intervals, as opposed to three or seven, or ten, for example? What is the economic rationale for such a decision?

Madam Speaker, I think that it is important that I turn my attention and state publicly that there are a number of potential benefits that a national minimum wage regime could bring to businesses and the Cayman Islands as a whole. These include helping to reduce inequalities of income for the working population by removing the worst cases of exploitation, thereby ensuring greater decency and fairness in the workplace. This is one of the most fundamental aims of such a regime. And this would bring a benefit to the Caymanian context.

Madam Speaker, the introduction of a national minimum wage regime would work towards promoting equal opportunities between the sexes. As Minister with constitutional responsibility for Gender Affairs it would be remiss of me not to include a gender perspective while making my contribution to the debate here today. It is a known fact, Madam Speaker, based on a gender analysis of the 2010 Census of Population and Housing, that on average women make over \$5,000 less per annum than their male counterparts, which admittedly is less of a gap since the analysis was done on the 1999 data, which at the time was

over \$9,000 less than men, according to the National Policy on Gender Equity and Equality. Unfortunately, the 2010 Census also reports that females earn an average of 17 per cent less than males per year. And at every education level, females earned less than males with the widest gap experience for those with a university degree.

Madam Speaker, discussing gender in relation to labour and minimum wage is not a new approach. In fact, the National Policy on Gender Equity and Equality which was accepted and adopted in this honourable house in 2004, advocates for a clear minimum wage by job classification as one of the many methods that supported the Government's goal of achieving gender equality.

Yet, Madam Speaker, this Motion does not speak to the issue of gender equality, or the lack thereof, when it comes to wages. Nor does it contemplate the prior recommendation adopted in this House advocating for minimum wage by job classification as opposed to a straight-line national minimum wage, which is what is being suggested here today.

Encouraging firms to compete on the basis of quality as well as price by preventing unfair advantages due to inappropriately low salaries is another potential benefit of a national minimum wage regime, should it be adopted in the Cayman Islands.

Another important advantage that this regime would bring would be to motivate and encourage employees to work harder, improve employee commitment, reduce staff turnover. Coupled with an investment in training, businesses have a real chance to boost productivity and company competitiveness.

Madam Speaker, on the other hand, in my attempt to discuss a fair and balanced view or concerns and questions that need to be answered when determining what is the appropriate minimum wage level is to consider the number of potentially detrimental effects that the introduction of a minimum wage regime, which is not sufficiently well researched and supported by empirical data in the Cayman context, may bring. These include, but are not limited to, a rise or increase in the level of unemployment.

Madam Speaker, the United States Congressional Budget Office published a report this month entitled "The Effects of Minimum-Wage Increase on Employment and Family Income" where they have found that in the context of the US economy, raising the federal minimum wage to \$10.10 would reduce the total employment by about 500,000 workers, or 0.3 per cent of their population. The report goes on to say that with any such estimate the actual loss could be less or greater, ranging from slight reduction in unemployment to 1 million jobs lost.

The Speaker: Honourable Minister, at a convenient time can you supply a copy of the report from the US Congress? Thanks.

Hon. Tara A. Rivers: Thank you, Madam Speaker, I will definitely do that.

Madam Speaker, the report claims that increased earnings for some workers would be accompanied by reductions in the real (inflation-adjusted) income for those people who became jobless because of the minimum-wage increase, and for business owners and consumers in general facing higher prices as a result. The report goes on to present a detailed analysis of the effect on family income overall and at various income groups.

Madam Speaker, whereas the Member for North Side rightly pointed out we are having discussions about whether or not to implement the minimum wage in the Cayman context today, many countries are having the same discussions in the context of increasing their minimum wage. But it is very important that this House understands and appreciates that those discussions are not taking place in a vacuum. Those discussions are underpinned by economic research and analysis which is being conducted in their respective countries looking at data relevant to their respective economic realities.

So, Madam Speaker, the question that I have is: What would the potential effect be a \$5.00 per hour minimum wage on the number of jobs lost, or not, in the Cayman Islands economy? What would be the effect on family income overall, or for the various income groups, particularly those low-paid workers that a minimum wage is aimed at reaching? Madam Speaker, again, with all due respect, this Motion, and the rationale presented as to the need to adopt it at this time, with these parameters and within this timeframe, does nothing to help the Government determine the answers to these fundamental questions.

Madam Speaker, in an era such as this, where, according to the 2012 Labour Force Survey (which is itself outdated to some degree due to its backward looking approach) the Cayman Islands has the highest reported levels of unemployment among Caymanians in our history—roughly 1 in 10 Caymanians. Can we afford to introduce a minimum wage which has not contemplated or accounted for the potential loss of jobs amongst Caymanians that may happen as a result?

Can we afford to play Russian roulette not knowing or anticipating the likely outcome of a decision such as this to be taken, with the lives of those same persons that we are aiming to protect?

Put it another way, Madam Speaker: If you are experiencing chest pains, may have been for some time yet, would you proceed to have open heart surgery on the views or opinion of a few members of your family? No, Madam Speaker! I venture to say that you would not, no matter how good the Shetty Hospital claims to be. You would at least go to the doctor to do an assessment of the situation, to run the relevant tests to determine exactly what is or isn't causing the problem, and to determine what the ap-

propriate treatment should be. I dare say, Madam Speaker, you would probably go to get a second medical opinion prior to making a decision such as whether or not to proceed with open heart surgery, if that was indeed the recommend suggestion by the first physician.

So, Madam Speaker, the same applies in the context of the introduction of a national minimum wage. We, the Elected Members of this Legislative Assembly, should not self-diagnose the answer to an issue such as this. And, Madam Speaker, even if the results of the empirical economic research to be conducted in conjunction with and to inform the introduction of a national minimum wage regime that we need, comes back at \$5.00 per hour, at least, Madam Speaker, the Government will be able to speak with some degree of confidence. And, this House will be able to vote with some degree of confidence as to the likely impact of such a minimum wage on our economy and on the lives of those most vulnerable low-paid workers that we are aiming to protect. To accept and implement this Motion now without doing such a proper assessment would be like cutting the chest open and hoping for the best.

Another situation that appears to happen as a result of the introduction of, or increase in, a minimum wage is that small businesses tend to be more negatively affected than larger businesses which may be better at absorbing the increased costs of doing business as a result. Some people would like to criticise the idea of, *Well, if small businesses can't handle it, they need to get out of business*. In some cases that may be true. But the reality is that if a business closes, a job is lost. And that is what we have to get a handle on—the potential impact of any such decision on the small business sector. As we know, Madam Speaker, the small business sector is the lifeline in any economy. So, it is incumbent on Government to try to determine what the potential effects of introducing a minimum wage at the prescribed rate would have on this sector.

As previously discussed, the introduction of a minimum wage, if not correctly pitched or determined, may cause price inflation thereby erasing the positive effect of any such increase in a minimum wage which the minimum wage seeks to achieve, [by] making it harder, not easier, for people to pay their bills. Madam Speaker, again, benefits to some workers by introducing a minimum wage is often at the expense of the poorest and least productive, and may result in the exclusion of certain groups of workers, such as young people (as we discussed before) and potentially the disabled, from the labour force if not carefully considered and accounted for.

Madam Speaker, we also need to think about the impact on, the push, and the drive, and the determination to get our people to embrace further education. Other studies have shown that the introduction of a minimum wage if not pitched correctly may discour-

age further education among the poor and therefore lessen their prospects for career advancement in the long run by enticing people to enter the job market prematurely.

Madam Speaker, all I am trying to say here today is that it is not a simple fact of deciding whether or not to accept \$5.00 an hour as an appropriate rate. These factors, these questions posed must be considered when trying to determine an appropriate minimum wage regime to be adopted here in the Cayman Islands.

Madam Speaker as I said before, the national minimum wage structure should be simple and straight forward, prudent and supportive of a competitive economy. The national minimum wage structure should fully recognise business realities, while also removing the worst cases of exploitation that exist in our society today, making a difference to the widest group of workers possible. However, Madam Speaker, taking a simple and straight forward approach does not mean taking a simplistic approach which is to arbitrarily setting the national minimum wage at \$5.00 per hour and a review period of five years. The determination of an appropriate national minimum wage regime must be based on solid economic research and data analysis and pragmatic recommendations addressing, at the bare minimum, those questions I posed earlier, and being cognisant of and providing for the Cayman Islands socio-economic reality.

Madam Speaker, although the Government is not accepting this Motion before us today, I would like the Member for North Side and the Member for East End to know, and I am also happy to report to this honourable House, that work has already begun by this Government, led by my Ministry, as it relates to the introduction of a national minimum wage regime that is suitable for the Cayman Islands' socio-economic context and experience.

Madam Speaker, in carrying out the work needed to establish a national minimum wage regime in the Cayman Islands, the project to investigate the effect and appropriateness of various price-points for a national minimum wage structure, to be presented to Cabinet for adoption in the first instance, has begun. This approach is similar to what the Congress of the United States has just done in their report (I will ensure that this House gets a copy) which they are using to rely on making a determination with respect to the options presented in that particular report, \$10.10 an hour and \$9.00 an hour, and how the impact of those changes would affect both employment and family income.

In order to carry out the minimum wage project pursuant to the law, the Ministry will establish the Minimum Wage Advisory Committee enshrined in section 21 of the Labour Law. I listened to the comments about this section being "convoluted." Madam Speaker, it prompted me to read the section again. For the benefit of the listening public, I would just like to read

that section of the law into the record, and ask the question whether or not this is really a fair assessment of what is really put forward in the Law.

The Law states, with respect to a Minimum Wage Advisory Committee: **"(2) The Governor may establish a Minimum Wage Advisory Committee to investigate and enquire into all matters related to the appropriate level of a National Minimum Basic Wage, and to make recommendations as to the minimum rates of wages which should be payable."**

Now, Madam Speaker, that is exactly what I have been asking . . . these are the questions that I have been asking. This responsibility would be charged with persons who represent, as you see in section (3): [The Committee] **"shall consist of not less than eight members who shall . . . comprise equal numbers of employers and employees, together with such other representatives of such other interests as he may see fit."**

Madam Speaker, it is important that this exercise encapsulate the views of the employees, the people that this public policy initiative is seeking to address in terms of improving their lives and their ability to live comfortably and with dignity. But we must also look at the views of employers, because those are the entities that are enabling persons to make a wage. So I respectfully disagree with the submission that convening such a committee to carry out the kind of research and to make recommendations to Cabinet is seen as a convoluted and unnecessarily cumbersome procedure, because that is what is done; maybe not in the same terms, but that is essentially what has been done by the congress of the United States. That is essentially what is done in the UK through their UK Low Pay Commission, and, I would venture to say, is probably what is done in many, if not most, of those 200 countries that we just heard today that have a national minimum wage.

So why, then, Madam Speaker, should we as a country not adopt best practice when it comes to determining an important issue such as a national minimum wage?

The Ministry has already engaged in discussions with the regional office of the ILO [International Labour Organization] in Trinidad and the UK Government's Low Pay Commission for guidance and assistance in the project. We have been provided with valuable information from these entities thus far to aid our research. In addition, the Ministry is pursuing the engagement of a labour economist expert to guide the work of the Minimum Wage Advisory Committee.

Quite frankly, as we have heard here today, there has been a lot of talk about this issue but very little action has taken place with respect to conducting and getting the kind of information we need to make an informed decision. And not having embarked on implementing in earnest a national minimum wage in the Cayman Islands in many decades, not actually

having gone through that exercise here in Cayman, and not having had the benefit of that in this country prior to, the Government simply does not have the in-house expertise at our disposal to adequately guide the process. Again, the Minister of Finance can speak to this more in his contribution from an economic perspective.

However, Madam Speaker, we do have many resources which we intend to rely on, including the Economics and Statistics Office, including a number of government ministries, departments and other tools in the private sector, economists, sociologists and the like. But, Madam Speaker, I think having a perspective with respect to the introduction of a minimum wage, especially in an environment where we don't have the income tax or direct income taxation regime of reporting income, it is important for us to figure out the types of information that we need to gather, the types of additional surveys that may need to be conducted, or the type of appropriate assessment tools in order to gather this information in a suitably credible manner.

Finally, the Ministry will ensure that the project includes ample participation by the private sector, service sector, and the general public to ensure that a wide cross-section of people, companies and industries are consulted, so that the final result is one reflecting the principles of social partnership that is essential to the successful identification of an appropriate national minimum wage structure that is workable and acceptable.

We want to hear from as many people as possible and it is intended that the Committee will canvas the views of the public through a variety of mediums. With the help of a labour economist guiding the process, more formal surveys may need to be developed and conducted, depending on the amount and type of data and information readily available currently from Economic and Statistics Office and the Immigration Department and, as a result of reviewing and analysing the various reports that have been done in our recent history that may be able to provide some information in this regard.

