



**CAYMAN ISLANDS
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT
ELECTRONIC VERSION**

2014/15 SESSION

12 September 2014

*Third Sitting of the Second Meeting
(pages 379-434)*

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

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PRESENT WERE:

SPEAKER

Hon Juliana Y O'Connor- Connolly
Speaker of the Legislative Assembly

MINISTERS OF THE CABINET

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|------------------------------------|---|
| Hon Alden McLaughlin, MBE, JP, MLA | <i>The 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 Marco S Archer, MLA | Minister of Finance and Economic Development |
| Hon Osbourne V Bodden, MLA | Minister of Health, Sports, Youth and Culture |
| 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

| | |
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| Hon Eric L Bush | Temporary Deputy Governor, ex officio Member responsible for the Civil Service |
| Hon Samuel W Bulgin, QC, JP | Attorney General, ex officio Member responsible for Legal Affairs |

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

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| Hon Anthony S Eden, OBE, JP, MLA | <i>Deputy Speaker</i> , First Elected Member for Bodden Town |
| Mr Alva H Suckoo, MLA | Fourth 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 |

OPPOSITION MEMBERS

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| Hon. W. McKeeva 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

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| 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
SECOND MEETING 2014/15 SESSION
FRIDAY
12 SEPTEMBER 2014
10:29 AM
Third Sitting**

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

The Speaker: I will ask the Honourable Minister responsible for Financial Services to say Prayers.

PRAYERS

Hon. G. Wayne Panton, Minister of Financial Services, Commerce and Environment: 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

The Speaker: There are no messages for this morning.

QUESTIONS TO HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

Question No. 4— Navasota, employment as consultant by Government

No. 4: Mr. D. Ezzard Miller, Member for North Side asked the the Honourable Minister responsible for Planning, Lands, Agriculture, Housing and Infrastructure if Navasota is employed as a consultant by the Cayman Islands Government and, if so, how much they are being paid.

The Speaker: I recognise the Honourable Minister responsible for Planning.

Hon. D. Kurt Tibbetts, Minister of Planning, Agriculture, Housing and Infrastructure: Thank you, Madam Speaker.

In order to answer this question, Madam Speaker, with your indulgence I would ask you to allow me to provide this honourable House just a bit of background information as to how the Government arrived at a relationship with Navasota.

Madam Speaker, the fuel infrastructure of the Cayman Islands consisting of fuel storage and a fuel delivery system and pipelines to CUC and Owen Roberts International Airport were originally built over 30 years ago and are fast reaching the end of their useful life.

Since the initial siting and construction of the fuel infrastructure, these Islands have seen tremendous development. So, the fuel storage facility on South Church Street is now located in a congested area of residential and commercial properties, and also in the flight path to Owen Roberts International Airport.

The Government is aware of the growth restriction at the fuel terminal site which has a direct effect on the premium price that we pay for fuel. It is inevitable that we will have to expand our fuel capacity

to meet the Island's demands and to do so we must make plans to move the terminal from Jackson Point to a less developed location on these Islands.

Navasota energy consultants are out of Houston. They have expertise in the oil industry. They provide a service to oil and gas companies and other investors who are seeking to develop oil storage infrastructure by facilitating partnerships involving jurisdictions which are strategically located to accommodate such facilities. Madam Speaker, in essence the oil companies need a storage hub to hold fuel in a location that is close to their buyers along with the ability to allow timely transshipment of product to buyers.

The Navasota Group has done the necessary research and has approached the Government with this opportunity which is still being discussed. The Government has not paid Navasota and will not pay Navasota for their services as their intention is to find a suitable partner that the Government could possibly enter into an agreement with to finance and build a bulk fuel storage terminal in Grand Cayman. Navasota and the Government signed a Joint Development Agreement which explicitly states in the agreement under "Other Items" that "each party is responsible for its own direct and indirect costs." "Each party" refers to the Government and Navasota. Madam Speaker, I have a copy of the said Agreement to lay on the Table of this Honourable House.

My understanding is that Navasota gets compensated through commission earned from the oil companies for introducing clients and partners to such projects. I am told that in the energy industry this practice often occurs.

So, the answer to the honourable Member for North Side is no, Navasota is not employed as a consultant by the Cayman Islands Government. And no, Navasota is not being paid by the Government.

Madam Speaker, just for everyone's information, we met with them very recently. I was not able to speak in any detail before now, but I have an outline proposal from them, and as soon as we are able to I intend to sit with Members, go over the proposal so that everybody can be aware of what the possibilities are. The Government has given no commitment to do anything. The Government has simply said to Navasota, *go do your homework, bring back what could possibly be a proposal and then we will go through the hoops that we have to go through to find out what is practical, what is possible, what is sustainable, and then we can make an informed decision.*

The Speaker: The Next question, Madam Clerk.

Question No. 5—Advanced Integrated Systems Ltd contractual relationship with Health Services Authority and Cayman Islands National Insurance Company (CINICO)

No. 5: Update on the investigations/concerns with Advanced Integrated Systems Ltd and its contractual relationship with the Health Services Authority and the Cayman Islands National Insurance Company (CINICO).

The Speaker: Member for North Side.

Withdrawal of Question No. 5

Mr. D. Ezzard Miller: Thank you.

Madam Speaker, I wish to seek leave of the House to withdraw Question No. 5 to the Honourable Minister responsible for Finance and Economic Development, because this question was submitted before some recent matters appeared in the press, and I think it would not be inappropriate to ask the question. So, I ask leave of the House to withdraw the question.

The Speaker: The question is that Question No. 5, as it stands on Item 3 of today's Order Paper, be allowed to be withdrawn by the Member for North Side.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Question No. 5 withdrawn.

The Speaker: Next Question.

Question No. 6—Chief Financial Officer's position, Ministry of Home Affairs

The Speaker: Member for North Side.

No. 6: Mr. D. Ezzard Miller: Madam Speaker, I beg to ask Question No. 6 standing in my name, but, Madam Speaker, I believe I may have misdirected the question, so I think it probably should be more appropriately answered by the Deputy Governor representing the Civil Service. So, I apologise for that.

The Question reads: Can the Honourable Minister say what was the final decision on the Chief Financial Officer's position which was raised in Finance Committee, and who now occupies that position?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Thank you, Madam Speaker. Good morning.

Madam Speaker, I can confirm that an open recruitment process was conducted to identify if a Caymanian was willing and able to assume the position of Chief Financial Officer in the Ministry of Home Affairs.

The position was advertised in the *Compass* on June 5th, 11th, 13th and 17th of this year, as well as published on the Government website and distributed via the Government's internal email system from Computer Services (CS Messages). As a result of this advertisement, Madam Speaker, 13 applications were received. There were three Caymanian applicants and one PR holder. Of the 13, two of the Caymanian applicants and the PR holder were shortlisted from the 13, as they were deemed to have possessed the required minimum qualifications and years of experience.

It should be noted that none of the existing staff in the Ministry of Home Affairs or any existing civil servant applied for the position. The three short listed candidates were asked to submit answers to two exercises. This portion of the process had been used by the Ministry of Health in a previous recruitment exercise for their Chief Financial Officer. Of the three candidates only two submitted a response to the exercises. The remaining candidate was advised that by virtue of their failure to submit the required responses, they had eliminated themselves from the process. No response was received following this communication.

Interviews of the two remaining candidates were held with a panel consisting of myself as Chief Officer, Kathryn Dinspel Powell, the Deputy Chief Officer of the Ministry of Home Affairs, and Mr. Taron Jackman, a partner at Deloitte. Briana Ebanks is the Chief Human Resource Manager for the Ministry and was also in attendance as an official observer. At the conclusion of the interviews the panel unanimously agreed that neither candidate was suitable for the role of Chief Financial Officer. Their overall scores were 45 per cent and 31 per cent, respectively, Madam Speaker, which reflected their need for further professional development and exposure.

Madam Speaker, the results were submitted to the Deputy Governor and a request to renew the contract of the existing CFO was made. Approval was given and a further two-year contract will be offered to the current post holder at the end of the current contract, which is due to expire on the 15th September 2014.

The Speaker: Member for the district of North Side.

Supplementaries

Mr. D. Ezzard Miller: Madam Speaker, I don't have the copy of the Hansard here, but I am fairly certain that Finance Committee was told that the post holder's contract at the time expired within days of the ad appearing in the paper. So, I wonder what changed to make the new contract expire now on the 15th September. Because the person had not met the requirements of the Public Management Law in terms of notifying Government that he intended to renew his con-

tract and, certainly, the impression I drew was that the person was no longer interested in the position and that is why it had been advertised.

The Speaker: Honourable Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Yes, Madam Speaker, the notification of intention to renew was late, but it was provided by the current post holder.

A request was made from the Ministry of Home Affairs to the Deputy Governor to extend or renew a contract for three months to allow for an open recruitment process, as I have described, to happen to see if any Caymanians were willing and able to do so. As it did not bear any fruit in this regard, a request was made to renew the contract for a further two years. That was granted.

The Speaker: Member for North Side.

Hon. Eric L. Bush, Acting Deputy Governor: Through you, Madam Speaker.

As I recall, the ad in the *Compass* required certain specific academic qualifications and certain professional qualifications. Does the current post holder who has been given the two-year contract extension have either the academic qualifications or the professional qualifications?

The Speaker: I recognise the Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I want to answer that but I would like to have the documentation in front of me before I do so. So, I will ask for that to be provided. I don't have it in front of me.

The Speaker: You are undertaking to provide it at a later date?

Hon. Eric L. Bush, Acting Deputy Governor: Yes Ma'am, if that is okay.

The Speaker: Member for North Side.

Mr. D. Ezzard Miller: Can the Acting Governor say if the two Caymanians who submitted the two exercises had the necessary academic qualifications required in the ad?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Yes, Madam Speaker, that is what caused them to be short listed in the initial sift.

The Speaker: Any further supplementaries, Member for North Side?

Mr. D. Ezzard Miller: Can the Acting Deputy Governor give this House the assurance that the second requirement in that ad, which accepted experience in lieu of academic qualifications, was not specifically inserted to allow the existing post holder to qualify?

The Speaker: I recognise the Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, to the best of my knowledge the job description and the ad are standard for the position of CFO throughout the civil service.

The Speaker: Member for North Side.

Mr. D. Ezzard Miller: Madam Speaker, when the Acting Deputy Governor says that it is standard, is he indicating that all advertisements for CFOs in government carry that bailout clause for people who do not have the academic and professional qualifications, to get the job with experience only?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, for the sake of clarity, again, I am aware in the last year or two of three recruitment exercises for chief financial officer. What I will do is ask for the advertisements and the job descriptions of those three and present for everyone's clarity. I just don't want to give misinformation.

The Speaker: Member for North Side.

Mr. D. Ezzard Miller: Can the Deputy Governor confirm, or is he aware, or is that alternative to professional qualifications included in advertisements for CFOs of government-owned companies and government statutory authorities?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I cannot answer that. I don't monitor. But whilst I cannot answer that now, again, I will look to retrieve what has been put out there and what the minimum requirements for CFOs in statutory authorities and public owned companies are and present that.

The Speaker: Member for East End, were you trying to catch my eye?

Mr. V. Arden McLean, Member for East End: Yes, Madam Speaker.

The Speaker: Please proceed.

Mr. V. Arden McLean: Madam Speaker, it is interesting to note that no one from that Ministry applied for this job. Wow! And there are at least two in there with CPA qualifications and lots of experience.

What is the Government doing to prepare these Caymanians to take over those positions when they become available?

The Speaker: Honourable Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, as I believe, the question was more broad in the civil service context. I think the appropriate answer would be that succession planning is a part of the civil service mandate. And that sets out what the current qualifications and experience are of any officer, and looks to identify or ask them the questions: *What are your aspirations? What are your dreams? Where do you want to go in three, five, ten years? And what experiences, qualifications do you need to successfully achieve to obtain those positions?* That, in essence, is succession planning whereby the individual and the organisation agree what needs to be done and what support the organisation will [provide].

The two individuals within the Ministry, or, in fact, more than that, all have succession plans and the organisation assists them in training and development in providing various experiences to them.

The Speaker: Member for East End.

Mr. V. Arden McLean: Madam Speaker, I thank you.

I particularly asked about general, because the whole service is bringing people in now and leaving our young professionals behind.

The Deputy Governor said that the succession plan is in place and that is what government is doing to develop them. What has been done to encourage those two, at least, to get into that position?

The Speaker: Honourable Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I am trying to answer this so as to not single out individuals. I don't think that is the intention. It is more along the lines of policy. The succession planning, followed by an open recruitment process, is there to understand what the individual wants to achieve, assist them in gaining that experience or qualification and then, when a position that they are seeking becomes vacant or is available, then an open recruitment process is conducted whereby it is advertised and then that individual makes a choice.

They make a choice, Madam Speaker, as to whether they want to apply for the position or not. If

they apply for the position, they then go through the recruitment process as everybody else does.

The Speaker: Member for East End.

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

Madam Speaker, what the Deputy Governor is explaining to us seems to suggest to me that the succession planning in government does not encourage or develop those in the plans to feel comfortable that they can apply for these jobs. And we need to single out because in this particular case, Madam Speaker, we have two individuals within that Ministry that we have agreed are qualified with CPAs and master's degrees and all of that. What did the Government do in their succession plans to assist these Caymanians so that they could feel comfortable to apply for this job?

If you have a succession plan there is someplace . . . now can I then ask, are these people on a succession plan? And what is the timeframe for them to be able to go into that position?

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I believe that the question is asked on an assumption that everybody wants to advance.

The succession plan is done in partnership and in agreement with the employer and the employee. Some employees are comfortable where they are and state it; there is no hiding it. And I am specifically not singling out individuals simply, Madam Speaker . . . with all due respect to this honourable House, I do not think it is appropriate. It is unfair to the individuals, with all due respect.

As it relates to timelines, it is when a position becomes vacant that the civil service conducts an open recruitment process whereby the public is notified through the media and the civil service is notified through our internal email communications, Computer Services and CS Messages. They understand what the minimum qualifications are. They understand that they will have to go through a recruitment process where they will be asked to participate in exercises and then, Madam Speaker, go through an interview panel.

The Speaker: Member for East End, I will allow three more supplementaries.

Mr. V. Arden McLean: On this issue, Madam Speaker? Okay.

Mr. D. Ezzard Miller: We'll suspend Standing Orders.

Mr. V. Arden McLean: Madam Speaker, I think that it is a fair and safe assumption that people who go and get their first degree, their second degree and go and

become a professional, is because they want to succeed and want to move up.

My question is: How do we get them there? Why is it that no one in there applied? Are they intimidated? Are they of the view that they were not going to be considered?

Mr. D. Ezzard Miller: They know they are not going to get the job.

Mr. V. Arden McLean: Because we did not provide the coaching and the additional training and cross training in government, what are we doing? What is this succession plan, Madam Speaker? Let's see it nah? Can we see it, Madam Speaker? That's the first thing . . . does he have the written outline of each succession plan?

That's about ten questions I asked then. I am frustrated now, because I am not getting the answers for our young Caymanian professionals to succeed within the government, and we are saying that they are not applying. Why are they not applying? What is the assumption then that could bring us closer to understanding why they are not applying for these higher jobs?

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I think we are doing all we can do. We are having a conversation with our staff. We are conducting open, fair and transparent recruitment exercises. We are providing opportunity for training. We are providing opportunity for advancement. I am not sure what else an organisation can do, Madam Speaker.

The Speaker: I will allow one more from the Member for East End and the Member for North Side also wishes to ask one. So, if we could share between the two of you.

Member for East End.

Mr. V. Arden McLean: We are pretty good at sharing but, Madam Speaker, I have about six or eight different things. We need to ask questions to try to get some clarification on . . . you know how these substantive answers creates a little—

Mr. D. Ezzard Miller: We'll ask it on Rooster Tuesday morning.

Mr. V. Arden McLean: You've been here, Madam Speaker—

The Speaker: Go ahead and ask your question and that will be time saved,

Mr. V. Arden McLean: Okay. Thank you, Ma'am.