In making recommendations as to what the appropriate minimum wage structure should entail, the Minimum Wage Advisory Committee will have regard to the wider economic and social implications, the likely effect on the level of unemployment and inflation, the impact on the competitiveness of business, particularly small businesses, and the potential impact on the cost of various industries and the public purse.

Madam Speaker, I want to stress that this Government is committed establishing that the decision taken with respect to what the national minimum wage regime should be is as best as possible through as thorough as possible research will have a positive impact on the lives of low-paid workers who we are primarily concerned about in this debate with respect to an introduction of a national minimum wage. We

are also concerned that whatever wage is determined does not adversely affect the businesses in which those employees need to operate because the last thing we want to do by introducing a wage is to continue the proliferation of job losses happening in the environment.

So the timing of the introduction is important, the rate is important, the structure is important, and the understanding of how the implications of such a rate would impact businesses and, therefore, people's ability to have increased purchasing power as a result, these are all important considerations which must be made before we talk about introducing an appropriate rate today.

So, Madam Speaker, the Government is not accepting this Private Member's Motion today, not because we do not believe that a minimum wage should not be introduced. What is the main reason for not accepting it is because the Motion does not assist the country in any way to help determine the necessary answers to the many important questions that need to be answered before the introduction of a national minimum wage should occur.

As I have said before, Madam Speaker, the national minimum wage structure to be adopted should be simple and straightforward, and made from an informed perspective. However, Madam Speaker, adopting a simplistic approach from an "armchair" economic perspective does very little to move the process forward in a meaningful way.

Madam Speaker, as passionate and as emotive, or as sexy as it sounds, doing nothing more than talking about the need to establish a national minimum wage and throwing out a random figure does very little more than attempting to answer the question, *Why is the sky blue?*, by stating, *Because the sky is blue*.

Madam Speaker, the sky appears blue because as light from the sun comes through the atmosphere most of the longer wavelengths, such as red, orange and yellow light, pass straight through and are not affected by the air. On the other hand, short wavelength light, such as blue light, is absorbed by the gas molecules in the atmosphere. The absorbed blue light is then radiated in different directions scattered all around the sky. So whichever direction you look, Madam Speaker, some scattered blue light reaches you. Hence, you see blue light from everywhere overhead. As a result, the sky looks blue.

Madam Speaker, I just use that very simple illustration to say that with a little bit of research what may be seen as a complex question of why the sky is blue, is something that can be determined by just taking the time to do that. So, having done that, I can stand here, Madam Speaker, and speak with a sufficient degree of confidence as to why the sky is blue.

Similarly, Madam Speaker, the determination of an appropriate national minimum wage structure for the Cayman Islands must be based on well informed

socio-economic principles, research and analysis. That is what this Government, through the work of the Ministry of Employment, has already begun to do.

Madam Speaker, before the critics make any suggestion to the contrary, I am not suggesting that the introduction of a national minimum wage structure in the Cayman Islands should be a scientific exercise. Rather, we know and appreciate that it is a journey into uncharted waters at least in the Cayman modern context. Nor am I suggesting that its impact must be predicted with certainty. Because the only thing certain in this life is death! Businesses and pay practices vary greatly.

Nonetheless, Madam Speaker, in trying to determine an appropriate minimum wage regime the Government must seek to identify and listen to the various sectors of the business community and to the people for whom the national minimum wage might have the greatest impact. These include women, young people, single parents, part-time employees and persons with disabilities, to name a few.

Madam Speaker, the work has begun. We are hoping, as Cabinet, to have a response that is informed of the process and we will be able to move forward with the implementation of a sufficiently robust minimum wage that will benefit the lives of those that we want to benefit without having or increasing potentially negative adverse effects on the business environment and the economic environment of the Cayman Islands as a whole.

Madam Speaker, it's simply not good enough to pluck a figure out of the "blue sky" and hope for the best.

Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak? [pause] Does any other Member wish to speak? [pause] Last call, Does any other Member wish to speak? [pause]

If not, I will call on the mover to exercise his right of reply.

Mr. D. Ezzard Miller: Madam Speaker, could I ask that we take the lunch break, because it is going to take me some time to digest what was just delivered.

The Speaker: Is the House in favour of the lunch break at this time? Can I just have a nod of your heads?

[Inaudible interjection]

The Speaker: We will now take the luncheon break and reconvene at 1:30 pm.

Proceedings suspended at 11:51 am

Proceedings resumed at 1:35 pm

The Speaker: Please be seated.

Proceedings are resumed.

I will invite the Member for the district of North Side to exercise his right of reply if he so desires.

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO. 2 –2013/14— AMENDMENT TO THE LABOUR LAW (2011 REVISION)

[Continuation of debate thereon; Reply by Elected Member for North Side]

Mr. D. Ezzard Miller: Thank you, Madam Speaker.

Madam Speaker, over the 20-plus years that I have been involved in this debate on minimum wage and Labour legislation in the Cayman Islands, I have listened to labour ministers deliver some diatribes of excuses while assassinating the messenger who is bringing the motion. But the Government's contribution to this debate—masquerading as a reply to the Motion to introduce a minimum wage—made former Minister Rolston Anglin, who had a reputation of long, meandering speeches, sound like President Abraham Lincoln [presenting the] Gettysburg address.

Now, Madam Speaker, the country must be reminded that the Progressive Party and the C4C candidates who form the Government had this Motion from at least the 21st of January. Parliament was summarily adjourned for their convenience to research the matter because, according to the Premier (when he announced when we were not dealing with the Private Member's Motion) the Motion was so important that they needed time to research and consider it. And rumour had it that they even had a two-day retreat on this matter to get consensus on this Motion.

But, Madam Speaker, after three weeks to collect data from their technocrats, and two days on a retreat, the best that the Government could do was come here and accuse me of all sorts of things—being an "armchair economist," plucking stuff out of the blue sky—and give us a lecture on blue sky (the definition thereof)—venture into cardiovascular surgery (how it should be done, where it should be done, when it should be done, and how many people should be consulted before it is done), obviously setting the table to defer this issue once again. Why? Simply to confuse the public.

But they tried to recover in the end, and I am going to get to that.

Now, Madam Speaker, based on the position presented by the Ministeress of Labour (I want to make sure that I get the gender right because of this constant evolving gender affair business we hear about here) . . .

[Inaudible interjection]

Mr. D. Ezzard Miller: Madam Speaker, I was told a long time ago that the English language itself is gender neutral, unlike Spanish (“O” is male and “A” is female). But when it is necessary they come and chastise me and bring in that I do not support gender equality.

Now, Madam Speaker, I think we need to change the name of the Progressive Government. And I would suggest that “Regressive” is much more appropriate after today because, certainly, the C4C has hauled back the Progressive’s position on a minimum wage, as stated in their Manifesto on page 11. The country will recall that there were certain sectors of this country that tried to drag another red herring across this basic minimum wage called “livable wage.”

I was not privileged to attend their retreat, but I would assume that the consensus there between a “livable wage,” with one part of the Coalition, and a “basic minimum wage,” by the other part, gave us this litany of excuses on why it could not be done.

On pages [10] and 11 under “Creating new Jobs” the Progressive’s Manifesto is quite clear: **“Implement a minimum wage as an early priority.”**

A great part of the contribution by the Minister of Labour dealt with the various intricacies and imaginations that could be thrown into this mix in terms of looking for all kinds of definitions, which I was supposed to have provided. But, Madam Speaker, the important thing here today is this: I never claimed to be an economist. But I do have the benefit of several post graduate credits in economic theory and labour relationships and human resources. But the important thing is this: with a Statistics Department in government, with many technocrats in the Ministry, with a Labor and Pensions Department, with this new agency NWDA [National Workforce Development Agency], with the Ministry of Finance, they could not produce a single fact that said \$5.00 is wrong. Not a single fact!

But in order to placate the forces in this country that do not want a minimum wage, and while they might outnumber us few loud “armchair economists” who want a minimum wage and who could not possibly understand the implications of a minimum wage, good or bad, they have the economic clout and the political clout to kill it. And kill it they did today. And kill it they will.

The last time I brought this Motion, Madam Speaker, the current Premier was at that time the Leader of the Opposition, and was very much in favour of a basic minimum wage. But *aah*, Madam Speaker, the things we have to do to be premier and the things we will compromise to be the leader never ceases to fascinate me.

Madam Speaker, the then Leader of the Opposition (now the Premier) lamented extensively his regret for not getting it done in the four years that he was responsible for Labour, because they campaigned on it in 2005 too. And he laid out some of the difficulties he had. He said and I quote: **“[And that**

reason], Madam Speaker, is because we all need a minimum income to survive. I’ve said it before and will say it again;—

The Speaker: Member for North Side, sorry. Did you indicate what Hansard? Perhaps you did but I did not hear it.

Mr. D. Ezzard Miller: No Ma’am I didn’t.

The Speaker: Would you be so kind as to do so, so that I could follow the reference?

Mr. D. Ezzard Miller: Not a problem Ma’am. [Official Hansard Report](#), Thursday, 8th September, 2011, page 345.

The Speaker: Thank you.

Mr. D. Ezzard Miller: [He said:] **“I’ve said it before and will say it again; it is one of my abiding regrets that during my term as Minister, we did not introduce the minimum wage.**

“With the minimum wage, the changes in that regard were to be part of a comprehensive review and what I call an upgrade of our present labour legislation. We were faced when we were ready to deal with this, in the middle of March and April of 2008 with the onset of the global recession. And, Madam Speaker, . . . not had the full buy in of commerce, is what influenced the decision not to proceed.”

I repeat: **“. . . the fact that we still have not had the full buy in of commerce, is what influenced the decision not to proceed.”**

Now, the Minister of Labour talked about nobody having done any real research into this. She interpreted my suggestion in the moving of the Motion that the governments had talked about it but they had not done anything. But the Premier said he left a report from his committee in the Ministry when he left in 2009, and he was confident that the then Minister of Labour was using that report.

Maybe it is not there anymore. But you know, Madam Speaker, when the Government goes to the trouble to adjourn Parliament for their convenience to have a retreat to discuss this matter and they come here and they belittle what other people do and they claim that they are going to do so much . . . I am looking for those government rates . . . and one of the things that they complain about is that they are not sure what the effect of this \$5.00 per hour is going to have on the government’s finances.

Now, Madam Speaker, I was not there so maybe the Minister of Finance was not at the retreat; I don’t know. But they could have asked him because I have in my hand the hourly rates for wage workers effective 1st July 2008.

Remember now, Madam Speaker, I do not have any battery of advisors to help me find anything. I do not have any labour department. I don't have any NWDA, I don't have any pensions department, I do not have any ministry fully staffed, et cetera. But with all of that they come here today and throw up their arms and make excuses. *We don't know what \$5.00 per hour would have on the government's finances because the finances in government are very ticklish.*

Hourly rates for wage workers effective 1st July 2008, the lowest wage on the page is \$9.21. But the "Regressive" Government comes here and tells us that one of the things they have to assure themselves of, if they bring in a minimum basic wage, is what effect it is going to have on government's finances. Short answer, Madam Speaker, is none. Zero! Government is not paying minimum basic wage; they are paying almost double that. Unless the Government's concern is that part of all of the framework and the systems that they have put in place for this minimum wage includes reducing government employees' hourly wage to the minimum amount of \$5.00.

Madam Speaker, we got a big lecture on the inability to implement it and to enforce it. Implementing a minimum wage through legislation and enforcing it would be a lot easier to do than all the implementing and enforcing all the changes made to Immigration legislation in December to allow 1,500 people who should leave to stay, and to allow 20,000 people now to have the opportunity to apply to be here permanently to keep Caymanians out of jobs. Because every work permit holder, based on that legislation, now has the expectation to stay here, if they so desire, and apply for PR and therefore Caymanian status.

Some of the "Regressive" Government members are looking as though they are surprised.

You did not read the Law before you passed it, or what?

That is what it says.

But you noticed, Madam Speaker, we did not need any economic analysis, we did not need any impact of that on the labour, we did not need to evaluate what that was going to do to the economy, we just had some people who asked, as they would like their employees to stay, and they came down here and they changed the law. And that is the military secret: Who asked for it?

They still cannot tell us, but somebody asked for it.

[Inaudible interjection]

Mr. D. Ezzard Miller: Yes, they are bragging that 600 of them left. That was our position all along. The whole 1,500 could have left. It was not going to make a difference because they were going to replace them anyway. But at least they would not be here to apply for PR.

Oh, and they are tightening up the PR, but you just wait until that gets to the courthouse under human rights and all of that sort of stuff, and based on people's levels of income and what their expectations should be for what they save; and where their stuff is wrong, and all of that other stuff, and it gets thrown out of the court, and then we will see where it goes.

But you see, Madam Speaker, it is convenient when we can do something that will help our people.