Madam Speaker, I asked the Deputy Governor earlier what they were doing. I don't want this generic thing as to, *We are providing this, we are providing that*. Madam Speaker, there are professionals in the Government that could fill this position. What did his Ministry do to encourage them to apply?

The Speaker: Deputy Governor.

[Inaudible interjections]

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I understand the direction of the questioning. And I understand the desire for specific information. But, Madam Speaker, as I have said before, I do not think it appropriate (with all due respect to this honourable House) to divulge personal information of staff within government, to make a single point. I think it appropriate to explain what general policy is and how the civil service conducts its affairs as it relates to recruitment and the advancement of civil servants. Thank you, Madam Speaker.

[Inaudible interjection]

The Speaker: Member for North Side.

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

The Deputy Governor says they have a succession plan (and bear with me a bit, Madam Speaker). The succession plan, as I understand it, on a regular basis the people who are hoping to move up the career ladder would be evaluated and would be told specifically what their shortcomings are, specifically what additional professional or academic qualifications are required to move to the next level.

How does the Deputy Governor expect Caymanians who are in a succession plan, being told that they are being trained and developed for a specific job, they are receiving good evaluation exercises and reports on a regular basis, and for the one opportunity that they have to move up in his Ministry there is an advertisement placed in the newspaper for a so-called open and transparent recruitment before the person is considered and offered the job? In my view, Madam Speaker, that makes so-called succession planning an absolute waste of time, energy and money and a mockery of the system.

The Speaker: Deputy Governor.

Mr. V. Arden McLean: It is designed to kill our own people.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker—

The Speaker: I called on you solely because, yes I am cognisant that he made his statement, but it was a

very profound statement and I was giving you an opportunity to clarify, nullify or to ignore.

Mr. D. Ezzard Miller: I asked a specific question.

The Speaker: Could you repeat it please, because I just heard the statement part of it. I beg your pardon.

Mr. D. Ezzard Miller: Can the Deputy Governor state how the whole government service expects Caymanians to take succession planning seriously when every time a job above them opens the ad goes into the newspaper and they are not promoted, even though they have done a good job, had good performance appraisals all along, rather than having to compete with people from Timbuktu?

The Speaker: Deputy Governor.

Mr. D. Ezzard Miller: It does not require it man; that's their foolishness. Show it to me in the law.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I understand what the honourable Member is saying. I must say I slightly disagree in that even though an individual agrees the succession plan with the organisation, the organisation supports them and they achieve the succession plan. We do not have it in our system to guarantee positions. We assist and we grow our staff in experience and knowledge. But when a position is available, Madam Speaker, we publicise internally and externally with a focus to recruit the best individual. We are hopeful that that person will be the Caymanian that we have developed over time.

Mr. V. Arden McLean: Hope is not good enough.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker.

Mr. D. Ezzard Miller: Everybody knows before the job goes into the paper as to who is going to get the job, from the Deputy Governor right down to—

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, is the Member saying that first and foremost Government's position is not that Caymanians get the job?

If not, can he explain what he just said? I want to separate the two things. I think he said so towards the end but in a different way.

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Yes sir, Thank you.

Madam Speaker, thank you for the question for clarification.

Yes, absolutely, Madam Speaker, it is the priority of the civil service to develop and promote Caymanians.

The Speaker: Madam Clerk.

[Inaudible interjection]

The Speaker: If we are going to entertain another question I will have to call on the Honourable Premier to get the will of the House. We have past now the hour of 11:00 am and it would necessitate the suspension of Standing Order 23(7) and (8), if that is the desire of the House.

Honourable Premier.

Suspension of Standing Order 23(7) and (8)

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

[Inaudible interjection]

The Speaker: Member for North Side, the Premier is on the floor.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I beg to move the suspension of Standing Order 23(7) and (8) in order that Question Time may continue beyond the hour of 11:00 am.

The Speaker: Thank you.

The question is that Standing Order 23(7) and (8) be suspended to allow questions to continue beyond the hour of 11:00 am.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Standing Order 23(7) and (8) suspended.

The Speaker: Are there any further supplementaries? Member for East End, please continue.

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

Madam Speaker, I want to leave that one aside because obviously we are not going to get any conclusion on what is called succession planning in the service, other than to say the succession plan should be for Caymanians.

Madam Speaker, I noticed where—

Mr. D. Ezzard Miller: That's regressive planning. You were there before and now you're trying to take back over.

Mr. V. Arden McLean: I noticed where the Acting Deputy Governor said that three of the candidates were asked to submit a response to some exercise. Can he explain what that exercise is?

The Speaker: Member for East End, it said to two exercises. Were you soliciting a response to both or just one exercise, because you asked the question . . .

Mr. V. Arden McLean: Whatever the exercises are that . . .

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I don't have the exact exercises here, but I am happy to provide an overview.

The exercises are designed to test the applicant's ability in decision making and understanding of the Government's accounts in an appropriate position of Chief Financial Officer. It is a further tool used to understand the applicant's capabilities.

The Speaker: Member for East End.

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

Can the Acting Deputy Governor tell us how we can get someone outside of government to do an exercise to show they understand government finances if they have never worked there?

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, all of the documentation required to successfully answer and provide evidence towards satisfying the exercises is provided. So, it is not just the exercise but also the supplementary information is provided in a packet to the applicants.

Of course, having experience with government's finances is an asset when recruiting for a chief financial officer in a ministry. It is not an absolute requirement.

The Speaker: Member for East End.

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

Madam Speaker, can the Acting Deputy Governor now tell us if that same exercise is being required of civil servants who are applying for positions higher than their own?

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, the assessment centre, or exercises as they are called here, was initiated about two and a half years ago. And to my knowledge the substantive Deputy Governor has ensured that all recruitment exercises that are for a senior civil servant category or level (if you will) includes an assessment centre prior to interview or in concert with an interview. So, it would not be this specific exercise, because this specific exercise was geared towards the actual position. But for other positions like a Head of Department or senior positions within the Ministry or Portfolio, they would go through a similar assessment centre, yes Ma'am.

The Speaker: Member for East End.

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

Madam Speaker, I have seen a couple of them that were required for a position in the government, and, as I understand, they were asking for a five year plan for the office—development plan, that is now.

Can the Acting Deputy Governor tell us if that is used across all recruitment processes inside and outside?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I think I understand the question. The assessment centre, or what is asked for the assessment centre, is specific to the position that you are recruiting for. If the question is if a five-year strategic plan, or providing such, part of an assessment centre for all positions during assessment centre, no, Madam Speaker, that would not be the case because that would not be specific.

[Inaudible interjections]

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, sorry, I got clarification on the question whether it is required of internal and external applicants. Yes, all applicants who are shortlisted for any recruitment exercise where an assessment centre is required, they all go through the assessment centre, Madam Speaker.

The Speaker: Member for East End.

Mr. V. Arden McLean: Madam Speaker, I wonder if the Acting Deputy Governor can tell us how this was developed for someone who does not know the plans of government to be doing a five-year strategic development plan for an office. How and why was this developed? And is this normal practice, not only in government but throughout the private sector, when someone applies for a job?

The Speaker: Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I could not answer what happens in specific private sector companies with their recruitment exercises. But in the general context of requiring a five-year strategic plan, the type of position that we would be recruiting for would be a head of a department, someone who the recruitment panel is looking to see if they have a working knowledge or a general knowledge of the organisation, what the issues in general are, and what plan or what thoughts the applicants have that will increase the productivity and efficiency of the said organisation. That would be the rationale behind requiring such, Madam Speaker.

The Speaker: Member for East End.

Mr. V. Arden McLean: Madam Speaker, I am soon going to finish.

Madam Speaker, I wonder if the Acting Deputy Governor can tell us when that is expressed to those applicants that this . . . at what stage in the recruitment is this strategic plan requirement expressed to the applicants?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, the standard process is once applications are received within the deadline, then an initial review of the applications is conducted in concert with the minimum requirements. Those applicants who meet the minimum requirements are then invited to such an exercise or an assessment centre. They are at that stage given the information if it is to be done at home or some assessment centres are done within a day. So, it is at that point after they have been shortlisted initially that they are notified that this is the next step of the recruitment process.

The Speaker: Member for East End and then the final question from the Member for North Side, and then we will move on to the next item of business.

Mr. V. Arden McLean: Thank you, Madam Speaker, I appreciate that. I really appreciate that.

Can the Acting Deputy Governor tell us how much time is usually given to those applicants to submit such strategic plan? How much time from their knowing it until the deadline to produce it? And if it is not produced at a specific time, are those applicants still considered or not? If they are delayed by half of a day or something like that or by the hours, will they still be considered?

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Madam Speaker, I . . . in relation to the question it truly depends on the scenario. Some exercises are given to shortlisted applicants and then within a week to two weeks to come back and provide the information. Or, some are invited for a day or half of a day and provided an exercise whereby it is said that you have an hour, two hours, or three hours to complete this exercise.

But one thing to note in this is that all shortlisted applicants whether internal or external have to meet the same criteria and the same criteria and grading is applied to all. So, whether it is two weeks or whether it is one hour for a particular exercise, all shortlisted applicants are given the same amount of time.

If the submissions are late it is up to the appointing officer in his or her discretion whether to allow it, Madam Speaker.

The Speaker: Member for North Side.

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

I wonder if the Acting Deputy Governor can confirm that this recruitment process was done in full compliance with section 25, "Procedures Applying to the Employment of Staff of a Civil Service" of the Public Service Management Law (2013 Revision), Personnel Regulations (2013 Revision), and, in particular, also section 27 with the establishment of the panel that is named in the answer.

The Speaker: Member, would you be so kind as to read the section because I would imagine the Deputy Governor may not have it at his disposal right now.

Mr. D. Ezzard Miller: Happy to assist, Madam Speaker.

Section 25 reads: "**When notifying a vacancy in his civil service entity under section 41(4) of the Law, an appointing officer shall advertise the vacancy within the civil service and, if he considers suitable candidates may not be found from within the civil service, in the local and international media as follows . . .**" And then the details of the advertisements.

[Inaudible interjection]

Mr. D. Ezzard Miller: But he can only go externally if he has predetermined that nobody within the civil service is suitable.

Section 27 reads: "**Interview panels**"— 27(1) says, "**When establishing an interview panel under section 41(7)(a) of the Law, the appointing officer shall ensure that the panel consists of no less than three persons who – a) have an understanding of the duties, skills and attributes of the position; b) have no conflict of interest; and c) are able**

to act in an independent and unbiased manner in relation to the appointment concerned."

The question is: Can the Acting Deputy Governor confirm that the panel identified in answer to the question conforms with the requirements for interview panels? Because they don't!

The Speaker: Acting Deputy Governor.

Hon. Eric L. Bush, Acting Deputy Governor: Thank you, Madam Speaker.

Madam Speaker, to the best of my knowledge, absolutely yes, it did conform with the law, the actions taken.

The Speaker: Madam Clerk.

STATEMENTS BY HONOURABLE MEMBERS AND MINISTERS OF THE CABINET

Commencement of the National Conservation Law

The Speaker: I have given permission for a statement to the Honourable Minister responsible for Environment.

Hon. G. Wayne Panton, Minister of Financial Services, Commerce and Environment: Thank you, Madam Speaker.

Madam Speaker, and Honourable Members of the Legislative Assembly, I have the distinct pleasure today of announcing that the implementation stage of the National Conservation Law, 2013 (the NCL) has been formally initiated.

As, Madam Speaker, and Members of the Legislative Assembly will recall, on 13 December 2013, the NCL was passed in this Honourable House. Since that time, Government has been working and preparing the way for the commencement of this Law.

Madam Speaker on Tuesday, 9 September, Cabinet approved the commencement of Parts 1 and 2, and also Schedule 2, of the NCL. The Commencement Order has been published and comes into effect today. In short, Madam Speaker, by commencing these Parts and Schedule of the NCL, Government is taking the next steps in the preparatory work being done, which will allow the rest of the Law to be commenced as smoothly as possible.

Madam Speaker, Part 1 of the NCL provides definitions of the key terms and phrases that will be used to interpret the Law. Part 2 and Schedule 2 are administrative and primarily establish the composition of the National Conservation Council and detail its role and functions. Commencing these two parts of the Law has enabled the Council to be formalised and will allow it to begin considering the specifics of how it will discharge its duties under the Law, particularly in re-

spect of the procedures that will need to be followed by entities consulting with the Council pursuant to section 41 (3) of the Law.

Another priority matter for the Council will be to produce, in consultation with the Department of Environment, the drafting instructions for the Regulations that will govern the Environmental Impact Assessment process, as these Regulations will need to be ready to be passed by Cabinet concurrent with the full commencement of the Law. Whilst the Department of Environment has already developed fairly detailed drafting instructions for the EIA Regulations, the Council will need to have input before they are finalised.

Madam Speaker, the EIA Regulations are the only regulations that will need to be drafted after the Council has been appointed. The other regulations which will have to be passed simultaneously with commencement of the full law have already been drafted and are ready to be considered by Cabinet once the full Law is in effect.

These regulations, the National Conservation (Species Conservation) Regulations simply preserve those species protection measures that were previously covered by either the Marine Conservation Law, which will be repealed in its entirety once the NCL has been fully commenced, or those specific sections of the Animals Law which have been repealed by the amendment to the Animals Law passed by this honourable House at its last meeting. All other regulations made under the Marine Conservation Law will be preserved and will carry forward as if they were regulations made under the National Conservation Law in accordance with the transitional arrangements provided in section 52 of the Law.

Madam Speaker, we expect the preparatory work of the Council to take a few months. Once it is complete, Government will be in a position to commence the remainder of the Law and bring it fully into effect. I anticipate this to be by the end of this calendar year.

Madam Speaker, in terms of the National Conservation Council, I am pleased to announce that the following appointments have also been made by Cabinet in accordance with Schedule 2 of the NCL and published today.

In terms of the District representatives we have Mr. Davey Ebanks representing West Bay, Ms. Lisa-Ann Hurlston-McKenzie representing George Town, Ms. Christine Rose-Smyth representing Bodden Town and she has also been appointed Chairperson of the Council, Mr. McFarlane Connolly representing East End, Mr. Brian Tomlinson representing North Side and Mr. Wallace Platts representing Cayman Brac and Little Cayman.

Madam Speaker, the person nominated by the National Trust of the Cayman Islands and approved by Cabinet is Mrs Christina Pineda and the additional persons appointed to the Council are Mr. Fred Burton and Ms. Patricia Bradley. The additional

persons comprising the thirteen-member Council are ex-officio members in accordance with Schedule 2.

I thank these Members for agreeing to serve on this most important body and I wish them well in the important work they will be engaged in.

Thank you Madam Speaker.

The Speaker: I recognise the Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, based on Standing Order 30(2), I wish to ask a question.

The Speaker: You may.

Short Questions (Standing Order 30(2))

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

I too want to thank the members of the Council who agreed to serve.

Can the Member say, what criteria was used to appoint members, district-wise?

The Speaker: Honourable Minister of Environment.

Hon. G. Wayne Panton: Madam Speaker, the proposed members of the Council were considered by Cabinet. The Representatives who are not a part of the Government Bench were contacted and asked who they thought might be appropriate representatives for their district. In making that request we indicated who we would be proposing, asked for their feedback and whether they had any suggestions. The only responses that were received, Madam Speaker, were from the Member for East End and the Member for North Side.

The Speaker: Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, let me point out again that I have no particular problem with anybody serving who has agreed to serve. I only thank them for giving their time. But the Minister has just said that district Members were contacted. I want to say that none of the three here—

The Speaker: I beg your pardon. If I understood him right he said district Members were contacted who did not have representation on Cabinet.

Hon. W. McKeeva Bush, Leader of the Opposition: Correct.

The Speaker: On the Government Bench.

Hon. W. McKeeva Bush, Leader of the Opposition: On the Government Bench.

The Speaker: Yes.

Hon. W. McKeeva Bush, Leader of the Opposition: So, Government contacted their Members. Well, I would like to know what you are talking about then.

I was not contacted; the Third Elected Member for West Bay was not contacted, nor was the Fourth Elected Member for West Bay contacted. If we were, then somebody show me where we have because nobody said anything to me. I just want to clear the air on that. I don't know anything about anybody contacting.