I also would recommend to the Government that they study the current Labour Law. Plenty of the things they are talking [about], which need to be addressed before we can implement minimum wage, are already in the Law. It is already there. Domestic? It is already there. The Law quite clearly states that your wage to domestics can be in cash or in kind. But in kind cannot exceed more than 50 per cent of the hourly wage. Plenty of that other stuff about employment conditions and all of those sorts of things are already in the Law. It has nothing to do with the introduction of a basic minimum wage in this country.

You want to know the definition of minimum wage? Simple! It is a wage below which no person, except those who are exempted by law, can be employed in the country. Now, what is so difficult about that in administering?

[Inaudible interjection]

Mr. D. Ezzard Miller: In some of the debate on the Immigration Law we were told that the Immigration Department needs to be told what people are being paid. And if they do not tell the truth on it, it is a \$20,000 fine when it comes to whether Caymanians applied or not.

We were promised that they were going to have all kinds of additional staff to enforce the legislation. The question I have for the Government is: How many staff have been recruited, trained and put on the job today? The EIU [Ezzard's Investigation Unit] informs me it is zero—three months down the road! None of that research was necessary to pass that legislation for whatever sector of the economy that wanted it done. Our supporters, or bosses, want it done, we do it.

The information I have suggests that when the law was passed they did not even have a job description or a salary set for the people that they were telling this country they were going to hire. Within days they were going to have these people coming into offices with combat boots and enforcing this law. So Caymanians did not need to worry. They were making it easy, but they were going to enforce the law. And now they come here and tell me that it is so difficult to implement a basic minimum wage, and it is even more difficult to enforce it. But we have all kinds of staff in the NWDA and they have done such a great job over the last couple of months that they have actually found

work for 156 persons out of 2,000. It is a good report card.

It says that we got to get the minimum wage right because the absolute correct minimum wage has to be calculated through all of these formulas and people involved and they are bringing in experts from ILO [International Labour Organization]. I had plenty conversations with ILO up until this week. But I did not do any research. I am not capable of doing any research. I am just an “armchair economist” who practices out of the blue sky, this \$5.00.

They need to get this right, because this is going to be such an important underpinning for their employment strategy that they are going to [have]. The “Regressive” Government’s employment strategy is simple. *Give work permits. Issue work permits—revenue. Our supporters will have absolute control of these people. Slavery shall continue.*

[Inaudible interjection]

Mr. D. Ezzard Miller: Well, this is worse than intentional labour because they have them on a contract and they tell them if they do not work 15 hours a day and they are not getting any overtime, they will have to go back home. And these are economic migrants who come here for their own good. They don’t want to go back home, so they will do whatever they have to do to stay.

Minimum wage has nothing to do with work time, length of work, level of salaries above the basic minimum wage . . . not affected by the legislation at all except that there is a playing field above which everybody must start.

Want to know how it is going to impact training, because if we bring in a minimum wage, God forbid, some of these employers might not want to provide any training for Caymanians.

You know, Madam Speaker, one of the things that the Government in this country needs to get away from is this constant expectation in legislating that people who come here for their own economic gain are somehow going to voluntarily train Caymanians to take their job! It is not going to happen! It has not happened since 1972 under the Caymanian Protection Law, and it ain’t going to start happening now. It is the Government’s responsibility to provide educational and training opportunities for its people! Get on with it!

The basic minimum wage could be a terrible barrier to structured training. You know, Madam Speaker, I am reminded of what that great school principal John R. Gray used to tell the class of 1969: “You need to read the question—R-T-Q.” The Government did not *read the Motion*. The Government did not *read the Labour Law*.

None of the meandering blue sky, heart surgery and Dr. Shetty, unless he is going to employ people above the minimum wage too, which is quite possible . . . I hear he is going to pay his doctors on

secondment US\$1,500 a month. And that is what Caymanians must complete to work for? Spend seven years in college to do medicine and two years to specialise and they offer US\$1,500 a month? Great thing for Cayman!

Job loss: Basic minimum wage would wipe out the jobs. Madam Speaker, you know there is one thing this country does not have to worry about, and that is jobs. There are plenty of them. Caymanians just cannot get them. We have 20,000 jobs that Caymanians cannot get!

A lot of reference was made to some report from the US Congress. I would proffer, Madam Speaker, that that is totally irrelevant to the debate to set a basic minimum wage. That report has to do with *increasing* a basic minimum wage which is already set. And while the current debate in Washington (because, Madam Speaker, I watch television too you know) is that the republicans don’t want to increase the basic minimum wage and their big beef is that it is going to cause job loss, the democrats are saying yes, it might cost a few jobs. But understand that they are creating, and have created since Obama has been President, millions of jobs with a basic minimum wage in place. And they are going to create more jobs this week, or this month, or this year, in the United States with an increased basic minimum wage in place.

You see, Madam Speaker, we pluck these things out of reports to support our arguments because we believe that other people have not read them.

Madam Speaker, the Caymanian worker in this community, particularly those in the lower employment echelons, needs to have a basic minimum wage established and passed into law. We had one for 42 years. And I would argue that the greatest growth in jobs and the economy of this country occurred between 1968 and 1980 when we had a basic minimum wage.

You know, Madam Speaker, this whole thing has more to do with the Member for North Side and the Member for East End getting any credit than it has to do with anything else you know. That is what this is about. *Ooh they ga bring it back ya whenever they see fit and they might make it \$5.50 and then they are going to say that it is their idea—right?* Provided the Premier can get past those people in the commerce that he complained about before.

I know what the Premier is talking about you know—me and the Leader of the Opposition—because of their battle scars. We dealt with them in 1986, 1987, 1988. And I dealt with them as a Member of Executive Council from 1988 to 1992. And, Madam Speaker, they could not push me around and they could not put me into the little paddle boat and paddle me around South Sound.

They invited me up to the house up at South Sound to have dinner with them. And, Madam Speaker, I knew when I answered them that night and when

I took the position I took in 1984 (as the Leader of the Opposition will remember) at a certain house in South Sound, I knew that I had no hope of ever being Premier in this country. When I told them that I was not playing ball with them, and that if they wanted something that was good for my people I would support it, but there were no buts. Mary and Ned Miller raised an honest man and I was incorruptible, and they would not be allowed to corrupt me to get what they wanted done in this country.

When I gave them that answer, Madam Speaker, I was in the house another 20 minutes. Not another person around that dining room table spoke to me. I have never been invited back since.

They are the ones that you heard the current Premier talking about that he could not get commerce to agree. But, Madam Speaker, you see they try to bail themselves out. They talk about: *Well, we got to do this thing properly. We have to do these surveys.* But then in the end they are saying: *We want you to understand something, Madam Speaker, that we are not talking about any scientific report here and any scientific calculation and empirical evidence to support what we want to bring.*

They are going to bring some evidence from a committee that made a recommendation to them which comes from those same people, but they are not going to come here with no . . . and the Minister of Labour made it quite clear. The surveys, the discussions that she is talking about (meaning the “Regressive” Government is talking about, as they decided in their two day retreat) are not going to be scientific. And, obviously, it is not going to be any “armchair economist” to do it. So, if it is not scientific, it is only going to be one thing else: political.

Whatever is best for the “Regressive” Government politically to put in place to hope to increase its longevity in Government, that is what the country is going to get. And it is going to be just as arbitrary, just as plucked out of the sky—whether it is blue, black or green—as the \$5.00 per hour that I proposed in this Motion.

It is not going to be simplistic because they are going to spend a couple of hundred thousand dollars to bring in a consultant from ILO to write them another 20 or 30 page report. There are several of them up at the Administration [Building] that were already written by that same ILO, as the Leader of the Opposition can confirm. They had plenty dealings with ILO. We had a whole employment law drafted that was all approved under the same ILO consultants. So, they are going to bring all kinds of papers but it is not going to be scientific.

I want the country to understand that. The intention is not that it will be scientific; the intention is that it will be political. But it will be substantiated with plenty of paper. And it is going to cost the country plenty to get what I just recommended, because those ILO consultants do not come cheap.

Madam Speaker, much was made of the way the [US] Congress does it. There is an article in the January 26th *Wall Street Journal*. I do not intend to quote anything from it, Madam Speaker. But it talks about “Johnson’s War on Poverty.” It presents a democratic side and a republican side, and it gives some statistics in there about how many people were raised above the poverty line in the United States through his War on Poverty and the commitment to a basic minimum wage. I think some of the statistics flying around Washington now are that they may lose some 200,000 or 300,000 jobs, and some 200,000 jobs might be created. Those persons who would rise above the poverty line with an increase in their minimum wage are in the millions.

But we have no interest in helping our people above the poverty line. We have to wait to hear what commerce is going to say. We come here quick-a-clock and we change the Immigration legislation to let them continue to import this cheap labour. And Caymanians? *We are not concerned with them.*

So, Madam Speaker, I hope and pray that the “Regressive” Government will get around, sometime in the very near future . . . though, given all of the things that have to be put in place before we can get a minimum wage, I really cannot see it happening in this ya Government in this four years. I could be wrong, but I certainly hope on behalf of the people, that I am right, but I don’t think they are going to be around for the next four—not at the speed they are going downhill and regressing and backing off of their commitments and their promises, but delivering some. The only ones not getting delivered are for the ones that famous Member of Parliament used to call “the little people”; those people whom they go around and knock on their doors a couple months before election and tell them all of the things they are going to do for them.

It was stated in the Budget Address that a minimum wage must come, but no bait.

[Inaudible interjections and laughter]

Mr. D. Ezzard Miller: Oh well, let’s not talk about the Conservation Law now because remember clause 2.

And I see one bulldozer out along Frank Sound road doing some digging. So, I sent the EIU to find out what he was digging, and I will get the report this evening. Trust me.

But I hear that there may be a press conference this evening too, or tomorrow. But you noticed, Madam Speaker, I said “I hear.” And that is the constituency I represent. But I invite the “Regressive” Government to come to the meeting in North Side tomorrow night. It starts at eight o’clock at the Civic Centre.

[Inaudible interjection]

Mr. D. Ezzard Miller: Oh, I have a pretty good idea what the bulldozer is doing, you know. I have a pretty good idea. But, you know me, I like to get it confirmed and I will have it confirmed by six o'clock this evening. I promise you.

We had to rush the Conservation Law, but here we are two months after it is passed . . . and, again, I could be wrong, but I have not gotten any gazette notice or any commencement order. But it had to absolutely be done before the 31st of December. You see, again, Madam Speaker, we pretend to be doing these things.

I remember one member of the "Regressive" Government, part of that C4C section, getting up here and talking about what a wonderful present we wrapped up. What a disappointment the people got, because there was nothing in the box.

The law—

POINT OF ORDER
[*Insulting language*]

The Premier, Hon. Alden McLaughlin: Madam Speaker, a point of order.

The Speaker: I recognise the Honourable Premier. Please state your point of order.

The Premier, Hon. Alden McLaughlin: Madam Speaker, the Member for North Side is using abusive and insulting language with respect to the Government. He is not entitled to call the Government names any more than I am entitled to say he is a "Hopeless" Representative for North Side.

Mr. D. Ezzard Miller: Rule, Madam Speaker, because I am going to have—

The Speaker: Before I rule, just to clarify my own consideration . . . Honourable Premier, are you referring expressly to the adjective "Regressive"? Or were there other words that . . .

The Premier, Hon. Alden McLaughlin: Yes, Madam Speaker. I was patient. I was in a meeting. I listened to him when he reached 12 times of having referred to the Government as the "Regressive" Government. I decided enough was enough.

If he wishes to be able to describe the Administration in that way, then, I believe we will have licence to describe him in a manner that we feel aptly meets his performance as a Representative. And I don't think that is what any of us ought to be doing. That is why the Standing Orders say that you are not to use abusive and insulting language with respect to other Members of the House.

Mr. D. Ezzard Miller: Serjeant, bring me the dictionary for "regressive" please. Go and bring me that big dictionary up in there.

The Speaker: Member for North Side, in the utilisation of the terminology "regressive," would you just state for the House what was your intent?

[*Inaudible interjection*]

Mr. D. Ezzard Miller: Oh yeah.

Madam Speaker, maybe you or the Premier could quote the parliamentary authority that makes the word "regressive" unparliamentary. I am not aware that that is an unparliamentary term.

The Premier, Hon. Alden McLaughlin: I didn't say it was unparliamentary; I said it was insulting.

Mr. D. Ezzard Miller: Madam Speaker, he has the nerve to talk about insulting with what his Ministeress of Labour just went on here with?

Now, Madam Speaker, we know that he likes to throw blows, but he can't take 'em!

The Speaker: Member for North Side, I specifically . . . if you would give me a moment please.

Thank you.

I specifically asked for your intent or a *mens rea* as to the utilisation of the word "regressive" because oftentimes a word in itself, unless you get the meaning or the intent, takes on a different light. So, I was giving you an opportunity, as you were the one from whom the word originated, to say exactly what you meant when you used the word.