[Inaudible interjection]

The Speaker: Honourable Minister responsible for Environment.

Hon. G. Wayne Panton: Madam Speaker, the three Members representing the district of West Bay, who are not on the Government side were contacted. Emails were sent at the same time as the Members for North Side and East End were contacted.

As far as I can recall several email addresses were used. Email addresses that we know Members typically use were utilised to send those requests. As far as I can recall I did ask for a follow-up email as well to go. But certainly I never saw any response to any of those emails, and as far as I am aware none of the Ministry staff received any.

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I am not going to belabor the point. As I said, I have no big problem with the appointees. I just wanted to know what criteria were used, and he still has not said what criteria it was.

But I want to say again, if we have been contacted, certainly, I don't know anything about it but I will get my secretary to run a check on my emails. If he could tell me basically when this was done, certainly, I will inform this House or will inform the Minister somehow that we were contacted or were not contacted.

But most emails that come through the House, I cannot open on my phone and I don't use a computer. I cannot open those emails that come . . . if that is not an open email and a document as such, I cannot open it. That is a fact. The House knows that and when I say the "House" it is the staff of the House.

Thank you kindly.

The Speaker: Member for East End.

Mr. V. Arden McLean: Madam Speaker, in keeping with what the Leader of the Opposition just spoke about, the email, maybe it is time that, those of us on this side request that the legislature, through you, Ma'am, distribute our emails to all of Government, because, Madam Speaker, I am continually told that emails were sent to me, and I am not very good with that thing called technology now, but I can find other emails but I cannot find those that they send.

I believe what is happening is that government departments are sending them to our old government address which we have no access to. I don't know why it is not rejecting it. But when the PPM left Government, the incoming Government ensured that we were not getting any more on Government's [list] because they were afraid that we would get into it.

[Inaudible interjection]

Mr. V. Arden McLean: And ever since I have not had access to it. And recently I was told that I was sent an email so . . . Madam Speaker, I am not asking a question, I am begging you as Speaker to ask the staff that distributes our personal emails to all the departments, so that we do not have this miscommunication.

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, this has reminded me of something that I have been intending to do. I don't see the reason why Members of this House who have been elected ought not to be on the government email stream. And I will explore the possibility of giving all Members of the House, regardless of whether they are in Government or they are just elected Members, a government email address, and I think that should help to sort out the problem that we have.

[Inaudible interjections]

Mr. V. Arden McLean: And, Madam Speaker—

The Speaker: Member for East End.

Mr. V. Arden McLean: Just to say—

The Speaker: We have now gone out of the ambit but I think the point is important enough to exercise discretion.

Mr. V. Arden McLean: Yeah, yeah, yeah. Thank you.

Madam Speaker, I thank the Premier, but the problem with that is we cannot get access to it at our homes. That is the problem.

The Premier, Hon. Alden McLaughlin: We'll see if we can sort that out. I don't think that is as difficult as the Member thinks.

Mr. V. Arden McLean: No it's not but it will not give access to it—

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, if I may.

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, I don't want anyone to believe that we do not get emails through this legislature because we do.

Mr. V. Arden McLean: No, no, no, not from here. We don't have a problem with here.

Hon. W. McKeeva Bush, Leader of the Opposition: Yes, we don't have any.

I have never, since the emails were created, used my email. My secretary always got my emails and I never did receive my own email because I never kept a computer in my office at Glass House. And I did not receive them at all. I don't operate computers like that. So, I have always had "McKeevabush," I think it is at gov.ky or something like that. That is the government email. I have never used it. So, if anything went to that I would not have gotten it.

[Inaudible interjections]

The Speaker: Madam Clerk, next item.

OTHER BUSINESS

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 2/2014-15— Reduction of Import Duty

The Speaker: Honourable Leader of the Opposition.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you, Madam Speaker.

Madam Speaker, I beg to move Private Member's Motion No. 2/2014-15 in my name which reads as follows:

WHEREAS the economy of the Cayman Islands has been in hard times since 2008;

AND WHEREAS the people of the Cayman Islands have suffered with unemployment and high electricity bills and generally a higher cost of living;

AND WHEREAS because of the high schools, Government Administration Building and other Government building programmes and a very high deficit for the 2008–2009 year, Government had to introduce new and additional fees on various industries;

AND WHEREAS the reduction on fuel and other cost of doing business was a promise that was central to both the Government and the then Opposition during the 2013 Election Campaign;

BE IT NOW THEREFORE RESOLVED that Government consider reducing the import duty levied on fuel to where it brings down the cost to the consumer in a meaningful manner;

AND BE IT FURTHER RESOLVED that Government consider putting in place a meaningful temporary, but emergency employment programme throughout the island, to start in June 2014.

The Speaker: Is there a seconder?

Mr. Bernie A. Bush, Third Elected Member for West Bay: I beg to second the Motion, Madam Speaker.

The Speaker: The Motion has now been duly moved and is open for debate. Does the Honourable Leader of the Opposition wish to speak to it?

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, thank you kindly.

Madam Speaker, before I start my debate I want to say that in regard to the last resolve in the Motion, which speaks to June this year, we know we are in September. Madam Speaker, if the Government can demonstrate that there is a marked improvement in the employment of the causal workforce since June, then, I will withdraw the last resolve in the Motion.

Madam Speaker, I am hoping to deal with this issue that affects and impacts every Caymanian directly or indirectly and, ultimately, I believe the stability and sustainability of our way of life.

This Motion has two distinct separate resolves but both are focused on providing economic relief. It is my genuine hope that this debate will be healthy and accepted by the Government in the bipartisan spirit that I intended it to be. Bringing about much needed relief to those Caymanians who find themselves in financial hardships, I think must permeate all political boundaries and bring all of us who sit in this House beholding the trust and confidence of our constituents, unified in our resolve to deliver relief to the unemployed, deliver relief to those who cannot pay their bills, relief to those who risk losing their homes, relief to those who go to sleep at night with an unsatisfied appetite.

Sometime ago, Madam Speaker, we heard from, I believe it was the honourable Financial Secretary, that the global economy was poised for a recovery and the Cayman Islands was expected to follow suit. I would hope that these technical forecasts are factually based and have supporting empirical evidence. However, Madam Speaker, for the unemployed and those who are struggling today this is

merely economic jargon. And sometimes what is put out by forecasters is jargon that has no connection to the reality.

Madam Speaker, that would be so for the 19 employees at the now closed Alexander Hotel on Cayman Brac. Those qualifying Caymanians that are not placed in jobs otherwise in the hospitality industry job drive, the hundreds listed with the Workforce Development Agency that are eager to work but cannot get jobs, the qualified Caymanians returning home from universities but cannot get work; I don't believe see this recovery and are counting on all of us to help them in some way—all of us, Madam Speaker.

Madam Speaker, I will not proclaim to have comparative educational standards to some of those on the other side of this Chamber, but my tenure in this House—reaching 30 years this November, Madam Speaker—and the tough lessons thought in the university of life, coupled with, I believe, a generous share of granny wits provide me with a vantage point to identify the troubles of our community and to call on the greater minds, young and old, that make up this legislative body to join forces in engineering a true and meaningful economic relief package that will give our people a reason to hope and a sigh of relief.

I will never forget, Madam Speaker, that in 2008 I urged the Government at that time to proceed with caution and to curtail spending as the economy was on the eve of a downward spiral. I recall distinctly the response from the leadership bench of the PPM in rejecting my warning at the time. They said that not on the best of mornings could the Motion be accepted. Perhaps I will be told that again. And as fate would have it, we all know what happened after that.

Madam Speaker, you will recall the decisive action by the Government following the election to try and regain control of expenditure and return the Government to better financial health, albeit in a new financial environment struggling with a Framework of Fiscal Responsibility, not yet passed but already told that we had to follow certain guidelines. And, Madam Speaker, that is no political talk; it is a fact. I have the letters from Chris Bryant who urged me to change our whole tax base to make money. I have those letters, Madam Speaker. And I told him not on the kindest of mornings could I accept that we had to put in income tax or VAT or property tax. And he said to go and talk to the business community and we will see.

To avoid the mounting pressure from the Foreign Office and some from Cayman to introduce direct taxation, the Government undertook several revenue enhancement measures, including an increase in the import duty paid on fuel. And, Madam Speaker, we must remember that that was not our suggestion. That came out of the meeting after Chris Bryant's letter in 2009, and I called the community together at a meeting at the Ritz. Those measures did not come from the Government. They were proposed by the business people who said, *No we are not introducing VAT, we*

are not introducing income tax, we are not introducing property tax, we will take some increases and that was one of the things.

So, we put on duty because we had to. But we always maintained and promised that as soon as we had a sustainable flow of revenue and we had a sustainable surplus, we would reduce the duty.

Madam Speaker, I really believe that that time has come. It should be irrelevant what side of this House we sit. This commitment to the people of the country is based on our caring spirit that should not be determined by the political parties we belong to, but rather by being Caymanians.

The largest payer of fuel import duty in these Islands is Caribbean Utilities Company, the only electrical company in this Island which uses diesel fuel to power its electricity generation plants. Reducing the cost of importing fuel for CUC in a meaningful manner would translate to a rate reduction, a good rate reduction, a better rate reduction for the consumer.

Madam Speaker, from May of this year before the content of the Budget was known to us, I stated that the reduction must be significant enough to encourage a real reduction for utility customers. At that time I said that reducing by six or seven million on CUC's import bill would only save about \$20 per household, and that would be negligible and does not provide the type of relief our people need at this time.

Madam Speaker, throughout my tenure in this honourable House, I have strived to always remain closely connected with my constituents and the people of these Islands otherwise. The responsibility entrusted in each of us as legislators to always act in the interest of our people is the most important responsibility we have. I really believe that none of us in this House loses sight of that fact. It is more important than our responsibility or commitment to party, to ministries or to any other group.

To that end, Madam Speaker, I am sure each of us have heard many of our constituents crying out for help during these harsh economic times, asking for help in paying their mortgages, their rent, utility bills, food bills and much more. I am sure that each Member of the frontbench and the backbench of the Government, like us on this side, get questions, get requests on an hourly basis. I know that I do—on an hourly basis, Madam Speaker, not monthly. While we have those who know our payday better we know, Madam Speaker, we do have them otherwise. And those who know are not a handful either. You would be surprised. But I know you know, Madam Speaker, how many do know when the government's payday is.

Madam Speaker, during the most recent sitting of Finance Committee we all heard the testimony from the Cayman Islands Development Bank of the hardships faced by Caymanians at this time and how many were defaulting on their mortgages and legal action being taken against the most vulnerable section of our population. And, Madam Speaker, all of us too

have knowledge of how much pressure is being put on people who are in arrears with their mortgage. We know, we hear how some people . . . and we hear both sides. We hear from banks how much leeway they give people who are in arrears. And we hear from people how the banks are pressuring them for even small amounts after having their mortgages for several years.

So, this is not any political vendetta against anybody. These are facts that we understand, that we hear, that we see. And we have to feel the feeling because they end up on our doorstep at all times.

We would have read the news of how the man obtained electricity—unheard of in these Islands. The presiding magistrate heard of the many Caymanians that are without electricity in their homes and having to employ acts of desperation to survive the economic hardships. This is no political makeup under some Almond tree to beat the Government with. I know the Government hears this. And I am saying that they are going to have to find a way to deal with this because it just cannot continue. We struggle, all of us every day of the week with people coming to us.

There is no way as a responsible representative of the people that we can ignore these cries. And we put politics and sometimes draconian one-upmanship strategies aside and take the resolve of the Motion and provide some meaningful relief to the many Caymanians seeking help.

Following the tabling of this Motion in May of this year, the Government presented its budget document which included a reduction of import duty on fuel. And this was indeed welcomed. But I said it was not enough. The cutting of duty rates in the budget were welcomed by respondents of a *Cayman Compass* online poll, but many felt the measures did not go far enough. It is just not enough! And I know that the Government has its own measures where it has taken the budget, but that is what this Motion is all about to say, *Let's look at that and see how we can address this issue.*

Of the 372 participants in the poll, 179 people (48.1 per cent) said the cuts should have been bigger because everything is so expensive here. Another 56 persons (15.1 per cent) said the duty cuts announced by the Government in the latest budget would, and I quote: ¹“ . . . **only mean a few dollars. And who cares about \$2 off a \$100 shopping bill?**” One person commented that: **“Due to the recent in rates by CUC, the government tax reduction only served to soften the overall rate increase.”**

Now, instead of paying the full rate increase it works out to only be an offset of the increase put on by government which was pointed out by that individual.

Someone else put the rate cut into the context of everyday life and sounded a tone which I thought

was some realism. I quote: **“I don't believe that it will make any noticeable difference.’ The pollster began; ‘Whilst my CUC bill will be fractionally cheaper, I can't see that the retailers are going to pass on their savings to us . . . (other than for weekly specials.) The money they save on duty will not be paid forward and there is talk of putting up CUC rates anyway. So, we will not be seeing that \$2 savings.’**

“Another *Cayman Compass* reader struck a similar note saying, ‘I think companies will save but these savings will not be passed to the consumer.’”

Madam Speaker, we can boast of having a bigger surplus, a \$100 million surplus. That is an impressive surplus and one I feel justly proud of. But the only meritorious way for the people of this country to enjoy the fruits of this labour is for some of the money to be returned to them in the form of a meaningful reduction in their daily cost of living.

The Motion calls for a meaningful reduction in import duty on fuel imported for CUC. Substantially cutting a monthly electrical bill of every Caymanian family will demonstrate a Government that understands and cares. And I can say I think all of us in this House do. And I want to be part of that body that will look what the Government introduces and say, *Yes, we can take some more off.* However that is going to be, I believe we can do a bit better than what was done. And that is what I am asking the Government to do.

Madam Speaker, most of us come from roots that know what it is to live hand-to-mouth, and we are all eager to be a part of the solution for struggling Caymanians. It is my understanding that over 1,000 residents on Grand Cayman are living without electricity in their homes. This is totally—*TOTALLY*—unacceptable! When we leave here today, if we have failed to deliver a solution—and I know it is not going to be done here today if the Government even accepts this Motion because they have to go back and do their homework and I suspect that in preparation for this Motion I would hear something of what they are going to say in regard what they have introduced before. But I say that having these many people without electricity cannot be good.

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition: Sorry?

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, the Premier is asking me what the basis is for the figure. I said it is my understanding, and if he has not heard that throughout this country, then, Premier, you need to get out a bit more.

¹ Cayman Compass 13 June 2014

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition:

If I was you . . . if I was the Premier, I would go and find out from CUC what the number is.

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition:

Okay, so he knows.

I know what the magistrate said, from their social inquiry of the person before the court at that time.

Madam Speaker, what I will say is that if we fail to deliver a better solution than what we have, our conscience will be unsettled when we go to our homes.

Madam Speaker, that is why I plead with the Government to address this issue. If the Government resolves to help their people through their electricity bill, it goes no deeper than the [\$]8 million they have committed to in the recent past budget. I am asking them to engineer a plan and then to commit the funds first to assisting those without power, and then allocating a residual balance towards lower kilowatt consumption to ensure that maximum benefit goes to the poor in our community.

Madam Speaker, taking that much off of my electricity bill, I would rather continue to try to pay it and help those people go and get electricity to their homes.

It is still my impassioned view that more than [\$]8 million should be deployed to help with the electricity situation. I know that that situation, people not having electricity, is caused by other things. But the fact is they don't have the electricity and we need somehow to address that issue.

I am cognisant of the fact, Madam Speaker, that there would be concern that this economic stimulus initiative has no bearing on Cayman Brac, as they currently enjoy 100 per cent waiver of import duty on fuel. Madam Speaker, you and the entire Cayman Brac population know that I am always conscious of the [stagnating] economic environment on Cayman Brac, and I am calling on the Government to look at how that benefit is affecting the people of the Sister Islands, the fact that they have 100 per cent duty free status on fuel.