Mr. D. Ezzard Miller: Madam Speaker, as usual the Premier was not paying attention to what I was saying; he is either on his Blackberry or he is out for a meeting.

When I used the word "regressive" the first time, I made it clear that the position of the PPM, as put in their Manifesto and in his position as a Leader of the Opposition, on minimum wage has *regressed* to what was presented today. There is nothing unparliamentary or derogatory about that. But if that is going to be such a touchy word, Madam Speaker, he had better try to get it put into the records that it is unparliamentary because he is going to hear plenty between now and 2017.

[*Inaudible interjection*]

Mr. D. Ezzard Miller: He is not entitled to speak again—

The Premier, Hon. Alden McLaughlin: Madam Speaker.

Mr. D. Ezzard Miller: Under the rules, he is not entitled to speak again.

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker.

Mr. D. Ezzard Miller: Madam Speaker, he spoke on his point of order. You have to rule on his point of order. He is not entitled to speak again under the rules.

If he wants to get up on another point of order after you have ruled, he can do so.

The Speaker: Could we have order please?

The Premier, Hon. Alden McLaughlin: Madam Speaker.

The Speaker: Mr. Premier, permit me, please, to just inform the House as to—

Mr. D. Ezzard Miller: He can't speak twice on this Motion!

The Speaker: —“Regressed.” It says: To return or to revert to a former state or condition usually in a less desirable or less advanced one; less advanced stage of development or behavior; reversion to a former less desirable or advanced state . . . and it goes on.

I accept the stated intent by the Member for North Side that when he used it, it was to . . . I recall from my notes, there were two specific circumstances where he referred to page 11 of the PPM Manifesto and stated a position and then said it regressed.

Having said that, I would like to remind Members of Standing Order 35(3): “**It is out of order to use offensive or insulting language about other Members.**” And I would reiterate that the motions before us are important. Motions, business of the country, are significant and it would be befitting of all Members to continue to debate in the high level that we have had without this type of adversarial interruption.

The Premier, Hon. Alden McLaughlin: Madam Speaker.

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I accept your ruling.

I just wish to point this out: It is one thing to say that the Government has regressed, or it is acting regressively . . . all of those things. It is entirely up to the Member to say what his view is. What the Member has been doing—and I counted 12 times—is referring to the “Regressive” Government, because we are the “Progressive” Government. That is, in accordance with the Standing Order you just read, insulting lan-

guage used with respect to Members of this Administration.

And in my view, Madam Speaker, respectfully, the Member is not entitled to do that anymore than I am entitled to call him names in his capacity as the Representative for North Side.

The Speaker: Let me just say, out of an abundance of caution and in the interest of clarity, if the word “regressive” is used as an adjective based on the examples that you have given to show that there has been a regression, it will be acceptable by the Chair. If “Regressive” is used as a noun to replace the word “Progressive” it will be ruled as out of order.

[Inaudible interjection]

The Speaker: Please continue Member for North Side.

Mr. D. Ezzard Miller: Madam Speaker, I agree with you, you know, on the rules of the House. Nobody in here follows the rules of the House any more than me. You will recall that when I moved this Motion, I moved it at a very high level. The same Premier was laughing at me in the dining room because I was being called “armchair economist.” But that is not insulting.

The Speaker: Member, please resist—

Mr. D. Ezzard Miller: His Minister—

The Speaker: —the temptation not to continue your high level debate.

Mr. D. Ezzard Miller: Madam Speaker, now you got my Miller blood boiling, so you're going to have to put up with a little bit of sorry.

[Inaudible interjection]

Mr. D. Ezzard Miller: I didn't interfere with him, he interfered with me!

Mr. V. Arden McLean, Member for East End: Take your time boy. Take your time. Alden just loves to do that to distract you and me.

Mr. D. Ezzard Miller: That's okay.

[Inaudible interjection]

Mr. D. Ezzard Miller: It is not me he has to worry about, you know.

Mr. V. Arden McLean: He's got to worry about McKeeva.

Mr. D. Ezzard Miller: No, no. Uh-uh!

Hon. W. McKeeva Bush, Leader of the Opposition: Don't involve me in this.

[Laughter]

Mr. D. Ezzard Miller: He's got to worry about pleasing those people I quoted in the debate of September 2011. But I guess that is insulting too.

It wasn't me who took this debate down in the mud. It was them. But, Madam Speaker, I am not afraid to go down in there if I deem it necessary to defend the people I represent.

And you hear the Premier getting up on his point of order about using offensive language, when he continues to use me as an example. Madam Speaker, that is nothing new for me. The PPM has always believed that I was a bad Representative for the district. They ran a known drug addict and thief against me in 2009 to try to get the people of North Side to vote for that one over me. So, I don't expect that they are going to think anything good about me! But I am not afraid of them on that turf at all. I hold my own up there.

Madam Speaker, as I was saying before I was interrupted, yes, the discussion in Washington says that some people may lose their jobs. But those people who would lose their jobs are far outnumbered by those who would rise above the poverty line and would therefore have greater spending capacity in the economy in order to grow the economy to recreate the jobs that were lost.

One of the easiest ways to stimulate this economy is to put some more money in the hands of the people at the bottom who will spend it in the small businesses. And the small businesses will grow the economy not giving work permits to the huge conglomerates and when Caymanians go and knock on their door with an application they treat them like criminals and don't even respond to their applications. They do not even get interviewed.

And then they float this around—Yes, *they have a qualification but they really do not have a good qualification*. You know? But they can bring these supposedly highly qualified people from anywhere, pay them below the minimum wage, and what little money they do get their hands on they send to another country, so very little of it stays here to circulate in this economy to grow. But somehow that is good for the economy and that is good for Caymanians. They create substandard living in our community which causes social problems, crime, et cetera, and that is fine. The only people who do not have anywhere to go are Caymanians to get away from the crime.

So, Madam Speaker, as I was saying, I hope and pray that the Government will eventually bring a minimum wage to help the poor Caymanians in this country.

Thank you, Madam Speaker.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED THAT this Legislative Assembly consider amending the Labour Law (2011) Revised as follows:-

(1) That the principal Law is amended in section 20 by deleting section 20(1), (2) and (3) and substituting a new section 20(1), (2), (3) and (4), which reads as follows –

“20 (1) There shall be a National Minimum Basic Wage in the amount of five Cayman Islands dollars per hour.

(2) The National Minimum Basic Wage shall be reviewed at least once in every five years.

(3) The review of the National Minimum Basic Wage shall be in accordance with section 21.

(4) Any National Minimum Basic Wage prescribed under subsection (1) shall not apply to the payment of wages to juveniles required by any law to attend school.”

(2) The principal Law is amended in section 21(1), by deleting the words “recommendations as to the minimum rates of wages which should be payable” after the word “make” and substituting the words “recommendation as to any increase in the National Minimum Basic Wage”.

All those in favour, please say Aye. Those against, No.

Ayes and Noes.

The Speaker: I believe the Noes have it.
Member for North Side.

Mr. D. Ezzard Miller: Madam Speaker, could we have a division please?

The Speaker: Certainly.
Madam Clerk, please call a division.

The Clerk:

Division No. 12

Ayes: 5

Hon. W. McKeeva Bush
Mr. Bernie A. Bush
Capt. A. Eugene Ebanks
Mr. D. Ezzard Miller
Mr. V. Arden McLean

Noes: 12

Hon. Alden McLaughlin
Hon. Moses I. Kirkconnell
Hon. D. Kurt Tibbetts
Hon. Osbourne V. Bodden
Hon. G. Wayne Panton
Hon. Marco S. Archer
Hon. Tara A. Rivers
Hon. Anthony S. Eden

Mr. Winston C. Connolly
 Mr. Roy M. McTaggart
 Mr. Joseph X. Hew
 Mr. Alva H. Suckoo

The Speaker: The result of the division: 5 Ayes; 12 Noes.

By majority on division: Private Member's Motion No. 2/2013-14—Amendment to the Labour Law (2011 Revision) was negatived.

PRIVATE MEMBERS' MOTIONS

PRIVATE MEMBER'S MOTION NO. 4 2013/14— SINGLE MEMBER CONSTITUENCIES

The Speaker: I recognise the Elected Member for East End.

Mr. V. Arden McLean: I beg to move Private Member's Motion No. 4—2013/14, entitled Single Member Constituencies, and it reads:

WHEREAS the implementation of Single Member Constituencies have been the subject of discussion by the country for more than a decade;

AND WHEREAS the most recent discussions resulted in a referendum which failed to garner an affirmative vote, but gained the majority of votes of the electors who voted;

AND WHEREAS over the last 12 years, two Electoral Boundary Commissions have been appointed to review the District Electoral Boundaries and to recommend changes, where necessary, to the electoral system;

AND WHEREAS both Electoral Boundary Commissions recommended the implementation of Single Member Constituencies for the Cayman Islands;

AND WHEREAS the majority of candidates contesting the General Election of 2013 campaigned that they supported Single Member Constituencies and the First Past the Post System, for the Cayman Islands;

AND WHEREAS a number of new candidates in the General Election of 2013 launched their political careers on the "One Man One Vote" (OMOV) committee which spearheaded a country wide signature drive in support of the referendum for OMOV;

AND WHEREAS the Peoples' Progressive Movement ("The Progressives"), which won the majority of electoral seats and, consequently, formed and now comprises the current Government, campaigned on and promised Single Member Constituencies and the First Past the Post System for the Cayman Islands, if elected;

AND WHEREAS the primary opposition to the introduction of Single Member Constituencies

and the First Past the Post System for the Cayman Islands has been that there was insufficient time for the populace to understand the change in voting system;

AND WHEREAS the Elections Office has documented its preparedness to conduct elections on the basis of Single Member Constituencies throughout the Cayman Islands prior to the 2005 General Election;

AND WHEREAS the Cayman Islands Constitution Order 2009 clearly contemplates the introduction of Single Member Constituencies, in that, section 92 of such Order provides that any person who is registered as an elector in an electoral district shall, while so registered, be entitled to vote at any election in that district for an elected member of the Legislative Assembly;

AND WHEREAS section 93(c) of the Cayman Islands Constitution Order 2009 establishes the authority for the Legislature to enact a law to provide for the division of the Cayman Islands into Electoral Districts for the purpose of elections;

BE IT THEREFORE RESOLVED THAT the Government shall consider bringing a Bill within 3 months to amend the Election Law (2009) Revision to introduce an electoral system of single member constituencies so as to allow the next General Election to be conducted on the basis of the equal suffrage principle of "one person one vote" under the First Past the Post System, which timeframe will allow sufficient time to educate the electors on the changes to the voting system.

The Speaker: Is there a seconder?

Mr. D. Ezzard Miller: Yes, Madam Speaker, I beg to second the Motion.

The Speaker: The question is: BE IT THEREFORE RESOLVED THAT the Government shall consider bringing a Bill within 3 months to amend the Election Law (2009) Revision to introduce an electoral system of single member constituencies so as to allow the next General Election to be conducted on the basis of the equal suffrage principle of "one person one vote" under the First Past the Post System, which timeframe will allow sufficient time to educate the electors on the changes to the voting system.

I recognise the Member for East End.

Mr. V. Arden McLean: Thank you, Madam Speaker.

With the result of the other motion that was just voted on, I don't have much hope, but I still move forward with my fingers crossed that the Government will accept this one.

Madam Speaker, I did not bring this Motion to embarrass anyone. To the contrary. My entire adult life, my entire political involvement in this country has seen me advocate for equal suffrage, one person one

vote, in the electoral system. So this is merely an onward advocacy and fight for that. Having grown up in East End, and having had the privilege of voting in that district on at least two occasions, I understand what it means. Having moved my residency to Bodden Town, I then understood multi-member constituencies also.

The funny thing about it is that since I have been residing in Savannah/Bodden Town, I have voted for one person there too when two were running in a by-election. I saw the people of Bodden Town exercise their suffrage when they spoke as to who they wanted to be the Member of Parliament. We will come to that a little later on about how we have to educate our people.

Madam Speaker, I also witnessed another time in Bodden Town when we had one person one vote for a by-election prior to my move to Bodden Town when the late Haig Bodden passed, and when Mr. [Franklin] Smith resigned as well. But I was not there to vote in that one. That was prior to my move.

I believe everyone in this country has been inundated with the discussion surrounding single member constituencies. Since 2001 we in this country have had three elections that I am aware of. We have had two boundary commissions who all reported and recommended single member constituencies. We have had two sets of constitutional talks wherein the subject of single member constituencies was robustly debated. One of those resulted in a new Constitution which we currently find ourselves being managed by.

We have had two referendums in that time as well. In both instances of the referendum we have had our people go to the polls and make one choice out of two—one, Madam Speaker. Nevertheless, the opponents of single member constituencies say we have to educate our people. Now, we continue to be disrespectful to the very people we [serve]. It is downright disrespectful. We are saying that the people of George Town, Bodden Town, West Bay, Cayman Brac, can't tell the difference and can't make a choice out of 2 or 3, or 4, for that matter, on a ballot paper, but they can make a choice out of 22 (or thereabouts) to pick 6.

Madam Speaker, I think we need to stop saying that. That is downright disrespectful to the very people we serve. Whether we serve in here, or we serve as candidates and former candidates, potential candidates, we need to stop saying it. We have had by-elections in George Town, Madam Speaker. Before my time, certainly, we all remember our Caymanian political hero, Mr. Norman Panton, when the Commissioner took away his right to sit in Parliament. Why? Because of his advocacy for the little man. And the Minister from Bodden Town (Finance) . . . it's his relative. So he has a lot of knowledge on that.

When he ran in the by-election he won his seat again. George Town was represented by multi-members at the time. We are being disrespectful and

the opponents to this single member, equal suffrage throughout the country, need to stop it. They need to stop it. I am going to get to the rest of the disrespectful manner in which we conduct ourselves as well, so I can disabuse those who believe I am just doing this to say I'm doing it.

But before doing so, Madam Speaker, please allow me to go back in some of my advocacy for the one person one vote. In 1992 when I took the brave step to run for Parliament, at the Chamber of Commerce forum (remember, that was the first year that it was televised), in my closing remarks I said two things that were significant to me. One, the Chamber of Commerce has no place in the political arena and they should not be conducting those discussions. Up until this day they continue. The responsibility, I said, lies with the media, the dissemination of information and resolving these issues.

The other one was that if East End is to play a part in the political structure of this country then they need to have a choice, too, as to who they elect and they need multiple people to represent them, or everyone must vote for one person—one man one vote. Madam Speaker, of course, we know what happened to me. I was dismissed. But we also know coming forward that the tenacity of never giving up gave me the opportunity to occupy the real estate that the people of East End own.

Madam Speaker, on 11 May 2010 I jumped forward. But suffice it to say that during those constitutional talks I maintained my position of East End being equal, or all others being equal with East Enders. I made a presentation to the Electoral Boundary Commissioners in East End on 11 May 2010. If anything, the PPM current members can tell you it is that I keep paper. They know that. Whenever I was there they would always call me in the middle of the night to see if I had it handy. If I didn't have it handy, I had to go in my attic and dig through the papers and get it.

I said: "First let me congratulate you on your appointment individually and collectively. You're eminently qualified to carry out the functions of this important office. Having said that, I should hasten to add, I am not optimistic about the final outcome of this exercise. I say that because of my own personal convictions on what the outcome should be; that is single member constituencies for the country. I am not optimistic because the current Government has never supported single member constituencies." (Madam Speaker, that was the UDP at the time)

Madam Speaker, you have got to give UDP credit. They have never faltered in their position. Never! At the constitutional talks it was the same thing. Moving on . . .

"I believe that position has come about because of the perceived political advantage on their part. It is obvious that they, including others, believe that it is easier to carry weaker individuals on the coat-tail concept. That position, I believe, ignores the inter-

ests of the country and equality in representation which is a fundamental right of the individual.

"My fear is that regardless of what is reported by you we will not see a change to our current system, rather, I see myself advocating for change understanding that our electoral process will not change because it is a foregone conclusion that additional seats as required by the new Constitution will merely be added to the current system. The word from the UDP camp that there will either be one in Bodden Town and two in George Town, or, alternatively, one each in Bodden Town, George Town and West Bay. That is certainly unacceptable and a proposal that I will oppose.

"Even if we see a move to single member constituencies we will still be faced with a bastardisation of the system with Cayman Brac and Little Cayman having two first past the post being returned. The people of the country have had a good dose of fear instilled in them about the pitfalls of single member constituencies, primarily by the UDP. I have personally sat in Parliament during the last debacle on the Constitution during the 2001 to 2004 and hear Members say that it will require that we build stadiums in each constituency and that electors will not have the choice of going to multiple members of parliament.

"My very own convictions on one man one vote come from my many years of political involvement as a community advocate and elected Member of Parliament. Of course, the fact that I grew up in a single member constituency and currently represent that constituency, further concretes my view on the value of this process. I believe that the people of East End and North Side are at a disadvantage when compared with other electors in this country. Their authority on the creation of a government to govern them is severely diminished when compared with their counterparts in other districts. There is no equality. And when there is no equality it diminishes the fundamental values of the individual and a constituency not only felt by the individual but others with more power exercising their authority also.

"Our problems under the current system are further compounded when we get an individual in Parliament with their coattail colleagues and they start out from an unfair bargaining position, albeit that we are now firmly engrossed in the two party system. Under single member constituencies an individual is primarily elected on his or her own merits. Of course, there are instances where the party loyalists are going to vote party regardless, but each individual has to do exactly what I am required to do what I am here in East End—maintain a personal intimacy with each elector. In multi-member constituencies one may not see many of the electors for years and because they are running with a popular individual they are elected, many times to the detriment of the electors. Their job becomes "Aye" or "Nay" as directed.

"As you can see from what I have said, I will accept nothing short of single member constituencies throughout the country. Anything less will not be reform, nor will it be fair. Like the Constitution we have the opportunity to now change the system to make it more accountable and fair. Let us embrace it.

"Mr. Chairman, and members I, more than most, know how difficult it is for a country to embrace change. I was intimately involved in the Constitution Modernisation since 2001. I, along with my colleagues, boycotted Parliament for two weeks to protest the direction the UDP wanted to take the constitutional changes. If necessary, I will do that again. However, we witness the people of this country vote in an overwhelming majority for modernised constitution contrary to many who campaigned against it and engaged people to vote against it. I believe they voted for it because they trusted us that it was right and fair for the good governance of this country. I believe now, like I did then, that if we explain the tenets of one man one vote, they will not disappoint us. We politicians tend to commit the cardinal sin in most of our decisions by underestimating the capacity of our people. We believe that we know best. Rubbish!" [UNVERIFIED QUOTE]

Madam Speaker, that was my presentation to the Commissioners in the district of East End. Today I stand by that. I have never changed my position. And that may be a given because I come from a single member constituency. I represent a single member constituency.

Madam Speaker, the other one that I hear keep coming through this veil of blackness that we try to pin to single member constituencies and our defense of the multi-member system is that we are going to create garrisons, people will be able to buy votes, sell their votes. Now, Madam Speaker, I just want to touch on that for a minute. The question has to be asked of those people who talk about that: Who creates a political garrison? Who buys votes?

Madam Speaker, the only way a political garrison can be created and feed upon itself is by the very people who are politicians. It is they who create them. I trust that none of us in here are going to get up here today and say that, because the public needs to ask those people . . . and I know we are smarter than that. The public would have to ask them if it is their intent to create garrisons.

Madam Speaker, we look around us in our immediate geographical area. Of all the countries in the Caribbean how many can we claim have political garrisons? One. For whatever reason, that was created a long time ago. Don't we see that even that is now becoming a thing of the past? One, Madam Speaker. And we remember how, as the old politicians retire into the sunset, that is no more in that country. But we always refer to that country when there are numerous other countries that we can refer to that do not have it. What about Barbados? What about St. Kitts? What

about the others? Why are we concentrating on one to tell the people of this country that we can go that way?

Madam Speaker, I want to come home a little bit. Since representative government in this country, parliamentary representation in this country, East End and North Side have been single member constituencies. Those who would promote this thing about garrison politics need to tell the people of East End and this country where those garrisons are. They need to point them out, Madam Speaker.

The Members of the PPM can tell you, particularly the Premier, that every election I went in with them (2005 and 2009) I was fearful of losing my seat. I will never forget [how] the current Premier kept saying to me, *You need to come help us in George Town because your seat is secure*. My response to him was, *I cannot take people for granted*. He's there, he can attest to that, and the Minister of Works as well. Do you know how many times he beat me over my head in 2005 and 2009?

Madam Speaker, there are no garrisons in this country. But we have single member constituencies. And I can tell you, Madam Speaker, that there are Members on the other side of this aisle who have families in those constituencies. And if *unna* start talking it, then *unna* disrespecting them because they are honest upright people who go to the polls and exercise their rights every four years. Maybe the opponents to this single member constituency should come to East End and tell people that there are garrisons. Or go North Side. We need to stop that. It needs to stop.

And about buying votes—who “buy votes”? People will take your money and go and vote against you! These are the very people we are asking to vote for us and we are disrespecting them about selling their vote. You really think people are selling their votes for one little old sandwich and one old chicken wing? This is ridiculous!

Madam Speaker, even the International [Election] Observers in their final [report](#) spoke of treating of electors. These are in their recommendation section: **“The existing provision in the Election Law which forbid candidates to provide any food or drinks at their campaign meetings could be reviewed in order to allow candidates to offer reasonable refreshments to the campaign meeting participants.”**

When the Election Office announced that they were going to watch every meeting, I just happened to be on the radio that morning and I called Governor Taylor (at the time) and I said to him, *I'm having a meeting down by Maria's tonight. We are going to have chicken wings, sandwiches, meatballs, and plenty Kool-Aid. If you need some, come, it's free*. So if the police wanted to come, they could come too. I did not stop, because the people of East End do not sell their votes for refreshments. You cannot buy votes in this country. And we need to stop saying that. And we

are only saying it because we need to move towards single member constituencies.

Madam Speaker, the Electoral Boundaries Commission recommended single member constituencies in 2003 and in 2010. And the Constitution Commissioners of 2002 also recommended it. But, Madam Speaker, in my recitals I spoke of the Electoral Boundaries [Commission], in documenting that they could conduct the election on the basis of single member constituencies.

Madam Speaker, I am going through all of this and then I will get to the meat of the matter and what I am asking the Government to do.

Madam Speaker, the Elections Office . . . let me read first, what the Commissioners of [2003](#) said. **“The single member constituency is a tried and tested electoral system, which is used by successful mature and emerging democracies alike. Small and large States and territories use it. Single member constituencies work best where there are inbuilt checks and balances in the system to prevent the incidence of gerrymandering the boundaries of constituencies.”**

Madam Speaker, that is very simple. That was 2003. And, we know how that was taken apart by the then Government.

I am searching for this letter that was sent from the Elections Office and, incidentally, signed by the Supervisor of Elections and his two deputies wherein they expressed their ability to conduct elections based on single member constituencies. I have it. And I should say it was March 2002. It was the Constitution Commissioners, which was led by Benson Obadiah Ebanks, as Chairman, and Leonard Ebanks and Arthur Hunter as members.

Madam Speaker, with your permission, let me read it please.

The Speaker: Please proceed. Did you bring an extra copy?

Mr. V. Arden McLean: No, Madam Speaker, but . . .

The Speaker: At the appropriate time perhaps you could pass it to the Serjeant.

Mr. V. Arden McLean: Okay.

I'll try to read it as it is.

Madam Speaker, it is the [Report](#) of the Elections Office for Constitutional Review Commissioners proposal to introduce single member constituencies:

“Based upon instructions provided by the Constitutional Review Commissioners and the Elections Office working in conjunction with Government's Land Information System (LIS) office a plan has been produced for the fragmenting of the three islands' current 6 electoral districts into 17 easily identifiable constituencies containing approximately 426 electors in sparsely populated

areas, to 983 in the more densely populated districts.

“Extensive use was made of the Elections Office’s database in addressing the demographic aspects of this assignment and for the geographic aspects, including mapping, the Land Information System was utilized. The Commissioners advised at the outset that in the interest of equity and proportional representation all constituencies should contain approximately 700 electors where possible. This was the benchmark used in this exercise, but due to the demographics of the Islands it was not possible to maintain that average. This was particularly the case in the smaller districts of North Side, East End and Cayman Brac/Little Cayman.

“The Elections Office, working with a Senior [Cartographer] from Lands and Survey, was able to develop a plan of the 17 constituencies utilizing easily identifiable geographical features, which is essential to ensure against confusing the electorate when planning elections. In essence what has developed is a comprehensive plan, taking into account geographics as well as demographics, interlinked with the current Register of Electors.

“The Elections Office, in order to be as transparent as possible to the terms of reference of the Commissioners developed the following list of names for the 17 constituencies:

1. West Bay North West
2. West Bay Central
3. West Bay North East
4. West Bay South
5. George Town North
6. George Town South
7. George Town East
8. George Town West
9. Red Bay/Prospect
10. [Savannah/Lower Valley]
11. [Spotts/Newlands]
12. Bodden Town Central
13. Pease Bay/Breakers
14. North Side
15. East End
16. Cayman Brac West/Little Cayman
17. Cayman Brac East

“The Elections Office is currently guided by Sections 5–6 of the Elections Law (2000 Revision) insofar as electoral districts are concerned. The Supervisor of Elections, with the Governor’s approval, has over the past 2 decades divided the larger electoral districts into more manageable polling divisions in order to better accommodate the electorate particularly from a proximity perspective. The electorate has become quite familiar with several polling divisions and Elector’s Regis-

tration Cards have been developed utilizing these divisions. Based on this concept the Elections Office embarked on this exercise and as can be seen from the plan only limited deviation was necessary in order to meet the objective of the Commissioners.