My concerns are based on the review of an average bill for a customer of Cayman Brac Power and Light for the month, and I looked at one for January of this year. I went back to then. And the total consumption for that customer was 547 kilowatts for the month. The total of that bill was \$221.25 and of that total \$99.72 represented fuel factor surcharge. The fuel factor on Cayman Brac represents 45 per cent of the total bill. And as a point of comparison, Madam Speaker, I priced those 547 kilowatts utilising the rate structure for CUC here on Grand Cayman.

Madam Speaker, I think you and the Minister pay electricity on both Islands. So, you all would have a fair comparison. This Bill would be \$185.46 on Grand Cayman or the 547 kilowatts, where 75 cents is paid on every gallon of fuel imported. Madam Speaker, that translates to 19.29 per cent higher on Cayman Brac, albeit with a full duty waiver. I am merely illustrating that there may be some benefit to be derived from a review of how that is done on the Sister Islands.

In April of this year, Madam Speaker, we all saw firsthand the need of the residents of the Sister Islands for some financial redress, particularly in that area. Now I know, as I understand, Madam Speaker, that . . .

[Inaudible interjection]

Hon. W. McKeever Bush, Leader of the Opposition:

Madam Speaker, I think this review would identify issues of varying efficiencies requiring us as legislators to consider how to best ensure that regulations provide sufficient incentives to ensure efficiency. I know that Brac Power and Light has done several things to try to assist people in paying. I heard that. When I say I know, I heard that they do. But what I am saying is, Madam Speaker, that that is helping it in just one way. We need to review what happens with the full situation.

Furthermore, Madam Speaker, the proposed import duty reduction called for in this Motion is only beneficial if the full reduction is realised by customers. This review may reveal the need for more stringent regulations over the rate structure for both providers of electricity in our Islands, and it should.

Madam Speaker, there is nothing more frustrating than an individual feeling helpless without work and seeing his family in need. This feeling of helplessness and being inept as a provider, has been attributed to much antisocial behaviour in these Islands. And this Motion seeks to revitalise also the seasonal work programme implemented during our administration. And that programme, which involved hiring people on a temporary basis to clean up road sides and beaches, and I stretch it now to say you can go into the foreshore of the beach into the waters, because if you go along much of our beaches, they clean the beaches but leave 10-15 feet into the ocean all kinds of debris. Again, that would provide a spate of work needed for the casual labour sector in this country.

We see motions to take money from Immigration . . . where we pay Immigration to train. I am waiting to hear how that is going to work, but willing to listen, of course. And we see motions, Madam Speaker, on the Order Paper to increase the penalty for aggravated burglary, something that I would support also, and several other motions, Madam Speaker. Another one is an amendment to the Penal Code Law. Crime—three strikes and you are out. I am willing to

listen, Madam Speaker. Most of these I support because I believe we need to do something to say that we are not tolerating what continues to happen, which does not seem like the police are being able to affect efficiently. I don't know because the police cannot be everywhere. But coming from the fact that people have no work, people are frustrated. We know what arises. I would not go any further than that, Madam Speaker.

As I said earlier, if the Government can demonstrate that there is a marked improvement in the employment of the casual workforce since June, then I will withdraw that last section of the Motion. But I do believe, Madam Speaker, that if nothing else, until the economy is moving in such a direction that these people have some work at some point . . . but to go all year without work, without work, without work, Madam Speaker, is having a disastrous effect in more ways than one. Families are being split on it. People never had to be concerned about money before because they always had a little job somewhere about with somebody, but when you have both parents and sometimes the oldest working child in the family not working and they have exhausted every mean that they have, what then?

The Social Services [Department] is over its head. The Government increases the budget. We try to help by various means but it is over its head. It cannot cope with everybody.

We have an ageing population. Women today who cannot work, that I know refused the \$500 that government was giving because they said, *No, I don't need it because I can still work.* Today they are not working and they cannot get such assistance. Seamen have been put on hold.

So, Madam Speaker, this is not an exaggeration, this is not something to castigate the Government. The Government found the situation as I found the situation. And while I have been castigated, I am not going to do that because I do know what the Government goes through. I am not going in here to beat up the Premier, the Finance Minister or Government. No! What I am saying is that these are realities that we face, and I am saying that Government has put one foot forward to cut back on some import duty but that does not fix that situation enough. And, as I said, the [\$]8 million (if that is what it is, if not more) . . . I would rather see that go on somehow finding a way to help those people who cannot pay their bill. If you take that and stretch it out and say we are going to assist and set up somebody—two people, however, wherever they are—whether it is in finance or social services and we are going to help those people. I would rather do that than to say that this is coming off my bill.

Madam Speaker, I will stop there. It is good that we have been able to build up the surplus as the UK forced us to do, because I say this: when the last increase came in the budget of August, I told them the country cannot take these. And they said either you

do it or you do not have a budget. Madam Speaker, you would know that what I am saying is a fact. That is what they said to us. And so that is what we had to do. But I made the commitment, and I think we are at that point that we can do something more and we should. Thank you.

The Speaker: The House will now suspend for its luncheon break and we will reconvene at 2:15 pm.

Proceedings suspended at 12:14 pm

Proceedings resumed at 2:25 pm

The Speaker: Please be seated.

Before we took the luncheon break we were debating Private Member's Motion No. 2/2014-15.

Does any other Member wish to speak?
[pause]

I recognise the Honourable Minister responsible for Finance.

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 2 of 2014-15— Reduction of Import Duty

[Continuation of debate thereon]

Hon. Marco S. Archer, Minister of Finance and Economic Development: Thank you, Madam Speaker.

Madam Speaker, I rise in response to the Motion moved by the Honourable Leader of the Opposition with respect to the reduction of import duties, and to . . .

Madam Speaker, is it possible that I could borrow the lectern there? Is the Sarjeant in the Chamber or anywhere?

Thank you.

The Speaker: Apologies for that Minister.

Hon. Marco S. Archer: That's okay Ma'am. Thank you very much.

Madam Speaker, as I was saying, the Motion to further reduce import duty on fuel and other consumables is, while desirable, unfortunately not as simple as it may sound, given the financial position as well as the economic climate in which the country finds itself because of the region in which it is located. Perhaps if we were somewhere else where things are booming we could do more. We are in the Western Hemisphere where modern capitalist democracies are not growing by leaps and bounds and are therefore growing at modest rates. Because of that, Madam Speaker, we have to be more cautious and look before we leap.

Madam Speaker, that is the approach that we took in the 2014/15 Budget when we introduced the stimulus package of approximately \$15 million, which I will go on to elaborate on. But because we are in the situation that we are in, we have to do things in an incremental and responsible manner, because the greatest impediment to economic stability and growth and recovery and creation of jobs is uncertainty. And when you take one step forward and recognise that you have gone too far and have to step back, you then create doubt in the minds of investors and consumers. So, it is far more important that you do things in an incremental manner so that you can build the confidence within the economy that people are then encouraged to go and make the necessary investments and create the jobs and provide the incomes that will enable people to survive and grow.

Madam Speaker, it is the intention of the Government that over the course of the next two to three years we will, if the economy continues to improve . . . and, Madam Speaker, as I said yesterday, the first quarter did grow by 1.5 per cent. We are projecting that the economy will grow by 1.9 per cent overall. If all things should continue to improve, Madam Speaker, it is our desire and our intention that we will reduce the rate of duty on diesel used by CUC, to the rate of 45 cents per gallon, and even further, Madam Speaker, if conditions allow.

Madam Speaker, this Government is acutely aware of the financial pressures that citizens in these Islands are facing. No one should think that because we are elected Members we are in some way insulated from the difficulties that the rest of society faces. We all live here, we all shop and consume like everyone else. We are not insulated from that.

The Government is aware of the need to reduce the tax burden to improve the purchasing of power of low income and middle income classes within our society by increasing disposable incomes in order to generate greater demands for good and services within the domestic economy. The Government is actively working on sustainable solutions, Madam Speaker. And the key word in there is "sustainable". You don't go forward and come back; it creates doubt. So, the Government is actively working on sustainable solutions that will help to reduce these costs and, at the same time, help to bolster our economic viability.

In my 2014/15 Budget Address to this honourable House on the 26th of May 2014, I announced four economic measures which the Government is implementing in order to lower the cost of doing business and the cost of living. Madam Speaker, to recap, those four measures were all targeted at improving the chances of increasing the multiply effect. They were very specific, very targeted and we were trying to maximise the marginal propensity to consume that each individual has. So, we were targeting the lower income people because they would obviously have a

higher marginal propensity to consume. Give them the breaks; they would in turn spend more.

So, Madam Speaker, those four measures were to: 1) reduce import duty on diesel, fuel used by CUC to generate electricity; 2) reduce import duty for licensed traders; 3) reduce trade and business licence fees for small and micro business licensees; and 4) to continue the current incentives that are in place within the Sister Islands.

Madam Speaker, effective on the 1st of January 2015, I want to stress again that this is a measured, responsible, careful approach to what we are doing. We are not only facing constraints imposed by the Framework for Fiscal Responsibility, we are facing constraints imposed by an uncertain economic climate. We still are not seeing the rates of growth that we saw in previous years. And until we are there, we cannot jump over the cliff and assume that there is a net waiting to catch.

So, effective January 1st, 2015, the Government will reduce the import duty charged on diesel imported by the Caribbean Utilities Company (CUC) for the generation of electricity from 75 cents per imperial gallon to 20 cents per imperial gallon. The total amount of duty that the country expects to earn for both gasoline and diesel fuel in the 2014/15 fiscal year, is CI\$22 million. Out of that \$22 million, Madam Speaker, . . . Sorry. We have already deducted the \$8 million that this reduction on CUC diesel will cost the country. So, we have reduced \$8 million, which leaves us with \$22 million.

If I were to take a wild guess, we have taken just under one-third of the total value of duty on gasoline and diesel. Madam Speaker, by no stretch of the imagination is that insignificant.

With this measure, the Government is projecting that the average customer, both residential and commercial, will see their bills reduced by approximately 4.3 per cent. Madam Speaker, 4.3 per cent may not sound like a lot, but it is a step in the right direction. This projection assumes that the price of fuel and CUC's fuel consumption and efficiency will be similar to the current levels.

Currently, the import duty on fuel accounts for approximately 13 per cent of the average customer's electricity bill. This measure reduces that portion down to approximately 8.3 per cent. And our desire, of course, is to reduce it even further over the next couple of years. Madam Speaker, this measure provides financial relief to all consumers of electricity in Grand Cayman, both residential and commercial and free up real cash allowing for the opportunity to save that cash or spend it within the economy and create even more benefits for the multiplier effect, because of the propensity to consume. That is the basis on which we approached the budget.

The Government will be foregoing approximately \$8.4 million annually in reduce revenue by implementing this measure, But we believe that the ben-

efits to the Cayman economy far outweigh the financial loss to the Government. The Government will be closely monitoring the effectiveness of this measure to ensure that CUC is passing on the savings to the consumers, and that commercial customers in particular are in turn passing these savings on to their consumers.

Madam Speaker, I am the type of person who admits what there is to admit. The Government does not—no government in the past and neither does this one, and I will leave it to future governments to decide if they want to do so—have the mechanism or the ability to engage in price control. Not only would it consume significant government resources, it is also unwise because it would then distort the free market system. And if you think you have trouble now, let someone try that.

Madam Speaker, the second stimulus measure that was introduced within that \$15 million package was the reduction of import duty rates on merchandise. Effective 1 July 2014, for licensed traders only, the Government reduced the import rates on items currently charged at 22 per cent, down to a rate of 20 per cent. The items falling into this category include most items offered for retail sale and will result in the Government collecting at least \$4 million less in revenue from import duty. However, again, the economic impact of this measure is expected to outweigh any financial loss to the Government because we expect that the savings will then be spent and create even more demand for other goods and services, and, of course, increase import duty again, hence the multiplier effect, Madam Speaker.

By reducing the above-mentioned import duty rates, we are lowering the cost of doing business and expecting that retailers and service providers will be encouraged to pass these savings on to their customers thereby lowering the cost of living and increasing total economic output through demand for goods and services.

Effective 1 September 2014, the Government also completely removed the import duty on critical ingredients for local bakeries, such as yeast, shortening and calcium propionate; all key ingredients in the production and baking of bread. This will improve the financial competitiveness of this sector by lowering overheads and allowing local producers to price their bakery products more competitively against imported breads which are currently duty free. And, Madam Speaker, this will ensure that these entities remain financially viable and therefore preserve jobs for those who are currently employed within that sector.

With respect to building materials, the Government also will continue to offer the import duty concessions on building materials which are currently being charged import duty at the rate of 15 per cent versus the normal range of 17 per cent, as compared to 22 per cent. This will continue to act as an incentive for the construction sector, Madam Speaker.

Turning now to the reduced Trade and Business Licensing fees: Effective 31 August 2014, the Government implemented a series of changes to trade and business licensing fees. As an incentive to support existing micro and small businesses, and the creation and development of new businesses, the Government will offer the following discounts to all micro and small businesses based on their location.

For those small and micro businesses located in George Town and West Bay, the reduction to their trade and business license is 50 per cent. For Bodden Town, North Side, East End, Cayman Brac and Little Cayman, the reduction is 75 per cent. So, in other words, anyone going to get a trade and business licence will pay only 25 per cent of the actual price. And that is for small businesses, Madam Speaker. And 100 per cent discount for micro businesses. So, anyone wanting to open a micro business (and I will define what is a micro business in a minute) there is no charge for the trade and business licence.

Madam Speaker, a micro business is considered to be a business with four or less employees and with gross annual revenue up to CI\$250,000. So, any micro business that wants to operate, there is no charge for the trade and business licence. It is absolutely free.

Madam Speaker, I would also mention that currently there is an amnesty on any small or micro business that has outstanding fees. So, we will not chase you for them. You don't have to pay them but you will still get your licence and therefore you are now qualified to bid for government contracts.

[Inaudible interjection]

Hon. Marco S. Archer: Madam Speaker, I have been asked to repeat that, because it is good news. As they often say, it is so nice, I should say it twice.

[Inaudible interjections]

Hon. Marco S. Archer: Madam Speaker, for those small and micro businesses (and I will define what is a small business in a minute) any outstanding fees that are owed have been waived. You do not have to pay them, and you can still get your trade and business licence. And because you are then legal with a trade and business licence, you are now also eligible to bid for government contracts.

Madam Speaker, I've defined that a micro business is a business with up to four employees with an annual gross revenue with up to CI\$250,000. A small business is up to 14 employees with a gross annual revenue of up to CI\$750,000. Sorry, Madam Speaker, my correction: that should be 12 not 14—up to 12 employees for a small business.

[Inaudible interjection]

Hon. Marco S. Archer: Yes.

Madam Speaker, looking at the incentives for the Sister Islands, the Government will continue the following economic incentives for the Sister Islands:

- 100 per cent import duty waiver on building materials imported to Cayman Brac and Little Cayman;
- 100 per cent import duty waiver on diesel fuel used by Cayman Brac Power and Light for the production of electricity;
- 12.5 cents per gallon import duty on the importation of motor gasoline for Cayman Brac;
- 100 percent waiver on stamp duty for the purchase of land in Cayman Brac, provided the land is developed within two years of the date of purchase.

[Inaudible interjection]

Hon. Marco S. Archer: For anyone that purchases the property.

Madam Speaker, the Government is certain that the reduction on import duties on diesel for CUC along with the other economic stimulus measures that I have just outlined will reduce electricity bills and the overall cost of living for the citizens of these Islands, and the cost of doing business. (I will touch on the cost of doing business in a minute.) With these measures already in place, the Government therefore cannot accept the Private Member's Motion to further reduce import duties levied on fuel at this present time.

Madam Speaker, I want to dispel the belief that government somehow is the primary cause of this cost of doing business. They are other players in the market.

Madam Speaker, there is rent to be paid. There is inventory to be purchased. The Government has no control over all of those items. And when you think that with a commercial loan, Madam Speaker, on a property that you would like to develop for commercial purposes, you are only given a period of seven years (to the best of my knowledge, but I stand to be corrected if I am wrong) to pay back that loan. Because of the short payback period, the rent has to be somewhat higher than if the payback period was longer, because your payments would therefore be lower.