“A schedule to the draft proposed Constitution has been compiled as directed by the Commissioners and accompanies this report, which includes grid references revised to comply with the boundaries of the new constituencies.

“There is considerable flexibility built in to this exercise to accommodate demographic shifts. It should be noted that the proposal as outlined can be effected with minimal effort once adopted to the requisite amendments made to existing legislation. It is interesting to note that Section 5 (2) of the Elections Law (2000 Revision) also provides for the number of representatives for each electoral district, which means that the whole exercise could be effected without changing the Constitution.

“This report has been compiled by the following officers of the Elections Office and has been done in strictest confidence with the assistance of Government’s Senior [Cartographer] Mr. John Bebb.”

And it is signed by the Supervisor of Elections, Mr. Kearny Gomez, Deputy Supervisor of Elections, Mr. Orrett Connor, and another Deputy Supervisor of Elections, Mr. Colford Scott. And it is dated, “20th day of February 2002.”

Now, Madam Speaker, as we progress down this road we know what happened with all of these things. But let’s come forward, because there is much that I could say. With the exception of the UDP, and, in particular, in the last general election, every candidate in this country supported single member constituencies. Or so they said. I should add that caveat.

Madam Speaker, I wonder if that was convenient because the election was upon us and we had just had a referendum and the result was overwhelmingly in favour of single member constituencies throughout the country. I wonder. Someone else has to answer that because my position has never changed.

Madam Speaker, many new candidates in one way or the other kicked their political careers off under that banner. Something has to kick you off. I’m not saying whether that’s right or wrong. Something kicked me off, there is some reason, or enhanced my opportunity, or enhanced my reason for being a candidate in the 1992 election. Certainly, the PPM supported single member constituencies. Now, Madam Speaker, I must admit that I searched the UDP manifesto but I can’t find anything in there about it, conveniently or otherwise. The UDP didn’t mention anything about it. Or I didn’t see it, Madam Speaker. Unless the

Leader of the Opposition had it in such fine print that we need a magnifying glass to see it.

Nevertheless, the PPM, as they advocated for prior to the general election, had that as part of their [Manifesto](#) under “Governance and Constitutional Matters.” One of their points . . . it says, **“The People’s Progressive Movement has a record of honesty and integrity in office of which we are very proud and we intend to build on that and to further strengthen the institutions of government to protect against abuse of office and corrupt practices by those in government. We are the party that passed the Freedom of Information Law in 2007 and we are the party that passed the Anti-Corruption Law in 2008. We shall continue to uphold the highest standards of good governance by . . .”** and one of those points was, **“Amending the Elections Law to establish single member constituencies in good time for the 2017 elections thereby giving effect to the desires of the majority of Caymanians who participated in the One Man One Vote Referendum.”**

Madam Speaker, that is a clear commitment to this. Like I said, the UDP wouldn’t commit. All they were talking about was that they were not going to support single member constituencies. They made it very clear. So it was the independents, all the other candidates, and, in particular, the PPM, saying that they were going to do it. The PPM said *in a time conducive to the next general election* (something of that nature).

Madam Speaker, let’s look at what really happened over the last five years in relation to single member constituencies. Since we didn’t have enough time, one of my recitals says that the argument of the opposition has been that there was insufficient time. I suspect we are going to hear that again. However, let’s look at it, Madam Speaker. The Boundary Commissioners were [here] in 2010—May 11, 2010, they came to East End. I just read my presentation to them, Madam Speaker. Let us look at really what happened.

In April 2011 the then Premier brought to this honourable House and circulated a Draft Order to Effect Recommendations of the Electoral Boundaries Commission. It was never tabled. Why? Because the Order was wrong. What they had done was attach to it the wrong Boundaries Commission report! They had attached to it the report recommending single member constituencies—and the intent was not that, but to add two in George Town and one in Bodden Town. And my good friend, the Member for North Side—who sometimes you have to give him a knock over the head because he tells them the stuff we find out—went and notified the Government that if they [tabled] that it would be splitting the Island up into 18 constituencies!

You weren’t here, Minister; I was here. Elephant memory! Remember that.

So, Madam Speaker, let me read the Government Motion that they had to withdraw.

“Whereas Standing Orders are in need of . . .” That’s the wrong one, Madam Speaker!

[Laughter]

The Speaker: Does that mean you are going to withdraw it, sir?

Mr. V. Arden McLean: No, no, no, no.

“Whereas in accordance with the 2009 Constitution an Electoral Boundaries Commission (EBC) was duly appointed;

“And Whereas the EBC has reviewed the Electoral District Boundaries of the Cayman Islands and submitted its findings thereon to the Governor and the Legislative Assembly in June of 2010;

“And Whereas the EBC has recommended in its report that the number of Members of Legislative Assembly be increased to 18, broken down by Electoral District as follows: West Bay – 4 Elected Members; George Town – 6 Elected Members; Cayman Brac and Little Cayman – 2 Elected Members; Bodden Town – 4 Elected Members; North Side – 1 Elected Member; East End – 1 Elected Member;

“And Whereas His Excellency the Governor has now drafted an Order to give effect to these recommendations;

“And Whereas the Premier as required now lays this draft Order before the Legislative Assembly for its approval;

“BE IT NOW THEREFORE RESOLVED that the Legislative Assembly hereby approves the draft Order of His Excellency the Governor, and that the Order then be subsequently made in terms of this draft, so that the changes in representation in the Legislative Assembly, and determination of the boundaries of the Electoral Districts as provided therein, will come into effect upon the next dissolution of this House.”

Moved by the Honourable McKeeva Bush, Minister of Finance.

Madam Speaker, what happened was . . . it was circulated. And when the Member for North Side drew to the attention of the Government that they were providing all 18 single member positions it was withdrawn! It wasn’t ²withdrawn, it was circulated. It never saw the light of day. So, Madam Speaker, there is much leading up to what happened after that.

The Leader of the Opposition, when it was really laid [on the Table], then came out in opposition to the Government. I am not trying to be facetious. I am not trying to be embarrassing. I am not trying to be

² 2010/11 [Official Hansard Report](#), page 984 (8 April 2011)

anything of that nature. I just want to lay the facts out in order that the country knows from whence it came. I know some of my good friends like to say there is no future in the past. But to them I say what President Bush (who I am no supporter of) said to a reporter when he was asked why he holds on to the holocaust, it was in the past. He said, *The past is too painful to forget*. I think every now and again it has to be repeated.

Madam Speaker, in April of 2011 ³CNS reported, with my good friend, the Premier's, picture very prominent on their website . . . [It is] very prominently displayed. I am not saying there is anything wrong with this. I am saying that this is where we came from with this thing. **"The opposition leader says that when the PPM is returned to office, one of the first things it will do is introduce one member, one vote and single member constituencies on Grand Cayman. In the face of the current government's position that it will be retaining the same four multi-member districts and adding seats, despite public opinion, Alden McLaughlin said the PPM backs one man, one vote and any government he leads will introduce it. In retrospect, he said, he wishes that the previous government had insisted on one man, one vote being in the constitution. However, it had offered a compromise to the then opposition during the negotiations in order to maintain local political unity during the UK talks."**

Agreed. That's what we had to do when all of you over were in the Opposition, had to bite our tongue in the interest of trying to reach some compromise and get at least a document to come back to Cayman with. That's true!

Madam Speaker, the now Premier, then Leader of [the Opposition], went on to say, this is the 13th day of April 2011 (right after that it was introduced, the draft of the Commissioners, report that is, Madam Speaker): **"The PPM leader said he believed that the premier's decision not to introduce one man, one vote is because he perceives that the current system offers some political advantage."**

True! That's why it was not done. I said that in 2010. I said it before then. And the Leader of the Opposition was saying it then. And I supported his position.

"But, McLaughlin stated, the more members in a constituency the more inequitable the system becomes. Echoing comments made by the independent member for North Side, Ezzard Miller, he pointed out that with six members of the parliament coming from George Town, the capital will have a powerful influence on the Legislative Assembly. The opposition leader said the voting system should not be about how members think it will

impact their own political future. 'What we need is a fair political system,' McLaughlin added.

Madam Speaker, let me go on to another part of that report.

"A survey by the Chamber of Commerce among its members during the constitutional modernisation process also reflected significant majority support for single member constituencies. Since then commenters on CNS and other web sites and radio talk shows have all expressed support for the need to introduce one man, one vote."

Madam Speaker, the whole country knows what one person one vote means. We like to think that we know more than anyone else. If we weren't in here we wouldn't be thinking that.

Then in December 2011 came another draft order by the then Government for exactly what the one that was not tabled in April said. That is where we then got into much discussion. So this started in earnest in April of 2011. Now we didn't have enough time. That's what they said. I am offering enough time now, though. There is enough time now. If we need to give the Election Office time, there is plenty of time now.

Madam Speaker, this Government promised it. This Government, who has the majority, said they were going to do it. All I am asking is for them to now introduce it. There are many sound-bytes talking about what it takes to do it. And I have all of those. But there is no need to rehash those. There is no real need for us to go through all of that again. We know exactly what it was. I was trying to put a historical perspective on where we have come from.

But, Madam Speaker, if there was insufficient time, having started two years before the last election . . . here we are three years before the next election. I think that's sufficient time. Two years we started the last time. We even had a referendum on it. And, yes, Madam Speaker, the UDP tried to hijack it. Yes, they hijacked it.

[Inaudible interjection]

Mr. V. Arden McLean: Well, they said the truth. They said they didn't want it. They were very straightforward in saying . . . there was no hidden agenda with the UDP, Madam Speaker. None! Say what you want about them.

Madam Speaker, after the UDP brought the draft to Parliament and approved it in December of 2012, which meant we would have what we currently have (which is adding two in George Town, adding one in Bodden Town to complete that 18), shortly thereafter, in February 2012 . . . this was 2011, Madam Speaker, sorry. [It was] December 2011 that the UDP brought the draft report and approved it, and the Constitution makes provision that Cabinet can change that but they have to explain to Parliament why the

³ [Cayman News Service](#), 13 April 2011.

recommendation was changed. And they changed it to say leave it as is, but increase the numbers in George Town to two and one in Bodden Town.

Then, Madam Speaker, on February 15, the Member for North Side and I assisted members who were calling themselves the One Man, One Vote Committee [with a] signature drive to get the people-initiated referendum going, which requires 25 per cent of the registered electors. Madam Speaker, I don't know if I can go all through these today. It will take me 10 years to go through all that was said subsequently, such as the Premier saying: *Why the rush? We're going to put it in as soon as we get in.*

Many people will not know this, Madam Speaker, because they don't pay that much attention to Parliament (unfortunately). When the UDP hijacked the people-initiated referendum and brought their own . . . I don't want to call it "bastardised" but—

The Speaker: Order!

Mr. V. Arden McLean: I want to say, Madam Speaker, that it was basically taking the people's idea and transforming it into theirs so that they could kill it.

[Inaudible interjection]

Mr. V. Arden McLean: I know I haven't said that, but . . . Madam Speaker, the now Leader of the Opposition should know that the then Leader of the Opposition, the now Premier, gave him a good tally-whopping inside here on the 10th day of May 2012, for that same reason—trying to usurp the wishes of the people.

And one of the things from the *Official Hansard Report* of Thursday, 10 May 2012, page 938, was what the Leader of the Opposition said . . . there was some inaudible interjection from the other side while the Leader of the Opposition was speaking, and he said, "**Madam Speaker, I am happy to forgive them because I understand their discomfiture, given that position.**"

"**But, Madam Speaker, the fact that some on that side are dissatisfied with the Bill, at least gives me some consolation that, indeed, some on that side seem to have retained at least a modicum of right-mindedness and fairness and equity. Unfortunately, Madam Speaker, so far only the Premier has spoken in relation to this matter and I am hopeful that before the debate on this concludes that we will hear a clear indication from the Members on the other side who are unhappy with this Bill in its present format.**"

You understand I supported his view against the then Government.

Madam Speaker, I continue the quote from the then, Leader of the Opposition: "**Madam Speaker, this whole issue now before the House has come about because on 15 February this year my colleagues, the Elected Member for North Side and**

the Elected Member for East End, announced in a press conference the launch of a petition for single-member constituencies and one man, one vote."

And then there was an inaudible interjection and general uproar and . . . the Speaker said, "**I am glad you all are laughing instead of fighting, but there is a place for both and the Leader of the Opposition needs to get his speech heard in the House.**"

The Honourable Alden McLaughlin, Leader of the Opposition, said, "**I am glad they are in such a good mood, Madam Speaker. No doubt because they know they have fixed the game!**" (That is, the Referendum Law.)

The Leader of the Opposition went on at great length and proposed amendments to that Referendum Law to require the Government to change it to what we had done to the Referendum, which as 50 per cent plus 1 of those voting.