So, when someone opens a shop, and they have to pay rent, that is a function of the mortgage payment that the developer has to pay, which is a function of the period over which he has to pay back the loan. Truthfully, Madam Speaker, this is not pointing fingers at anyone, but this is ensuring that the average person starts to understand what affects the price on the shelf. It is not just the Government's import duty because the Government has done, so far, what it can do.

Madam Speaker, if we think that the Government can do everything with its limited revenue base, I

think we are fooling ourselves. We have a need to balance competing demand on limited revenue, and the first rule of thumb in economics is that there are unlimited wants but limited resources. So, we need to balance competing demands on Government's limited revenue and a very narrow revenue base. But, as it has been said in the Miller/Shaw Report, Madam Speaker, the Government's problem is not revenue, it is expenditure.

Madam Speaker, those demands are: rising health care costs, both locally and internationally; the need to make improvements to the national education curriculum, the infrastructure, and attracting and retaining experienced teachers, Madam Speaker. So, healthcare and education are two of our primary areas of concern.

In addition to that, Madam Speaker, we also have the national debt to contend with, and we also have other needed infrastructural projects. And we also have social services. So, there is an unlimited demand for what the Government can provide. There is a limited amount of money with which we can provide those services and benefits.

Madam Speaker, there is also the belief that projections are a perfect science. Now, Madam Speaker, I will be honest and say that they are not a perfect science. I will just point out that just yesterday the great United States with all of their intellectual capital and financial capital that they possess, revised their second quarter economic growth rate. Now, Madam Speaker, you would ask yourself, *Well, why would they do that?* Because at the time that they made the projection, they made it based on the available data that the forecasters were able to use. As that information improves you go back and revise your projections. It is no different for the people in the Cayman Islands. It is no different here. We make the projection based on the best available data that the forecasters have at the time.

Unfortunately, the Government cannot at this time accept the Motion, but we do intend, over the next couple of years, to gradually reduce the import duty rate on diesel oil back to the 45 cents per gallon. And if conditions allow, Madam Speaker, we will reduce that even further. But we have to do it in a cautious manner so as not to go forward, step backward and confuse our people.

Madam Speaker, I will touch briefly on the unemployment statistics as produced by the Economics and Statistics Office. And that office falls under my area of responsibility.

Madam Speaker, I think the last resolution in the Motion said: **“that Government consider putting in place a meaningful temporary, but emergency employment programme throughout the island, to start in June 2014.”** I think that Motion was filed some months ago, but we are now three months removed from that date.

Madam Speaker, the labour force survey is conducted . . . or up until this last budget, it was conducted only in October in each year. The funding for it had been cut. It used to be twice a year, April and October. It was reduced to just October. Madam Speaker, this last budget that we have just passed included funding for the labour force survey to be done twice a year, April and October, so that we can get more timely and relevant unemployment statistics. So, over the 2014/15 fiscal year we will get unemployment statistics, both in October and April.

[Inaudible interjections]

Hon. Marco S. Archer: Madam Speaker—

The Speaker: Order please.

Hon. Marco S. Archer: Madam Speaker, until now the labour survey was only being conducted once per year, that being October. And the next survey will be next month.

Madam Speaker, we are unable to say categorically to the Honourable Leader of the Opposition that the unemployment amongst the casual workers has declined, or, in another way, that the employment among the casual workers has increased. We are unable to say that, Madam Speaker, because of the fact that the labour force survey is only conducted once per year and that will be October this year.

Going forward, because of the passage of this last budget it will be conducted twice per year, so April next year and October this year, so over the fiscal year we will have two measures. Over the calendar year we will have two measures next year, April and October.

Madam Speaker, unfortunately, because of decisions taken previously, the country is denied of timely and relevant labour market statistics. We hope that that will be resolved going forward, and that this time next year, Madam Speaker, we will be able to answer that question definitively because we would have had a survey before the high season and after the high season.

Madam Speaker, I hope that I have provided some clarity to the situation and have given the Honourable Leader of the Opposition some information that is helpful. Thank you very much.

[Inaudible interjection]

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

I recognise the Honourable Minister of Education, Employment and Gender Affairs.

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

Madam Speaker, I recall the Honourable Leader of the Opposition making some indication that he would potentially withdraw the last part of his Motion if he was so satisfied with the explanations given thus far. Before I venture into my contribution I would just like to give the Member the opportunity at this time if he would like to do so.

Mr. V. Arden McLean: Get up and withdraw it now. Be a man.

The Speaker: I don't see any indication.

[Inaudible interjection]

The Speaker: You have been invited . . .

Hon. W. McKeever Bush, Leader of the Opposition: No.

The Speaker: The Honourable Minister of Education invited you to exercise your discretion to withdraw the second resolution if you are satisfied with the explanation thus far before she debates.

Hon. W. McKeever Bush, Leader of the Opposition: Madam Speaker, no, while I listened to what the Finance Minister had to say, and I do agree with him on a lot of things, I certainly want to hear what the Employment Minister has to say.

The Speaker: Honourable Minister, please continue.

Hon. Tara A. Rivers: Thank you, Madam Speaker, and thank you for that opportunity.

Madam Speaker, I rise to address the last aspect of the Motion on behalf of the Government, which asks the Government to consider putting in place a meaningful temporary but emergency employment programme throughout the Islands.

Madam Speaker, I think it was very profound and I think it was a statement that I wholeheartedly agree with when the Leader of the Opposition stated that every single person in this House, every Member elected has a responsibility to help address the issue of unemployment in the community, because that is what we all campaigned on and that is what our constituents are expecting of us.

The Government understands the concerns that exist with respect to employment and employment opportunities, and I think that as a legislature we need to continue to have that view, that this is not any one individual's or one minister's or one person's responsibility. This is a responsibility of us as a whole and how we can work together to achieve that is ab-

solutely vital for the success of any employment programme, be it temporary or otherwise.

Madam Speaker, given that the Honourable Minister of Finance has laid the Government's position with respect to not being able to accept the Motion, I would like to give the reasons as to why the Motion, as it pertains to the temporary emergency programme being requested, cannot be accepted at this time. And it is primarily, Madam Speaker, because the focus of this Government is trying to promote and accomplish meaningful, sustainable employment programmes. Madam Speaker, to use the adage of teaching the man to fish, as opposed to providing the temporary emergency programmes, [will] only give a man a fish so that he can eat for the day.

Madam Speaker, as we heard yesterday in the statement given to the House by the Minister of Finance regarding the economic indicators, including the move in the unemployment rate, I think it is important to recognise that this is a notable decrease in the unemployment rate among Caymanians from 10.5 per cent in October of 2012, to 9.4 per cent in October of 2013. And the increase in the Caymanian employment during that same period was by 6.1 per cent. Now, Madam Speaker, again this may seem to some as not enough. But in many instances that, coupled with all of the other indicators that were presented in that statement, show that the signs are modest but of sustainable growth. And that is the aim. That is the focus. That is the goal of this Government in making any decisions with respect to the economic recovery, with respect to educational opportunities, with respect to employment and human capital development opportunities.

Whereas, Madam Speaker, there are still a number of persons out of work. There is no question about it, we all see it, we all feel it, and we all get the calls as the Leader of the Opposition indicated. The overall trend shows that there are less such unemployed Caymanians today than this time last year. Madam Speaker, even though we still have a way to go to bring down the level of unemployment to our historical numbers of old, the signs, the economic indicators and the statistics are encouraging. It is a reinforcement that we are on the right track and that we should continue to make the kinds of investments in the kinds of programmes that we have embarked on. Some of them have been happening prior to us coming into office, but a lot of them have been put forward as a result of the efforts of this Government as well.

Madam Speaker, the Government feels that even if there were the funds available during the allocation of the limited resources (which the Minister of Finance spoke about) to finance such a country-wide temporary emergency employment programme, the long-term effects of such programmes are minimal. As the Leader of the Opposition stated, we need to find meaningful relief for our people and that is exactly what we as a Government are trying to do with the

efforts and the initiatives that we are promoting and funding and supporting. Madam Speaker, this Government believes that a better utilisation of those funds would be to develop and support programmes that have positive medium- and long-term effects.

Madam Speaker, the focus of the various human capital development and employment initiatives undertaken by the Government have a central theme, which is coupling training and creating links to meaningful employment. The training involves both the technical and vocational aspects for those particular professions, and also the academic and the more traditional training and education that may be required as well.

I would just like to take the opportunity now to speak briefly to some of these initiatives. As I said, some of them have been ongoing for a number of years and have been strengthened as a result of the change in Government. Some of them have actually come on stream as a result of the initiatives brought forward by this Government.

I would like to start, Madam Speaker, by talking about a programme that the Government, through the Ministry of Education, Employment and Gender Affairs, continues to support in that of the Superior Auto Training Programme. Madam Speaker, that programme allows all participants to undergo both advanced Apprentice Level 2 qualifications as well as the Mechanic Helper Level 1 qualification. And that training is provided by the Superior Auto Company. The funding for that training is provided by the Government. So, this, again, is a great example of a public/private partnership in education and training and employment prospect development of our people. The training is delivered over 14 months, Madam Speaker. And it is accredited through the Jamaican German Automotive School (JAGAS), HEART Trust/NTA, which leads to an externally recognised qualification.

Madam Speaker, once the students successfully complete the programme, their employment prospects increase exponentially in the field of not just auto mechanics, but in other areas of mechanic work as well, including marine mechanics, et cetera. There have been a number of graduates who have already been hired by companies in the automotive industry, including Superior Auto themselves. Madam Speaker, this employment initiative aims to provide practical hands-on training coupled with formal training and curriculum exposure and development which covers automotive science, business, English, entrepreneurial skills, automotive calculation, communication skills, physics, technical drawing, information technology, vehicle chassis systems, engine and cooling systems repair (to name a few).

Again, Madam Speaker, this is an example of one of the sustainable initiatives that will hopefully lead to sustainable lucrative employment and even entrepreneurial aspects for mainly, in this case, the young men who go through this programme. But it is a

programme which has proven to be quite successful in its appeal and also in the commitment of the young people who go through the programme.

Madam Speaker, some of the issues facing our people with respect to being able to gain and access and be successful in employment has nothing to do really with their ability to perform the work, or the nature of the work. Oftentimes it has to do with what is considered to be the soft skills—being able to conduct themselves properly at an interview, conduct themselves properly or adequately at the workplace, just knowing how and what to say in terms of telephone etiquette or when they are interacting with people that may not necessarily be familiar to many people. Oftentimes we find that the first impression is a lasting impression. So, for many people the door is closed because they just do not make that memorable first impression.

Madam Speaker, a lot of the effort that is being done through the human capital development side to help our people access, maintain and succeed in the employment opportunities is looking at soft skills development to make sure that they are sufficiently ready to take on the role of an employee, or hopefully at some point, possibly, an employer if they are inclined to entrepreneurial activities.

The Ministry of Education, Employment and Gender Affairs, through the National Workforce Development Agency, supports a programme called the National Employment Passport Programme (often referred to as the Passport2Success Programme). This programme is another example of a public/private sector partnership, because the actual programme is delivered through the Wellness Centre.

This is an employability skills development programme, Madam Speaker, which facilitates the opportunity to increase the work readiness of Caymanians by providing training—targeted training at times—in the area of soft-skills, and the opportunity to be provided with therapeutic support which addresses certain obstacles to employment which I discussed previously.

Madam Speaker, over the past four years this programme has been operated on a campus at the International College of the Cayman Islands (ICCI). However, Madam Speaker, at this stage of the programme's development the Ministry has decided to relocate the programme to the University College of the Cayman Islands, for a number of reasons of which I will get into. At this point I want to express my gratitude to ICCI for partnering with the Ministry through the Passport2Success Programme up until this point. Their willingness to support the programme has allowed the Ministry, the NWDA and the Wellness Centre to develop a robust programme that helps to prepare our young people to access employment opportunities in the labour market. As Minister of Education and Employment, I would like to give my commitment to ICCI to continue to support its endeavours to deliv-

er high-quality education to our community of learners.

Madam Speaker, in tracking the data and looking at the results of the various participants in the programme over the past four years, there is qualitative as well as quantitative evidence that indicates the success of the programme, which is, ideally, to help our young people transition into the world of work and into the world of further studies by assisting the participants to overcome barriers that many of them come to the programme with, and helping them to gain the skills necessary in order to access the labour market.

Madam Speaker, the programme has demonstrated that it helps to equip Caymanians for the workforce with over 50 per cent of the graduates in each cohort securing employment within 12 months of graduation. However, an area for potential growth in how we can actually build upon and strengthen the effectiveness of the programme lies in the number of participants who choose to pursue educational opportunities after they graduate from the Passport2Success programme.

Madam Speaker, currently the data shows that it is only a small percentage of graduates, approximately 20 per cent, who pursue higher education and training opportunities after they complete the Passport2Success Programme. We know in this increasingly competitive employment environment having an education and a qualification, be it a technical qualification, a vocational qualification, or a professional qualification, is increasingly important to [employees] to even get an opportunity to apply or interview for a position.

It is important that the Ministry looked at ways to strengthen these types of employment programmes to create these pathways for our young people who, traditionally, may not have been empowered or been able to take advantage of the educational opportunities that exist locally in the market here at UCCI [University College of the Cayman Islands], or ICCI for that matter. By changing the focus a bit and by moving it to UCCI, building on the synergies that were found between what the Passport2Success Programme aims to achieve and UCCI, the Government was not only able to create these strengthened pathways but also found cost efficiencies as well because, as we know, the demands are unlimited but the resources are not. And so, Madam Speaker, we are able to reinvest those cost efficiencies into the programme and other employment related programmes, which I will talk about in just a moment.

Madam Speaker, the move to UCCI will help facilitate the foundation courses that oftentimes are necessary for many of the participants in the Passport2Success Programme, as UCCI offers these foundation courses to help bridge the gap to accessing higher education. It is particularly important for the participants that this programme targets, because many of them, historically, have not found academic

success at the secondary school level or even the primary school level. So, they have not left school with the passes that they may need in order to access UCCI's programmes directly into their Associates and other programmes.

Being able to access the foundation courses in a seamless transition from the Passport2Success Programme is something that we hope will help to inspire and also increase the number of students that do not secure employment, or who may even secure employment but still want to develop themselves as well. This programme will hopefully continue to bridge that gap between being out of formal education and being able to access some of the technical and vocational programmes which are currently offered at UCCI by giving them familiarity with the campus, familiarity with what it means to be back in formal education, as well as creating the networks that they are currently getting through participating in the Passport2Success Programme.

Madam Speaker, UCCI is also the home of the new School of Hospitality Studies, which you will recall was just launched after a number of years of being in the making. The School of Hospitality Studies is another avenue the Passport2Success Programme graduates can access once they qualify and have an interest in being in the hospitality industry, which we are finding many of the participants do have, and they do participate in their internship in the various hospitality related fields.

Madam Speaker, the Government over the past four years has sponsored approximately 350 Caymanians through this programme. The commitment this year is as it has been and will continue to be. This year in the 2014/15 fiscal year three additional cohorts of the Passport2Success Programme are being conducted. Two cohorts will be targeting the 17- to 20-year-olds. Madam Speaker, this is still the most vulnerable group with the highest level of unemployment in our community. So, it is important that the Government has these employment programmes that target the people that are most at need.

The third cohort will be targeting unemployed mothers. Madam Speaker, targeting unemployed mothers will lead to a positive and lasting experience because it helps to improve the lives of not just the mothers themselves, but of their children. And, in turn, it helps them to be better equipped for school and they themselves are able to provide for their children.

So, Madam Speaker, the 15th cohort of the Passport2Success Programme started on Monday, 8th September, and will run for the next 12 weeks. This cohort is made up of 25 unemployed Caymanians between the ages of 17 to 20. The cost of the programme is fully covered by the Ministry, by the Government. The participants are paid a weekly stipend with the possibility of earning a bonus cheque at the end, depending on their performance in the programme. Transportation and childcare (if necessary)

is provided, and the transportation is contributed by a private sector partner as well, Webster's Tours.

Again, for the listening public that may be interested in accessing the programme, I urge you to contact the National Workforce Development Agency and speak with the training and development manager for further information as to how to participate or how to put yourself forward to be interviewed for the programme.

Madam Speaker, another area which is vital and important from a sustainable development perspective is looking at what happens with respect to our inmates upon release, and what needs to happen in order to improve their chances of accessing employment so as to lessen the chances of recidivism or them being re-incarcerated and falling back into the life of crime that they may have known all of their lives up until that point for some. We know that many inmates released each year are ill-equipped to meet the challenges of reentering society without such support once they leave. Within three years of leaving prison almost half of those persons are re-incarcerated because they are lacking marketable skills. Because they are burdened with a criminal record they are ineligible to be hired in many occupations, and they have few supports to make the transition.

Madam Speaker, there are a number of programmes and there has been an interagency co-operation developed between the National Workforce Development Agency and the prisons to offer correctional education programmes which are intended to break the catch-and-release cycle by providing inmates with more opportunities to develop the skills required to succeed once they leave the prison. These programmes range from adult education to employability skills, to vocational training, to life skills instruction, to earn a career in technical education credentials to equip inmates with occupational skills needed to find and maintain employment. Post-secondary education credentials, as well, is also made available to inmates with the necessary skills to keep pace with today's changing labour market.

Again, Madam Speaker, this partnership between the training and development unit at the National Workforce Development Agency and Her Majesty's Cayman Islands Prison Service offers a City & Guilds Employability and Personal Development preparing for employment. These are looking at the specific skills that many of our inmates have never had. They have never had the opportunity to be successful in school, in formal academics or formal education. They obviously were not successful in society, so they ended up in prison. The focus of this Government is to help break that cycle so that once they are released they are able to make a positive transition back into society. This course provides workforce education and training to inmates seeking to reenter society and to find and maintain meaningful employment.

Madam Speaker, you may have seen on the news recently that there is also another programme that has been started, which is, the Fresh Start employment opportunities for inmates who are released on temporary licence. Again, the employment development outreach coordinator, which is part of the NWDA's training and development unit, provides this monitoring, career guidance and support to inmates on their release on the temporary licence programme. Progress reports and other information are submitted through a case management, so the NWDA has created a greater link with the prisons in this respect.

Madam Speaker, there are other prison related programmes being coordinated and supported by the NWDA in some respects. There is a Fresh Start Programme, which is paid as well as unpaid employment opportunities for eligible parolees. And there is also the work of the Drug Rehabilitation Court, Madam Speaker.

Madam Speaker, I would like to talk about a few additional programmes, just so the Leader of the Opposition is very clear as to what we are doing with respect to employment programmes, and so there is no misunderstanding about the importance that this Government places on training and development.

Hon. W. McKeeva Bush, Leader of the Opposition: I agree with you.

[Inaudible interjections]

Hon. Tara A. Rivers: Madam Speaker, one of the new programmes that this Government was able to bring forward was a National Internship Programme, which was piloted in April of 2014 with a company in the financial sector.

Madam Speaker, a young Caymanian student currently attending UCCI and studying accounting applied and was given the opportunity to work with a company for six months to get that experience (again, marrying the academic aspect of the programme with developing the links with the employment sector). Upon her completion of the programme she will have created a network, which she didn't have prior to this programme being made available.

Because of the success of that pilot, Madam Speaker, during the course of this year the NWDA will look to roll that out in greater breadth to give our students, both local and abroad, the opportunity to do internships of varying duration (depending on the timing and whatnot) to give them the opportunity to create that meaningful sustainable employment link that is often missing when you just think formal academic or formal education opportunities.

Madam Speaker, from all the reports that I am receiving, this young lady is actively contributing to the creation of the finance group deliverables as well as learning various practical aspects of the day-to-day financial activities, such as bookkeeping and man-

agement reporting. This type of practical training session being offered, combined with the daily hands-on experience, will obviously position the internship participants for success in the future in whatever their respective areas are.

Madam Speaker, as I said, the opportunities will be expanded in the coming year to try and link our students with real, tangible work experience prior to them finishing their academic studies, in order to help deal with the situation we are experiencing, probably for the first time in our history, where we have more and more educated Caymanians coming back and not being able to find employment immediately upon returning.

Now, this is not a phenomenon that is new to Cayman. I think it is important for us to recognise that the world over is experiencing these same issues. But this Government takes this problem very seriously, and as Minister responsible for Education, Employment and Gender Affairs, I am doing all that I can in order to try to create these kinds of synergies and links to ensure that we address the problem as best as possible by creating the nexus between education and employment and helping our people to bridge that gap.

Madam Speaker, I spoke briefly about the School of Hospitality Studies. I think it is important to reiterate for the listening public, as well as my friends on the Opposition and the Independent benches, that the School of Hospitality Studies is a joint initiative of the Ministry of Tourism, the Ministry of Education and Employment, the Department of Tourism (DOT), UCCI and the many private sector tourism industry partners. It was launched last month, Madam Speaker, with 25 students undergoing a year-long vocational training programme in the hospitality industry, which is actually fully paid for by the Cayman Islands Government. That is an investment that we continue to make in our people in order to help them to gain the skills, the qualifications, and also the meaningful employment opportunities.

Madam Speaker, the intention is for the graduates to be placed with some employers in the hospitality industry on a fulltime basis upon completion of the programme, or for them to pursue further studies in the area of hospitality with the intention to return to the Cayman Islands to help to build and grow our tourism product.

Madam Speaker, there is another important initiative that I would like to apprise this honourable House of, and that is the pastoral support worker programme which the Ministry of Education piloted and supported in the spring term of the 2013 school year. That is a new programme which the Government felt was necessary because, again, it is finding those synergies. As the Minister of Finance said, education is the key and critical concern of this Government. We know we have certain issues in the schools that we need to address one being trying to assist our stu-

dents to engage in their classes, engage in the experience of being at school better.

We were having issues related to behaviour and altercations at school, and we were finding that security guards in the schools were increasingly being used to address disciplinary matters. We felt that was not helpful and that was not the way that we wanted to go from a policy perspective. Security guards have their role, but intervening in a lot of these cases was not one of them.

So it was necessary to introduce this pastoral support worker programme to help address some of the personnel-related issues on the school sites so that we could interface with students and these workers could be that liaison between the students and administration, and between students and teachers, to help to positively reduce and de-escalate certain issues that were happening at the school level before they arose. We felt that having these pastoral support workers helped to develop these positive relationships oftentimes with parents as well, because this person acted as a liaison between the schools and parents in some instances.

Madam Speaker, the reason I speak about the programme now is because it was also an employment initiative put forward by the Government. It provides real employment opportunity for Caymanians. Only Caymanians are eligible to participate in this programme. Those Caymanians are actually sourced from the National Workforce Development Agency. The Department of Education and the Ministry work with the NWDA and a private sector participant that acts as the deliverer of the service. These persons are not actually hired by the government; they don't increase the government headcount. They are being facilitated through a private sector partner. But through the pilot, the programme has shown to be quite successful in reaching the aims of giving support to students, providing employment opportunities for otherwise unemployed Caymanians who, first of all, have to demonstrate that they are eligible.

They have to go through certain training as well because we are talking about dealing with our children. They would have gone through the necessary training in order to be able to be effective in their role. So, it not only provides employment but it actually provides training and professional and personal development for unemployed Caymanians as well. The intention is to roll this programme out this year as well. Based on the success of the pilot we were able to tweak a few things, but again, that is an example of some of the innovative solutions brought forward by this Government with respect to dealing with a myriad of issues that we are facing, employment being one of them.

Madam Speaker, in a nutshell, those are a few of the initiatives. There are a number of other ones which I will be bringing forth to the House in due course, but I just wanted an opportunity to share with

the House some of the meaningful sustainable employment initiatives that are currently underway, and to say that is why we are not able to accept the Motion as is presented currently.

Thank you.

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

I recognise the Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, very briefly.

Madam Speaker, I just wish to say that the Minister with responsibility for Finance and Economic Development has, I think very adeptly, carefully and comprehensively, set out the Government's thinking about the issues which confront us with respect to the economy, with respect to employment, with respect to the management of government finances.

He used the term which has become the watchword of this Administration, and that is, Madam Speaker, "sustainability" with respect to everything that we do.

Madam Speaker, I was a Minister in the Administration from 2005 to 2009. I was there when the earliest indications of what became the global financial meltdown started to manifest themselves. I was there when we started to truly feel the impact of the global financial crisis. I know well the circumstances of the country at that time. I was there in the Opposition when the current Leader of the Opposition took the helm and proceeded from then until now to blame all that went wrong and went bad in Cayman on decisions taken during that administration.

Madam Speaker, the reason I say that is that even in this Motion he seeks in the recitals to blame critical poor decisions taken by his administration as having been forced upon the administration by things like the schools and the Government Administration Building and other key bits of infrastructure which this Government had commissioned.

Madam Speaker, I would never attempt to say, in light of what has transpired, that the administration of which I was a part back then did not make some errors, and that if we had to make those decisions again, that the decisions would not be different. I would have to have I don't know what sort of ego and to have what kind of blinkers [on] not to make those admissions. But, it is important that all of us in this House and elsewhere learn from the lessons of history. Madam Speaker, I know that I have.

I have. And if we err on the side of being too conservative with respect to how we manage government finances, then that is an error which I would be happy to accept that we make, because those who thought, including myself, that somehow the Cayman economic miracle had no end, and that regardless of

what transpired anywhere, somehow Cayman would be able to tough it out, have seen and felt and come to understand that what transpires anywhere else in the world, particularly in the United States, is going to significantly impact us no matter what we do. We are too small an economy to believe otherwise.

So, Madam Speaker, when the Minister of Finance speaks of the progressive but cautious, or cautious but progressive measures that we have introduced, and our intention to continue to monitor the performance of the Government's budget against projections with a view to making more concessions, with respect to things like import duty on fuel for the generation of electricity and so forth, that is part of our plan.

Madam Speaker, we are deeply conscious, each of us as representatives, of the state of the economy, of the struggles and strains and travails that many of our people are still encountering. And we are hugely empathetic to those. Indeed, Madam Speaker, it is no secret that every Member of this House but none, digs into their own pockets, if not every day, every week, to help someone. You know we are on the cold, hard face of this issue. So, we are doing as much as we possibly can to make life easier for our people and to create more economic and employment opportunities.

The key, Madam Speaker . . . we can help this one and that one. As recently as yesterday I went down the line taking up collection to help somebody pay a light bill. That is something that we do all the time. But, Madam Speaker, what has to be understood—and I am not sure this was fully understood in the last administration—is that the key to improving the lot of everyone in Cayman is to get the economy back to a point where there is what is considered full employment, to get the economy back to a point where there is a great deal of development activity going on.

The underpinning of most of that is confidence—confidence in the global economy, confidence in the Cayman economy, confidence in the management of government affairs, predictability about what the Government is doing. And that is what the Minister of Finance and Economics means when he says we cannot start down the road that the previous administration did with announcements here and there about this starting and the next thing starting, and *we are doing that and we are cutting that, and we are cutting civil servants' salaries and, no, we are going to give them back*; and there are all sorts of hopes and optimistic predictions set out in the budget document, and only nine, ten months later there is an announcement that, *In fact, the budget projections were way off, we have fallen short and we have to introduce a whole new raft of taxes and fees again, and we will have to cut civil servants salaries' again*. That, Madam Speaker, is the stuff of disaster.

Madam Speaker, I know (because he alluded to it when he introduced the Motion) that the Leader of the Opposition attributes the significant increase in taxes on the ordinary person—which his administration imposed—to what he was forced to do by the economic and financial circumstances that he found when he took office, coupled with the directive from the United Kingdom Government. And because I know him well, I know that he was just waiting and is just waiting until the debate from this side is concluded to come with the usual stuff about *it was the last administration of which the Premier was member that made me have to do all of these things*.

Madam Speaker, we know what obtained then, but we all know that regardless of what the circumstances were when the Leader of the Opposition took office as Premier, neither he nor even his closest and most vocal supporters can point to his and his government's tenure in office as being one of the high points of the Cayman's success story. And, Madam Speaker, I do not want to turn this into a retrospective. Nor do I want to really belabour what has gone on in the past. But what I want to do is to provide the perspective that 2 per cent increase in import duties—which was imposed by the now Leader of the Opposition and his administration—has been rolled back by this administration one year into our term; that the 75 cents increase in the duty—

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: Sorry, not 75, the 45 cents increase in duty on diesel imported for the purpose of the generation of electricity has been . . . we have taken 25 cents off of that. Madam Speaker, we have, right at the start, tried to address key areas which affect the average person.

Madam Speaker, I am not trying to say that the Leader of the Opposition does not care about the ordinary person, of course, he does. He would not have been reelected I think 40-eleventeen times now, were it not for that. He is almost at 30 years.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: What I am trying to demonstrate, Madam Speaker, is that because he is in the Opposition now, he is able to suggest all sorts of drastic measures with respect to cutting expenditure, cutting taxes, which, if he were on this side, he would be less inclined to do.

Madam Speaker, I have lived in the Opposition too. That is one of the benefits of having been up and down.

[Inaudible interjection]

The Premier, Hon. Alden McLaughlin: And so, Madam Speaker, I just wish this House and all who

listen and watch these proceedings, to bear in mind, whatever it is that the Leader of the Opposition says, that when he was in charge it was a much different perspective.

We have gotten things almost back in terms of those two items to where they were when we left office in 2009. We are seeking to further reduce some of those as the Minister of Finance and Economics has indicated. And he took the time, that good Minister, to go through in detail the raft of measures that this Government has already introduced with respect to cost saving exercises.

I come back to the key point he made which is the watchword of this Administration "sustainability". What we are hoping—and more than hoping as we are working towards—is that in hopefully in every budget forward we are able to say to the people of Cayman, *We have been able to reduce this fee, that tax, which will positively impact you and the broader economy.* But that is dependent upon how well we do on containing government expenditure and how well the overall budget projection perform in terms of revenue collection. Indications are on almost every front that government's revenue is meeting or exceeding expectations.

If the Minister of Finance and Economics made it, forgive me for making it again, I may have missed it. The point that he has made and that we are very conscious of, is, that even with strong performance so far and strong indicators going forward with respect to budget surpluses, those surpluses are not available in their entirety for use as the Government might wish. There are key areas which the surplus has to be utilised to deal with, including the paying down of the substantial loans and so forth which Government has.

But things are in continuing to look good and bright. And with continued good management and a conservative approach we believe that the Cayman economy and the Cayman Islands Government financial position will continue to become stronger and stronger, inspiring more and more confidence in this jurisdiction and in the Cayman Islands Government, therefore attracting greater investment in Cayman. Madam Speaker, the confidence point is key, the creditability point is key, and the Government is very, very conscious of that.

Madam Speaker, unlike the Leader of the Opposition, I did not take unto myself as Premier, the roles of Minister of Finance and Economic development, the role of Development Minister, the role of Planning Minister, the role of Tourism Minister, because these are all key critical posts that require everything that you can possibly give of yourself to make real headway.

I cannot tell you, Madam Speaker, how confident I am and how proud I am of the persons that I have appointed to all of the Ministries, and how well they have all fit into their roles. I am not the person to

have as your Minister of Finance. That is not the way my mind works. That is not my strength. We all have things that we are better at than others. And while I can certainly appreciate and understand the concepts, my strengths are elsewhere. And I have sought as best as could with the approval of my other colleagues to appoint to these offices, these ministries, persons who had the training and aptitude best suited to those roles.

I venture to say that this is as strong and as able and as competent an administration this country has ever known. And while we have our challenges, and while we certainly have our share of debates and disagreements, I believe that that is all good. I tell people all of the time that I never learn anything from people who agree with me. It is those who challenge my thought process that cause me to think and move my position in many cases and in many instances.

Madam Speaker, just a short while ago I attended an appreciation function for the Fire Service, myself and the Deputy Governor. The Deputy Governor told those in attendance how happy he was at the relationship which I have with him and which the elected Government generally has with the official arm of Government and our support for and care about the civil service, the public service and how well it is working. Madam Speaker, I believe that is a key component so far of the success that this administration has achieved and will continue to achieve, because we recognise and respect the constitutional roles and remits of the official arm of Government and that that is as important as our roles as elected Members in making this whole business of the Cayman Islands Government and, indeed, the Cayman Islands, work well and do well.