Madam Speaker, he went on to say . . . and all of this fits nicely into what we are doing today. That's why I can quote from it.

[He said], "**The reason we are called 'Representatives' is because the people have elected us to represent their wishes, their views, their positions on a whole range of matters for the term of office that we have. And so, when we are asked to give back to the electorate during that term, the ability to make decisions on key policy matters, it must require a significantly high percentage of the electorate to do that. But in the case of a government initiated referendum it is quite different. The Government is simply seeking indications—not even approval—because, generally speaking, the government initiated referendum is not binding . . . The government is seeking an indication from the electorate as to what their views are on a particular matter.**"

"**What the Government has done in this case is to take the people's question that takes the people's initiative, make it their own and, therefore, taking the electorate, taking those who take an interest and who are proponents of this completely out of the picture, completely out of the game, arrogating to itself responsibility for this entire process—taking the question, making it their own and then, Madam Speaker, wrongly, almost, I am tempted to say, immorally, using the State's resources and funding to campaign against the people's question. That is unheard of! Unprecedented!**"

Madam Speaker, don't think now I am reading that to say I didn't agree. I agreed with every word he said.

Then he went on further to say, Madam Speaker, "**What the Government is not entitled to do is to take the people's initiative, to take the people's question, which the people want an-**

swered, make it their own, draft a Bill which has all sorts of provisions in it—which are going to make it incredibly difficult for the question to get an affirmative answer—take the State’s resources, use the Office of Premier, make national radio and television addresses telling people what’s all wrong with single-member constituencies, what’s wrong with one man, one vote, why they shouldn’t do it, how it’s going to be disastrous in consequence for the Cayman Islands; that’s what is not allowed. And that is the distinction between the Constitutional Modernisation referendum and the one that is happening now.

Madam Speaker, this is just wrong, wrong, wrong! And they may argue as much as they wish but there is really no right way to do the wrong thing. And, they can dress it up, parade it down here as much as they wish under the guise that this is somehow acceding to the will of the people. The Premier said in his contribution this morning that they were endeavouring to make the process fair. Well, well, well, if this is fair, then I can tell you this, Madam Speaker, the Honourable Premier has a very twisted view of what ‘fair’ means.”

That was the Leader of the Opposition, the current Premier!

An Hon. Member: No! He never said that.

Mr. V. Arden McLean: He never said it? Well, then you need to go erase it from the Hansard!

[Inaudible interjections]

Mr. V. Arden McLean: So, Madam Speaker, I don’t want to read all of this, but there are some . . . let me—

[Inaudible interjection]

Mr. V. Arden McLean: Madam Speaker, I have what I am about to say, but I am using the Hansards for ease of reference so I don’t have to get it from home and distribute. But the now Premier (then, Leader of the Opposition) went on, much further on, and I quote from the Hansard, “**Madam Speaker, as long ago as 1971, constitutional commissioners were advocating a move to single-member constituencies in Cayman at a time when the population of these islands was only 10,000 people. I have in my possession . . . (and I regret that I did not bring a copy for you, but I can certainly pass it up to you once I have read the very short paragraph, with your permission). The 1971 Constitutional Commissioner, the Rt. Hon. Earl of Oxford and Asquith, KCMG came to Cayman to look at what the constitutional position was then because Cayman had undergone in the three years before that, a tremendous growth spurt. The population then was**

about 10,000 people and we were operating under a 1959 Constitution. We didn’t have a written Constitution until 1959.” (And I am still reading from it.)

“**Among the other things he said, on page 21 [section 40. Organisation of Constituencies] he spoke about organisation of constituencies, which were not much different then, in 1971, than now, except in numbers. He said,”** (that is, Lord Asquith said,) ‘**There are at present six constituencies which vary in size and return one, two or three members according to their population. It has been suggested that those returning more than one member should be divided so that in future all constituencies are single-member constituencies. I discussed this idea with the present elected members and most of those now representing multi-member constituencies were opposed to it.”**”

Do you hear the similarities? [This was] 1971.

[Inaudible interjection]

Mr. V. Arden McLean: Oh yeah, you go ahead—

[Inaudible interjection]

Mr. V. Arden McLean: Yeah, yeah, yeah, since ’71 you’ve been opposing it.

And, Madam Speaker, the Leader of the Opposition interjected here, “**Surprise!**” Well, I am saying the same thing now, Surprise!

And I continue [the quote], “**Among members of the public, I found few who held strong views either way, although a fair number felt that with single-member constituencies they might get better attention and get more service from their members.**

“**In the absence of political parties or strongly marked divisions of interest, the present system seems to work quite satisfactorily; but I consider that, in the long term, single-member constituencies would be preferable and likely to reflect more closely the wishes of the electorate. Under the present system, a well-organised party. . . with superior electioneering tactics could secure a majority of seats in the Assembly by gaining control of only three constituencies with a small majority of their votes, although, in the colony as a whole, two-thirds of the votes might be opposed to it. Under a single-member system the chances of such “unfair” results would be much less; while a form of proportional representation, with transferrable votes, would avoid them altogether. A single-member system would give the advantage, noticed above, of a closer relationship between constituents and their members.”**”

Madam Speaker, need I say more?

Madam Speaker, like the Leader of the Opposition at the time (the now Premier), I have been passionate about this for a very, very long time. There is

much more I could say. There are many who pay lip service to it. But it is unfair to the people of East End, (like the Premier has said), and the people of North Side, as individuals, to have one ability to influence the makeup of Government and the people of George Town have six votes. There is no way that is fair.

Madam Speaker, I know we are going to come up with all these convoluted systems about “at large” and how BVI does it and how Montserrat does it. I know all about those too, Madam Speaker. The reason BVI did it was because the country had already been cut up into nine constituencies and they figured they needed four more to make up parliament because of the workload and this and what-have-you; the same way we thought we needed three more to make us get seven ministers. And it was going to reduce the amount in the constituencies too much and they proposed “at large.”

I see some of my friends out there smiling. I hope I didn't let the cat out of the bag that that was going to be a debate. I hope not. But you can still debate it.

Madam Speaker, in the instance of Montserrat, try to remember why. Montserrat had over 12,000 electors like we did. After the volcano everybody left. They were left with 5,000 residents, not necessarily all electors, children included and the likes. It would have been a travesty to leave it as single member constituencies. So they turned it into one constituency and you vote for eight people.

Madam Speaker, those are the reasons why some overseas territories have a different system. And I must tell you that some of the Members may very well go into the constitutional talks and pull out that excerpt when I spoke on single member constituencies and I said that I don't know if “at large” is the answer.

You need it, Premier? I have it right here.

You remember? Me too. Believe me.

Madam Speaker, the Premier says he also remembers me supporting at large candidates. Is that what you're coming with? Oh, now we got it out. I know your political assistant is going to let it out of the bag. He's smiling.

Madam Speaker, why do we go . . . Madam Speaker, I have a copy of what I said in those constitutional talks, and I have a copy of what everybody else said too. So, nobody should get up here and say without reading from it exactly what I said.

Madam Speaker, we will see what the Government proposes and who they will propose from the Coalition Government in 2017. Just as sure as the Premier is here, I am going to be around to run “at large” because we will all take our chances. He who has currency at large, take your chances. He who does not, pick a single member constituency because you will be fired at. Go to war, take your bullets.

Madam Speaker, there is much more that can be said about the entire single member constituencies

and its history and the different systems that we could employ. But I believe that this country should employ what we have been advocating for all along. And that is single member constituencies. Watch what I say now, Madam Speaker: single member constituencies; one person one vote, first past the post. Madam Speaker, there is a fundamental difference when you have those three things involved. Not and/or, but a must.

We can say single member constituencies, one man one vote. But if it's not first past the post it can be a convoluted system, eh? And we could very well get the first six past the post—one man, one vote and George Town one constituency. That is not what we are looking for. We are looking for single member constituencies, one person, one vote, first past the post.

Madam Speaker, no one in this country—most of all in this honourable House—is going to tell me that it is more difficult for an old lady, or an older person or a younger person, in George Town to go into the polls . . . usually the maximum you are going to see is three, maybe four people listed on that ballot. It is easier to go and pick six versus picking only one out of those four. It is easier to campaign because he who has currency (as the leader of that party) can go and say, *I know you don't like Arden but we need him*. And the party loyal will vote for that person.

They are worried about not having a party? You are worried about that?

It also brings worthy people to the forefront to run in politics. There are many people in this country who don't want to run because of what they have to go through. You think everybody is like you? You think people want to do it? But you will have worthy colleagues in here forever and a day. I am not saying we are not all worthy now. I am saying no matter what, there is no election ever contested that people never leave, people didn't lose and people won. People will run in single member constituencies.

Madam Speaker, what the country must understand about this single member constituency thing is that this is not about the politician. It is more about the electors. You know who your representative is. And if he does not do good with you, to you, by you, you have to remove him! He will be okay. Trust me, Madam Speaker. You will get better representation.

Not only that, we will have true mandates, really true mandates. It will lead all eventually into two parties, maybe one independent running. And you will find that more than 50 per cent of that constituency, in most instances, will be required for you to win. Then you have true mandates. Not now. No disrespect to anybody in multi-member constituencies, Madam Speaker. But you don't get true mandates, clear mandates, that you are supported by the majority of the public.

Madam Speaker, the Constitution is . . . you know, Madam Speaker, my good friend the Member

for North Side has been rowing for a long time about section 92 of the Constitution. And just prior to the election he was vindicated in that we all received a letter from the Attorney General to have an agreement on changing that section considering it a simple amendment.

Madam Speaker, I must tell you I didn't respond to it because it was too little too late. In other words, Madam Speaker, I believe we went into the general election, which we had been saying all along, under a convoluted system. And you will remember, Madam Speaker, how we talked during the constitutional talks about ensuring that we didn't have to come back for single member constituency, a change in the Constitution, and we needed to draft it broad enough so we didn't need a constitutional change to be able to implement it through the Election Law. I got that one too.

So, Madam Speaker, I believe the Attorney General at this stage has conceded that we don't need to go back to the Constitution to have single member constituencies. Section 92 clearly defines it as "an elector." I hope that he agrees with me on that point, because I will read this letter of 7 February 2013. Madam Speaker, section 93 of the Constitution establishes the authority for us to do it.

Madam Speaker, the time has come. We have talked for too [long]. We are removing, we have continued for years to perpetuate this thing of multi-member constituencies. There is no need. We need to now get to the point where we enfranchise the people with a little more authority over their representatives. Is it any wonder they don't come down here and look at us? It's because they don't feel akin to us. They don't feel like they have any authority over us. They don't have any control.

Madam Speaker, I don't want to say that there should be total control, but in closing let me read something from Edmund Burke, and then sit down and listen to the wishes and proposals of the Government and see what their wishes are.

In 1734 Edmund Burke told his supporters (you remember there was no women suffrage at that time, it was only men who could vote), **"Certainly, gentlemen, it ought to be the happiness and glory of a representative to live in the strictest union, the closest correspondence, and the most unreserved communication with his constituents. Their wishes ought to have great weight with him; their opinion, high respect; their business, unremitted attention. It is his duty to sacrifice his repose, his pleasures, his satisfactions, to theirs; and above all, ever, and in all cases, to prefer their interest to his own. But his unbiased opinion, his mature judgment, his enlightened conscience, he ought not to sacrifice to you, to any man, or to any set of men living . . . Your representative owes you, not his industry only, but his judgment; and he be-**

trays, instead of serving you, if he sacrifices it to your opinion."

Madam Speaker, I commend this Motion to the Government to within a few months bring back a simple change to the Elections Law that is required. Thank you.

The Speaker: Does any other Member wish to speak for the remaining 15 minutes or so?

I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin, Jr.: Thank you, Madam Speaker.

Madam Speaker, I rise to offer the Government's position with respect to this Motion.

The Motion is very detailed and winds up with a resolution that the Government shall bring a Bill within 3 months to amend the Election Law (2009) Revision to introduce an electoral system of single member constituencies so as to allow the next General Election to be conducted on the basis of the equal suffrage principle of "one person one vote" under the First Past the Post System, which timeframe will allow sufficient time to educate the electors on the changes to the voting system.

The Motion is moved by Mr. Arden McLean, the Member for East End, and seconded by Mr. Ezzard Miller, the Elected Member for North Side.

Madam Speaker, the issue about—

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: Madam Speaker, there seemed to be some question as to whether the Members were honourable or not, but I believe they are all honourable Members. I hope that helps.

Madam Speaker, the issue of single member constituencies has been a topical subject since 2002 when the constitutional modernisation process actually got entrain entertained seriously. And the matter has been one of great controversy ever since. The Member for East End in his presentation went through at some length all the various permutations and side-tracks and so forth that this matter has gone down over the years. The position of the People's Progressive Movement from the very start has been that we supported single member constituencies, albeit with some modifications. In the past those modifications have principally been to deal with the unique situation in respect of Cayman Brac and Little Cayman.