Madam Speaker, I move on to talk briefly about the employment situation. The Minister of Employment I think set out at some length the measures to which the Government has gone and is continuing to go to improve employment, not just in the short term, but to improve the opportunities for Caymanians to do well in Cayman. And that is by giving them the opportunity to get the education, to get the training and to ensure through the processes in the National Workforce and Development Agency and in the Immigration regime, to make sure that when they do have the ability, the qualifications and the desire, that they have the opportunity to get those jobs.

Madam Speaker, it has not been easy, it is not easy. As the Minister of Finance referred to, the global economic recovery is still a little fragile and uncertain. Locally, the position is improving in terms of overall employment for Caymanians which I think (if my memory serves me right) is now estimated to be at 6.1 or 6.2 per cent, I am not sure. It is significantly better than the 10-point-something per cent which was the case in the really bad times immediately following the advent of the global recession.

But, Madam Speaker, it needs to get better because when you break that number down into age demographics, unemployment by young Caymanians is still significantly higher than it ought to be, and these tend to be those persons who have the least in terms of skills and education and training. And these are key areas which the Government will continue to work at. We will not fix it overnight, Madam Speaker. We will not even fix it by the end of this term. But on its present trajectory, things will continue to get better.

There are a number of significant development projects which are in the works that give us real optimism that in relatively short order there will be a significant spike in economic activity in Cayman. As we all know, including the Leader of the Opposition who, in fairness to him, has always pushed for development, when you get major construction projects going it quickly solves a lot of the issues with (shall we say) casual employment. Madam Speaker, that is not going to be a panacea, that is not going to miraculously make everything okay, but it is going to significantly improve the lot of the marginally employable and casual employees and those with a sort of lower level of skills.

Madam Speaker, things are not great. Yes there are still many people in Cayman who are struggling to pay the average bills. We know that. We are keenly aware of that, and we are empathetic, sympathetic, compassionate, and we are doing everything can from a Government position, as far as the Department of Children and Family Services and what people call Social Services, are concerned. And personally I know that of every Member of this House, not just of my Government.

But, Madam Speaker, we cannot lose focus on what is so important, and that is to keep Government finances on an even keel, inspire confidence, to get the economy moving again so that there is real economic activity and employment opportunities which will take a whole lot of pressure off of everyone. And that is what the Government seeks to do every single day. That is what we get up [with] every morning with the intention to do and we strive to do.

So, Madam Speaker, while the Government is not without consciousness of what motivates or has motivated the Leader of the Opposition to bring this Motion, for all the reasons which my two ministerial colleagues articulated, and for those I have just made, which I hope helped to further explain the situation, the Government is unable to agree to the Motion of the Leader of the Opposition.

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

If not, I will call on the Leader of the Opposition if he wishes to respond.

Hon. W. McKeeva Bush, Leader of the Opposition: Thank you very much, Madam Speaker.

Let me begin first with the Premier's remarks. Madam Speaker, coming into Government in 2009, I don't need to go through, at this point, to recount the situation that I found. The Premier swallowed quite a bit just now but it came out. He said the situation was bad, and, Madam Speaker, no one needs to ask how bad it was because we are still suffering some of the same things that I inherited. Madam Speaker, I often wish that I had not gained the majority at the time, because the truth is, Madam Speaker, I did have a full plate and I didn't take care of myself. I depended too much on other people. I sometimes regret it, but, Madam Speaker, I don't always regret it.

Madam Speaker, I am going to read for the record a letter I received from Chris Bryant dated 27th August 2009. I had just gone to London. They demanded that I come there, and I am not going to say now that I went to mend fences. I went there because they demanded I come or else they would take control and I knew my hand was in the lion's mouth.

I am going to read the whole of it to put it into the record, Madam Speaker:

"It was good to speak to you and Mr. Jefferson on the 25th of August about the challenges your Government faces. You were clearly concerned about the existing level of public debt. I myself was alarmed that an operating surplus recorded in 2007 could turn into such a large deficit the following year, especially when it was not budgeted for. Clearly, a further large deficit cannot be repeated in 2009. So, you will have to make some difficult decisions which I hope will be understood and supported locally.

"The global recession has put a large number of countries in a similar situation to yours, needing to consider economic stimulus against a background of weakening public finances. More significant of these is your close neighbour, the United States. Yesterday the Federal Government reported that its budget deficit will reach almost \$1.7 trillion this year when the economy is expected to shrink by 2.8 per cent. Cumulatively, the deficit will be US\$9 trillion for 2010-2019.

"Policymakers have to get the right balance between restoring confidence in the markets, by boosting economic activity and ensuring that debt remains affordable. Unaffordable debt creates a debt spiral which reduces government's ability to address other needs. I am worried that the Cayman Islands are getting into that situation. Those countries that can get the right balance will be those that can control expenditure, as well as having the widest and most predictable revenue basis.

"In the United Kingdom public debt has risen rapidly during the worldwide financial crisis, and we have chosen to allow borrowing to grow during the worldwide recession, so as to stimulate growth in the economy. At the same time we have made it clear that

this can only be a temporary set of measures, hence we have already announced that VAT will rise by 2.5 per cent at the end of the year, and we have outlined increases to the top levels of income tax.

"As you know, we in the UK have both indirect and direct taxes, including income tax, inheritance tax, business taxes, VAT and council tax, ensuring a broad base for our revenues. A wide tax base automatically provides greater revenues to government as the economy starts to grow again, but even this does not guarantee that tax rates will not have to be raised, or no new taxes introduced. We have therefore outlined a clear strategy to cut UK borrowing and debt over the coming years. I cannot underline strongly enough that Parliament being accountable to the UK public will expect to see its Overseas Territories taking a similarly responsible approach to managing its finances. That means both ensuring a clear strategy for cutting borrowing and debt over the next three to five years and tackling expenditure.

"I doubt that the Cayman Islands Government can afford to take on extra debt without both getting expenditure under control and widening the tax base. I therefore need to be absolutely convinced that there is a sustainable medium-term plan for turning around the public finances and paying off the debt before being able to consider any extension of borrowing. Such a plan must be realistic about future business activity and therefore government revenues. It will need to target and prioritise both expenditure and revenue measures and factor in risk in both areas. I suggest you consider, among other things, continuing uncertainties about the United States economy and other big markets about the numbers of registered hedge funds and Cayman's other financial services, and about the possible outcomes of the next G-20 Summit and Michael Foote's report on the UK's offshore financial centres. It would be otherwise, I suspect, to rely too heavily on a rapid movement and trust fund income or to expect that the Cayman Islands prosperity can presume on an offshore tax haven status."

I hope unnah listening.

"To make public finances more resilient in the face of these uncertainties and to give me confidence that you will be able to service any new borrowing, you will have to widen the tax base. I fear you will have no choice but to consider new taxes, perhaps payroll and property taxes, such as those in BVI. I understand, of course, that in doing so you will want to consider carefully the implications for Cayman's economy, including the financial services industry and the impact of less well-off members of the community.

"The Budget also needs to get expenditure under tighter control. Clearly, operating expenditures have risen too quickly in recent years. This has reduced your scope to self-finance the capital projects that you have underway, putting additional pressure on borrowing. However, expenditure control needs to be permanent and sustainable and needs to consider

the effects it will have on delivery of policy. If any expenditure cuts would have to be made up in future years, in other words, represented, deferred expenditure, I would want to be reassured that your longer term plans enabled you to do this.

"I understand you are addressing an audience of leading figures from both the public and private sectors this morning. I would be happy for you to share this message with them. I am sure that no individual present will want to see the public debt growing too fast in the current economic climate. But if I can be sure that your plans to manage the situation are realistic and clear progress is being made, then I am prepared to consider further borrowing requests. As we discussed, you intend to submit plans to me in the next few days. Hopefully, these will reflect your discussions with the Caymanian public. I would be happy to consider them as soon as possible.

"Chris Bryant, Minister for the Overseas Territories." [UNVERIFIED QUOTE]

Madam Speaker, I read this to outline the pressures that we were on. And they came at a time when they thought that they could really pressure us. He spoke to reducing the expenditures and the biggest part of that was the public sector payroll, because that is what we had discussed and that is when they said to me, *You need to cut 500 or 600 people*. And I said, *Well, you can do so. I don't have the authority*. And they tried to tell me that I had the authority because I was the Finance Minister and they did not seem to understand the differences in our Constitution.

Madam Speaker, when I came back the Caymanian public said "No!" quite clearly at that meeting, at which there were at least 600 to 700 people, and they formed a committee that recommended the various fees we put in place. That is how we got those. And then we sat with the arm of the management council, I think they are called, and told them what had been said. And to get satisfaction I certainly was not agreeing to cutting 500 to 600 civil servants, which I think would make our economic situation worsen.

So, when all of this was put to them, they agreed that they would roll back the 3.2 per cent [pay raise] rather than having to . . . now, many did not understand. And that is not what I wanted. I wanted to see a cut from the top salaries—including ours here in this House—and I did that by setting an example by cutting my salary and cutting the salary of the Leader of the Opposition then, Mr. Tibbetts, the First Elected Member for George Town. So, Madam Speaker, that underlines what we went through. And I don't need to tell you, Madam Speaker, because you were there as a Member. You know.

When the Premier gets up and says that I should not have taken on all of those things, all of those posts, he says that he is not the Minister of Finance. The truth is, though, he wants to be some times. He should not try to speak last. He should

make the Finance Minister speak and windup his budget.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

Yes, I know the political machinations.

He says he has to deal with me. That's why I guess he could not be satisfied with the two main ministers giving their speeches. They did a good job of explaining themselves. But no, he has to get up to take me on.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

Yes, you try.

Yes, Madam Speaker, he says I should not have taken on Finance, Planning, Economics, Tourism, I think he said (Minister of Finance and Development) "Economics and Planning", meaning "development".

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition:

True! True!

But the truth is, Madam Speaker, his situation is completely different than mine. Although he tries to take over the Finance Minister's position here in this House at times, he can afford to sit back because he has two more ministers. And I asked the UK to make me get one more and the said no. They said if he agreed they would do so but he told me no, they were not doing so. Well, I must have been managing somebody. But they said no, they would not allow us to get one more. Madam Speaker, we remember, don't we?

In my Cabinet, Madam Speaker, the one who had education was the right one. The one who had health was the right one. The one who took care of the Sister Islands had the Water Authority on Cayman, had lands, had roads, had telecommunications and a dozen other things; could not get any bigger. I would think that Minister had a load. In fact, I think it was just too much of Cayman things when Cayman Brac could have been concentrated on a bit more. So, they were the right ones. The one who had Community Affairs was the right one.

Madam Speaker, while I was the Premier, maybe missteps were made. It was not that I wanted to take all of those things on, but I had to, because if the accountant in the group did not get finance, we certainly wanted someone to have finance, have education and more or less the same ministry that could concentrate on education. You could not put finance with that. You couldn't! It would not have made sense.

So, while I had no university degree, I do understand our country. If I didn't understand it, how

could I get us off of the OECD grey list in three months which the current Premier left us on?

Madam Speaker, how could we push to establish the Shetty Hospital, the Special Economic Zone and Cayman Alliance, and be able to diversify our reliance on financial services and tourism? How else? And if we produced a surplus budget . . . we certainly did at several points and it went back into deficit. But was that a bad thing? No, we got a surplus budget and then it went back in because we tried to spend on the people. And I can prove that.

How could we have managed to establish the support to medical tourism if I did not travel and see what they were offering, and fight Duncan Taylor? Because you will remember, Madam Speaker, what the Deputy Governor and the Governor said in Cabinet that day—*We are not voting for this*. And I had to tell the two of them, *Well, you don't have a vote here. This is left to the local government, and if you don't like what we are doing then you go to London*. That's what I told the Governor, and maybe the Premier should listen. *And, if you don't like this, Governor, you go to London*. And he said, *No I will not take it that far*.

If I had done such a bad job, Madam Speaker, why do you think tourism is doing so good today? I think the Minister of Tourism himself acknowledges that we have done a tremendous job in creating tourism and getting it to where it was the best in 12 years—up until the point that he took over.

Madam Speaker, if I had done such a bad job as the Minister of Finance, how did I manage to maintain an Aa3 Rating with Moody's rating agency when the great United States, the great United Kingdom and countries such as France had been downgraded?

If I didn't care about helping people, how did my government manage to provide over \$11 million in duty waiver concessions to small- and medium-size local businesses? Or did they forget that? But we did it! And we provided the stamp duty waivers to the first-time Cayman home owners as well.

Did they forget that we reduced duty on construction materials by 50 per cent? Or have they forgotten that? We reduced the duty on construction materials for everybody, you know, not just for the traders. Right? It was for anybody that brought it in. They paid 50 per cent less.

We could save over 200 Cayman homes with our "Save the Mortgage Programme". Innovation? Predictability? Confidence . . . if there was no confidence in this country—because that is what the Premier was alluding to when he talked. He thinks he can dig those holes so small that I cannot see through them. He says he is managing me. Well, I have a hard job to manage him but I can handle it! The facts are the facts, Madam Speaker, no matter if they like me or don't like me. The facts are the facts, and I was able—

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Not saying anything? I am saying everything. I am reminding you of what you have done!

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Okay. Well listen and stop cross talking and then you would not confuse. You are not managing, you are confusing.

So, Madam Speaker, if I had done such a bad job, how did we manage in a time when we faced the biggest loans, as the Minister wrote to us and said, and we faced \$70 million plus of deficit, the biggest we ever had, and the world came crashing down on us and they said “not on the best of mornings am I going to listen to you”? If I had done such a bad job, how could these things happen? And if we had no credibility, how could these things happen? No, Madam Speaker, I went across the world.

The biggest travelling expenditure they said was in my ministry. Well, it wasn't as big . . . our expenditure, Madam Speaker, was not as big as theirs when they were there. They spent over \$11 million and we spent between \$9 million and \$11 million, someplace there. And we spent \$8 [million] plus. But I travelled and I talked. I was at the table when we needed to protect Cayman. Nothing much escaped us at the time, Madam Speaker. So, we had the credibility. We still have it! They can build on it. And I believe they will do that. But don't come here and try to light some fire and say that there was no credibility in the country.

In most countries it is most difficult to predict what is going to happen at any time given the state of the world's economy that we faced, and they still face. Now, they can say they might be . . . I don't know, they will say that they are doing a better job in the public finance, but again, I left them with over \$60 plus million predicting that there was going to be \$100 million by the time we finished. And they couldn't do that, Madam Speaker, unless the underlying foundations were laid! They couldn't!

Could the Member for Cayman Brac increase tourism in the way that it has increased?

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: You could do it?

Yeah, you cannot do it in two months. And you had to admit when you got in how it was.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: You couldn't do it in two months. It takes time and that is what Shomari did, Pilar did, and that is what I did as minister, and my staff.

So, when he says that I should not have taken on all of those things, well, I had to. Like I said, in a way I am sorry about it because I could not pay attention to my own family. I never paid attention to my stuff that was going on around me, and perhaps that is where I am at today. And why?

Anyway, Madam Speaker, I hope that I have dealt with the Premier sufficiently. But I come now to the Minister of Finance and he says, Madam Speaker, that while it is desirable they cannot do it because of the financial position of the country. I understand that, Madam Speaker. He said that looking at our overall position we have to be careful about what we do, and I agree with that too. I agree with much of what the Minister of Finance said. I agree on the economics of our situation.

However, Madam Speaker, on the hard decision to do something now about what I am asking, we are still worlds apart, because doing so in a few years' time is not helping the people today. That's when we need the help—today! So, vote it down if you will but that is what we are asking to be done.

Madam Speaker, the Minister of Finance said that they put in place four measures and targeted the lower income group. They reduced duty and they reduced . . . and as I said, that cannot help, but I will come to that on the reduced duty at CUC.