Madam Speaker, in our Manifesto, the Progressives committed to the introduction of single member constituencies in time for the next general election. The Member for East End went through that. I don't think I need to go through that again. As I have said before, the Progressives are a part—the majority, albeit—of a Government that is made up of a number of independents and your good self. So whatever we

say, whatever we do in all our deliberations, we have to take into account the views of those that form part of the Government. If I were to be so foolhardy as to not do so, I would be sitting where the Member for East End and the Member for North Side are very, very quickly.

I am the Premier because I have the majority support of Members in this House. The day that I lose that support is the day I am no longer Premier. I am keenly conscious of that. So, Madam Speaker, in all that we have done and in all that we continue to do, I will always strive as far as possible to reach consensus to reach compromise.

I learned very early in the game that politics is the art of the possible. That is how I seek to conduct the affairs of the Government of which I have the honour and privilege to lead. And it is, I believe, what the majority of the people of the Cayman Islands wanted. They did not elect a Progressive's Government with an outright majority. And, therefore, I believe all indications after the elections, and all the indications we have had since, is that the majority of the people are happy that they have in place a Government that I call an inclusive Government, but a Government which is, in fact, a coalition of independents and a political party. So that is what we have.

Madam Speaker, the Member gave us a report of, I guess one of his spies, that we have held a retreat and so forth and so on, and that we had taken various positions and so forth and so on. And all of that is true. We spent two days discussing a range of issues and on one of those days the issue of single member constituencies and the whole matter of one person one vote was the principal discussion. That, I believe, is how any group, particularly a Government, ought to operate. I can say, Madam Speaker, that every single member of this Government is fully supportive of the principle of equality of franchise, that is, that each person who votes—not just one man one vote, but every person; we want women to vote too—has an equal influence over the makeup of the Government.

Madam Speaker, where there are concerns—and I should say concerns not just by independent Members, but concerns by Members of the Progressive team as well—they relate to the consequences of single member constituencies made up of such small numbers that it becomes incredibly easy for the outcome of an election to be wrongly influenced. Madam Speaker, the greater number of constituencies, the smaller the number of the electorate in those constituencies. And, Madam Speaker, that creates real concerns. Those are not concerns that we have sat and dreamt up. Those are concerns that have been expressed by the Electoral Boundary Commission, and those are concerns that have been more widely raised in studies right across the system.

Madam Speaker . . . and I should say this because I am the leader of a political party so you

should know where my biases lie. For those who believe that a move to single member constituencies is somehow going to improve the prospects of independent members, I would urge them to do a study, an analysis of the results over many years across the whole Commonwealth where the Westminster style of government has been entrenched. And, without exception, the introduction of single member constituencies has entrenched party politics and in relatively short time, in every instance, has led to the rise or the domination of the electoral process by the two largest parties.

That does not mean that some independents do not get elected. That does not mean that some smaller political parties do not get representation. But it does mean, with very few exceptions, that the two largest parties always dominate the electoral process and one or the other is almost always in control of the Government.

A recent example perhaps of where there is an exception is what transpired in the UK most recently where you had two or three parties who took the vast majority of the vote, but neither had a majority and so you wound up with a coalition of the Liberal Democrats (LD) and the Conservatives, and we have the Government that we have in the UK. But that is much more the exception than the rule in these instances.

So, as the Leader of a political party I do not have . . . I should not object to the introduction of single member constituencies because it actually does improve the chances of political parties continuing to dominate the electoral process.

Our concern, Madam Speaker—and I say “our concern” because this is a concern of the entire Government team. It is not a concern of just the independents, it is the concern of the entire team—is that to split the Cayman Islands into 18 or 19 constituencies is going to result in such small constituencies in many instances, that the result of the election process could be easily manipulated. It also will give rise . . . if the boundaries are shrunk too much you will end up with a constituency that consists entirely of a particular demographic, and because of that circumstance, that constituency can become very easily controlled by a particular individual or a particular party.

Madam Speaker, while we were doing some work on this we had some research done. And I won't start calling names of constituencies, but there are constituencies in Jamaica, constituencies in the UK and constituencies in Barbados (these are the ones of which I am aware) which have been controlled by a particular political party for upwards of 50 years. It does not matter who the party sends down there to run, that constituency will always vote Labour, as an example. And the smaller the number of the electorate in that constituency, the greater the chances of that sort of entrenchment occurring.

So, Madam Speaker, the view that we have come to is this . . . and, with your indulgence, if I can just continue a bit beyond the hour of interruption, Madam Speaker, I might be able to wind-up my debate on this because the Government's position on this is not complex, nor do I need to give a long explanation, I believe.

The Speaker: Perhaps Premier, if it is going to be more than five minutes or so, we should just do the adjournment of [Standing Order] 10(2) so that we could go until you complete, if that is your intention this afternoon?

[No audible reply]

The Speaker: Can I get you then to move the suspension of [Standing Order] 10(2)?

SUSPENSION OF STANDING ORDER 10(2)

The Premier, Hon. Alden McLaughlin: Madam Speaker, as you wish.

I move the suspension of Standing Order 10(2) to enable the House to continue proceedings beyond the hour of interruption.

The Speaker: The question is that Standing Order 10(2) be suspended to enable the conclusion of debate by the Honourable Premier on this Private Member's Motion.

All those in favour please say Aye. Those against, No.

Ayes.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: Honourable Premier, please continue with your debate.

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker.

Madam Speaker, at the last elections the Register of Electors was 18,434 persons. Of that, North Side had 594; East End 640; Cayman Brac and Little Cayman 1,029; Bodden Town 4,544; West Bay 4,201; and George Town 7,426.

Now, Madam Speaker, equality of franchise and the power of the vote is not just about how many votes you have compared to how many someone else has. When you move to single member constituencies it is also a cardinal principle that the constituency numbers ought to be roughly the same size, otherwise, you actually aren't talking about equality of franchise anymore. So, it works both ways. And this is not something that I have made up. This is something that

is entrenched in the Constitution. And the Electoral Boundary Commission is charged with responsibility of trying as far as possible to have equal numbers of voters in each constituency.

[Inaudible interjection and laughter]

Mr. V. Arden McLean: Next thing is that you are going to join East End and North Side.

The Premier, Hon. Alden McLaughlin: No, Madam Speaker, contrary to what the Member for East End is saying, I am not suggesting he join East End or North Side.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: I am not suggesting that at all. The numbers suggest that, but I am not suggesting that.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: I am not suggesting that at all because I understand and respect the historical boundaries of the districts and the cultural differences. But I am saying that when you start driving your point, you need to bear in mind your own particular circumstances, because fairness is fairness, it must work the same right across the board.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: So, you cannot start off talking about why it ought to be the same for everybody else and then say that it should be different for my district. If there is to be fairness, there is to be fairness. But I am not suggesting what the Member for East End was worrying about me suggesting. I am not suggesting that at all.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: But what I am saying, Madam Speaker, is that with 18 constituencies, when we divide these numbers up into 18 and you take off East End and North Side because neither of those . . . well, those will just come to about half of what the other constituencies are required to be. You start to see how small, overall, the size of the constituencies are. And for anyone who might suggest or think that I personally worry about my prospects in a single member constituency, I tell them to go and look at the results for George Town where I have been elected four times. So, tell me if you don't think that I can't get elected in a single member constituency.

Mr. V. Arden McLean: [INAUDIBLE] can't get elected in East End and North Side though.

The Premier, Hon. Alden McLaughlin: I heard the hint of the suggestion.

Mr. V. Arden McLean: I *nah* business with *ya*.

The Premier, Hon. Alden McLaughlin: I will fare as well as anybody else in whatever—

Mr. V. Arden McLean: I will fare as well as you in East End too.

The Premier, Hon. Alden McLaughlin: —in any system.

Madam Speaker, the Member for East End spoke for nearly two hours. He could let me finish, please.

I will fare as well in the district of George Town as anybody else. So, I have no personal worries or concerns about that. And that does not for a moment influence my thinking, or the Government's thinking, about these matters.

What we are concerned about, Madam Speaker, is that we do not walk down the road that a number of other jurisdictions have walked down. By moving to a system that is purely based on single member constituencies with an electorate that is so small and, in some instances, where the demographic is so limited, you wind-up with what I shall call perverse results.

We believe, Madam Speaker, that we need a system in Cayman that balances off the concerns about inequality of franchise, that is the voter in George Town having six votes and the voter in East End one, because that is not fair and not right. But balance that concern also with the concern which I just articulated, which is, that we get constituencies so small that they become dominated by a particular demographic, by a particular party and that there is no real democracy, because regardless of who runs in that particular seat, they get elected because this groups votes Labour, or PPM or UDP or whatever the grouping happens to be at that particular time.

And so, Madam Speaker, we have looked at the systems in other places like Jersey, although their system is the subject of much criticism in many respects. What they do have that is interesting is a national vote for what they call senators as well as their constables and deputies, I think, are the other two categories because they have three types of representation. And closer to home the system of "at large" constituencies in the British Virgin Islands where they have a combination of single member constituencies. There are nine single member constituencies and four at large constituencies. So each voter in the British Virgin Islands has one vote for the representative from his or her constituency and then a vote for each of the at large seats.

The benefit and attraction of that is that it provides a balance where constituency interests get properly represented but also you wind up with a cadre or category of representative in your Legislative Assembly that is less concerned about parochial constituency issues, having been elected on a national mandate, and are then able to put forward a perspective, which is not limited in the way that a representative from a very small constituency would be.

So, Madam Speaker, those are the matters that Government is currently considering. The other matter that we are currently considering is the number of seats. There are 18 in this House. In the last election the Progressives won 9 of the 18 seats and the other 9 seats were won by others. As it has panned out, some of the independent Members in the other 9 migrated to join the Progressives to form the Government. But it could just as easily have panned out the other way and we would have had 9 on that side of the House and 9 on this side of the House and a hung parliament.

One of the things we are considering is adding an additional seat to make the number of seats 19 to avoid that possibility in the future.

Madam Speaker, I am laying the Government's cards on the table openly to tell you what is the current state of play and discussion that is going on within the Government. As I said, we are absolutely committed to equality of franchise and to having a system in place which represents that in time for the 2017 elections. What we are not committed to is the division of Cayman into 18 or 19 constituencies; 14 or 15, perhaps, but not 18 or 19. Obviously matters like this are not just something for the Government, even though we have the majority of seats in the House. This is a matter for the entire House and, indeed, more broadly, for the entire country to think about and to talk about. So the Government will be putting . . . although I am putting the position forward now in debate, putting the position forward more formally (if that is the right term) in writing to start the discussion about that matter.

We believe, as the Progressives—not as the Government, but as the Progressives—that this is still very much a fulfillment of the promise we made in the Manifesto to implement single member constituencies. It is single member constituencies with some modifications.

I hope, Madam Speaker, that this is something that will meet the approval of the entire House. I know the Leader of the Opposition has always expressed his concerns about a move to pure (if I may call it pure) single member constituencies in many instances for the reasons which I have tried to articulate. I know in the past when the Member of East End was a member of our party and a Minister working very closely with us with respect to the constitutional modernisation process, that he understood the at large constituency concept and was supportive of it.

We just didn't think at that time that it was something that would fly.

So, I hope that we can reach a compromise among Members of this House about that which will address the concerns of everyone and move the country towards equality of franchise, which we fully accept, acknowledge and agree that the present system doesn't do. I would hope that we can get there rather than standing on whatever our position is and with our unwillingness to move, and so we wind up where we are and have been for the last however many years. I do hope that in the spirit of compromise and a willingness to improve our system of Government to increase democracy and accountability and fairness that all Members of this House will give careful consideration to what the Government is proposing and that we can sit down and hopefully reach a position that all of us can be happy with.

I thank you, Madam Speaker.

The Speaker: I recognise the Honourable Premier for the adjournment until tomorrow morning.

The Premier, Hon. Alden McLaughlin: Thank you, Madam Speaker. I am looking forward in the morning to hearing the views of the Honourable Leader of the Opposition when he has had the night to carefully consider all that has been said.

[Inaudible interjections]

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I am really appreciative of that because at long last it seems he has come to his senses!

[Inaudible interjections]

The Speaker: Honourable Premier, can we move the adjournment before we ensue with another debate?

[Inaudible interjections]

The Speaker: Order!

ADJOURNMENT

The Premier, Hon. Alden McLaughlin: I thank the Honourable Leader of the Opposition for those gracious words, and I move the adjournment of this House until 10:00 am tomorrow morning.

The Speaker: The question is that this honourable House be adjourned until 10:00 am tomorrow morning.

All those in favour please say Aye. Those against, No.

Ayes.

The Speaker: The Ayes have it.

At 4:45 pm the House stood adjourned until 10:00 am, Thursday, 27 February 2014.