Madam Speaker, the Finance Minister's proposal of a 25 cent reduction in the 2014/15 Government spending plan, said at time that he hoped the reductions would make a difference across the whole community with cheaper fuel bills. “This cut in fuel duty for CUC should see bills come down for commercial and residential customers starting on 1st January next year.” However, Madam Speaker, the vast community, as I said, would be better served if that initiative was made to be effective at the start of the budget year, July, rather than January next year. I said that and will say so again. The time from July until now is the peak of the summer months when the average electric bill can be much higher due to the hot summer months, and also with the children home on summer break.

Moment of Interruption—4:30 pm

The Speaker: Honourable Leader of the Opposition, we have reached the point of interruption.

I call on the Honourable Premier to move the suspension of Standing Order 10(2).

Suspension of Standing Order 10(2)

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

Madam Speaker, I move the suspension of Standing Order 10(2) in order that the business of the House may continue beyond the hour of interruption.

The Speaker: The question is that Standing Order 10(2) be suspended. 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 Leader of the Opposition, please continue your reply.

Hon. W. McKeeva Bush, Leader of the Opposition: Madam Speaker, thank you very much.

We know for a fact that the local community will use more electricity at this period, so why we cannot get that relief when it is needed the most is far beyond me. And they did not explain that yet. I thought I would hear something about that today but they didn't.

The PPM knew I was bringing a motion to this House to reduce the fees on fuel and I thought at that time that was the way of hijacking (let's use one of their words) my Motion to appear that they were doing something for the people. But I think it was a little bit smoking mirrors, and I will say why.

We campaigned on a promise to find a way to regulate the cost of fuel in this country to bring relief to the people and rather than work together to find that solution I thought they were offering a Band Aid fix to a problem that goes way beyond the price CUC pays on its fuel. We need this relief to be felt across the board to reduce the cost of all goods and services that are directly affected by the cost of fuel in these Islands. We need the relief. And if that is the best they can do, then I really don't agree with them on that aspect.

What about the people in East End who makes daily commute, or North Side, or all people for that matter? How do they see that relief, Madam Speaker? The cost of food alone could be impacted with the immediate relief if they had started from July. But what would be the case if there was a serious reduction in the duty? I am talking about a serious one, not what they have allowed. But the Government, Madam Speaker, allowed 2 per cent increase in CUC's charges on the bill. And when does that bill take effect?

When? Immediately?

Immediately! Just after we rose from the budget session, bam! CUC slams it on. Never heard quehey about it in the budget meeting. Not quehey! You think somebody didn't know? That that just came up? No, Madam Speaker. And I thought that was the most disingenuous thing for the Government to come talking about they are taking this per cent off of the duty and they are going to help people. As I said, \$20 to \$25, no, that is not real help, not when you are ex-

periencing \$1,500 to \$2,200, and when the poor man is experiencing \$200 and \$300.

But what did they do?

What did they do? They gave CUC permission to do that!

And what does that affect?

That affects the people because the same business owners, the traders that they take off, the fees on small businesses that they take off, looking at the economics and have it that way, CUC reduced duty \$8 million, but they allowed the 2 per cent increase on business. Who does the Government believe that will help? Who? And [they] think that we cannot see through it. So, really if you took off these things and yet you up 2 per cent on your business bill, that is a big increase on thousands, and some people got hundreds of thousands in electrical bills, the bigger businesses and the ones that are important. And, as the Minister of Finance rightly said, we are not agreeing on any forced price control. We are not going in that direction.

So, who are they really helping with these things? The poor man? Oh yeah? Well I don't believe so. I really do not believe so.

In the most developed countries in this world, Madam Speaker, fuel is considered a national security issue, as everything we do is related in some way to the cost of fuel. So, it is paramount that we try to get that commodity at the best price possible. That is how you stimulate growth and give the people the buying power. Cut back meaningfully somewhere there. That is what is going to reduce that humongous electrical bill we have, which is bigger than your mortgage today.

As I said, how can they justify withholding this relief for some six months? This is an insult . . . oh year, right!

You didn't know?

I am sure that CUC did not wait until the budget was just passed to negotiate with them that reduction.

[Inaudible interjection]

Hon. W. McKeeva Bush, Leader of the Opposition: Well, if they negotiate with the board, the board is supposed to let the Government know!

I don't believe you.

Madam Speaker, we all heard that there are a thousand and more persons in this country currently without electrical service due to financial restrictions who are seeking help from the Government to pay these outstanding bills. We hear that. So, in my opinion, if the Government is serious about offering relief, this should be offered immediately and not merely paid lip service to appear that they are helping.

I hope that they are working, Madam Speaker, to encourage an alternative source of energy. And if CUC is in a partnership with Government, make every

effort, Madam Speaker, because any form of new generation of power includes either solar or another alternative energy source. Hopefully, that will reduce our demand on fossil fuels and reduce our carbon footprint. Our neighbours in the Caribbean are actively seeking to accomplish it and I hope that we are doing the same. Yes, that is where we must think and plan long term, Mr. Government.

Madam Speaker, the Minister of Finance rightly says that Government cannot do everything and that we should never make our people believe that that is possible. He is so right. But look, Madam Speaker, at how they criticised me for not doing everything. Madam Speaker, the truth is that I don't think anything has changed.

What has changed now?

Madam Speaker, in relation to surveys, I must tell the Minister of Finance, my friend, that I do not need a survey to understand that there is serious unemployment. I don't need a survey to tell me that. I don't know what the changes meant and I don't even recall when they were made, but that is only production of some kind of report. The actuality is that people are unemployed more today. And they say it has cut down. I don't see it. The Minister acknowledged that he does not. But he does not know because of the figures (that is, the stats) but the fact is on the street, every one of us sees it and feels it. There is serious unemployment and we do know that the absence of jobs affects far too many people, Madam Speaker. The casual labour sector is drowning. It is so obvious, as you see more and more and more people on the street, and particularly young people.

Madam Speaker, we knew, and I acknowledged in my budget debate in August 2012, that there would be slight upward movement in the economy. I said that back then. There was some slight growth at the time in fact. But we do need more than that slight growth. But while waiting for meaningful sustainable employment, development to give employment to start, people are starving TO-DAY. They say they don't have funds.

I got a lesson from the Minister of Education about the long-term effect of emergency employment. But the effect of emergency employment addresses the problem at the minute. Of course, you have to plan long term. It is positively affecting the unemployment at the time of persons, and it helps those families for the immediate. It is completely right, as she says, to keep trying to bring the economy to a point where long-term employment is accomplished. But, Madam Speaker, we cannot allow our people to starve in the meantime.

If the Minister understands, as she says she does, then they would know that a hungry person is that—hungry! He needs something, food, water. There is every bit of evidence, Madam Speaker, that we should be having some sort of an emergency work programme, be it something along the lines that I

have asked for or something else. It is evident that it is needed. And only those people who are not working—because those who are working have something coming in. All of us have something coming in. But those who have nothing, Madam Speaker, cannot pay a loan bill, cannot pay for car, losing car. Some people are losing their homes. They cannot feed their children. Government has to step in and Government can only do so much. It cannot be any worse. Or maybe it can, but certainly, we do not want to see it any worse. Was and is still bad! Still bad!

You see, Madam Speaker, the Premier keeps drumming up *it got worse in your time*. I wonder if he remembers just how bad he was on this side. It was not a day that they were not on the talk show. It was not a day there were not under some Almond tree stirring up and having mock parliament outside this Parliament when this Parliament was going on. You are talking about creating confidence? Do you think that created confidence? No! People were calling to find out what's going on, what's going on, what's going on.

You think it was confidence that put us on the grey list? You think whatever kind of confidence it was to build a school for \$106 million and a Government Administration [Building] for an equal amount was supposed to create confidence? Well, I don't know that it does.

The Auditor General is like you! Cannot tell the truth when he needs to tell the truth!

I am not worried about the Auditor General or anybody else. I have been where you might never be, but I have seen things that you do not see. But maybe you do now because you are the Premier. Maybe the sport of that new shoe [is why] you are feeling that pinch. Those people who like to sport new shoes do not like the pinch. And those people who burn down the fire station sit on the sidewalk while the fire station is burning and curse the Government for not getting out the fire.

No, a lot of water went down on those fires. We borrowed the money to do the paying. Madam Speaker, you would understand that the Premier is grumbling and I am hearing what he is saying so I am answering him.

Yes, yes, yes, having the qualification is certainly, Madam Speaker, what all of us in this House over the years worked towards for our people. I completely agree with the Minister of Education, and I want to give her every encouragement to move faster and yet faster in these areas. It is one of the main reasons, Madam Speaker, why I put in place the Nation Building Fund. Passport2Success is one such programme benefitting from the Nation Building Fund, the programme that the DeMercado family founded. It works! The programme that Alan Moore was doing, it works! That's why I created the Nation Building Fund, Madam Speaker, to sidestep much of the bureaucracy put in place to stop these kinds of people from getting anywhere!

Why are there so many people, 20-odd and 30-odd without any such qualification? Why? Because, over the years the education system did not cater to them. Ten years ago, 15 years ago, it didn't cater to them. And before that . . . don't talk about going back to the 40s; it's worse! But that is why I created the Nation Building Fund. It was to get people who had one and a half GPA that they could either train with the DeMercardo family or Alan Moore and others. Or they could go to the Community College and upgrade their GPA and get into a proper university. That's what it was all about, getting rid of the bureaucracy that stops those kinds of programmes getting funded before the nation building fund was created.

Creating the programme and being able to get the funding for the Hospitality School was something that I had the vision to put forward! I had been unsuccessful with it in the 90s. Only 10 persons went to the programme at the Community College back then, and we were giving them \$200 per month. Only 10 took up the challenge. Only 10!

In 2002 to 2005, I said we are going back at it again. We are going to get it. We went and bought the property because I believe in that system. If you see Barbados, it works. But that didn't work either. The new Government came in 2005 and hauled that to pieces and put something else. Well, this time I went back at it again and put up the council and got them going. Got the programme worked out and started it. We got the funding. I came to this House and said we are going to put up on beer and going to put up on liquor and going to put up on cigarettes and that money, Mr. Finance Minister, was supposed to be earmarked for . . . because at that time it was a programme that was going to be between Tourism, the Ministry of Education and the Community University College. That was what we started to do.

So, the money is nowhere in the budget. I heard the Minister of Tourism say the money is there but it is nowhere in the budget. It is not into the University College's budget. I don't know where it is. It must be in general revenue and so they should say that it is not in that budget, but if we need it they will transfer the funds. That was all I wanted but never did get that undertaking but I guess that is what is going to happen. [We] didn't get that undertaking because they did not want the public to see that they had not put the money in. But when I made the budget and presented it in August 2012, I said that and committed to that; that those funds were for the programme. And so, it is those programmes that the Minister spoke to and said they were so good.

They were successful programmes put in place by the United Democratic Party! And I am glad now to hear from the Government how good it is. It is a pity they didn't all know that before, as the Barbados calypsonian said, they went on platform creating a storm and wrecked our democracy.

Madam Speaker, it is a pity, but I am glad to hear they are admitting it. Those are good programmes. Anyway, I always know, and being 59 I am old enough to know that today something is not good in Cayman and today you are a bad person, tomorrow you are the best person in this country. Or today you are a good person and tomorrow you are the worst person that was ever born because you cannot agree with everybody and cannot give everybody everything, all that they want, every time they want it.

And so, Madam Speaker, I think the Government is making a mistake in not accepting the Motion, but we have done our duty on this side. We have put the Motion forward and we have said what the problem is, and we know they recognise the problem. I certainly believe that with all the collective brains across the floor they can come up with some programme to cut back on these electrical bills. They can stop the bleeding from the people on the houses. I am not giving up, Madam Speaker, because I don't give up easy. So, I am coming back.

So, yes, I agree with the Premier—predictability, confidence and credibility. He said my administration could not point to anything as high point. Well he certainly did his endeavor best to destroy us. He helped but we are not dead yet; it is not over. We have gotten a lot done but that cannot cure the situation today, so I am not going to even bother anymore with him except to say in total, what he said was . . . I think what he was saying was that he was a bad boy between 2005 to 2009 and he might have swallowed several times if he was saying he is sorry now and is trying to do better. It's a good thing he is.

Madam Speaker, I wish the Government would reconsider. I had said that if I was satisfied that there was an acceptable level of reduction in unemployment I would remove the last resolve. But, Madam Speaker, the programmes that we left, the programmes that they are coming up with cannot help people today. And yes, you have to give a man a line rather than a fish, as the saying is. But the fact is until he can catch fish and you have fish and he is hungry, you need to give him a fish.

Thank you, Madam Speaker.

The Speaker: The question is: BE IT NOW THEREFORE RESOLVED that Government consider reducing the import duty levied on fuel to where it brings down the cost to the consumer in a meaningful manner;

AND BE IT FURTHER RESOLVED that Government consider putting in place a meaningful temporary, but emergency employment programme throughout the island, to start in June 2014.

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

Ayes and Noes.

The Speaker: I believe the Noes have it.

Hon. W. McKeeva Bush, Leader of the Opposition:
Can we have a division please?

The Speaker: Madam Clerk, please call a division.

The Clerk:

Division No. 21

Ayes: 3

Hon. W. McKeeva Bush
Mr. Bernie A. Bush
Capt. A. Eugene Ebanks

Noes: 11

Hon. Alden McLaughlin
Hon. Moses I. Kirkconnell
Hon. D. Kurt Tibbetts
Hon. G. Wayne Panton
Hon. Marco S. Archer
Hon. Tara A. Rivers
Hon. Anthony S. Eden
Mr. Winston C. Connolly, Jr.
Mr. Roy M. McTaggart
Mr. Joseph X. Hew
Mr. Alva H. Suckoo, Jr.

Absent: 3

Hon. Osbourne V. Bodden
Mr. D. Ezzard Miller
Mr. V. Arden McLean

The Speaker: The result of the division is as follows:
3 Ayes, 11 Noes, no abstentions and 3 absent.

Negated by majority on division: Private Member's Motion No. 2 of 2014/15 failed.

OBITUARY SPEECHES

Condolences to the Premier

The Speaker: I recognise the First Elected Member for the district of Bodden Town.

Hon. Anthony S. Eden, First Elected Member for Bodden Town, Deputy Speaker: Thank you, Madam Speaker.

As I indicated to you briefly, before I read the Motion I seek your permission to offer on behalf of this House condolences to the Honourable Premier.

Madam Speaker, I understand that his uncle (his father's brother) passed away during the night. And on behalf of this honourable Legislative Assembly and yourself, I would like to extend our deepest condolences to him, to his father, his other brother and the rest of the family, [on the passing of] Mr. Carlyle McLaughlin. Thank you.

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 3 of 2014/15
Inequity in the Immigration Law

The Speaker: I recognise the First Elected Member for Bodden Town.

Hon. Anthony S. Eden: Madam Speaker, I rise to read Private Member's Motion No. 3 of 2014/15—Inequity in the Immigration Law.

WHEREAS the Immigration (Amendment) (No. 2) Law, 2013 provides for the grant of Permanent Residency thereby allowing foreign residents to reside permanently and without restrictions in the Cayman Islands after being resident for a period of nine (9) years;

AND WHEREAS the spouse of a Permanent Resident may be added as a dependant and allowed to reside permanently and without restrictions in the Cayman Islands provided that the marriage is subsisting;

AND WHEREAS the Immigration (Amendment) (No. 2) Law, 2013 provides for the grant of a Residency and Employment Rights Certificate to the foreign spouse of a Caymanian;

AND WHEREAS a Permanent Resident and their spouse become eligible to apply for naturalization as British Overseas Territories Citizens of the Cayman Islands following one (1) year of such grant, pursuant to paragraph 7 of Schedule 1 of the British Nationality Act 1981:

Subject to paragraph 8, the requirements for naturalization as a British Dependent Territories citizen under section 18 (2) are, in the case of any person who applies for it-

- (a) that he was in the relevant territory at the beginning of the period of three years ending with the date of the application, and that the number of days on which he was absent from the territory in that period does not exceed 270; and***
- (b) that the number of days on which he was absent from the territory in the period of twelve months so ending does not exceed 90; and***
- (c) that on the date of application he was not subject under the immigration laws to any restriction on the period for which he might remain in that territory; and***
- (d) that he was not at any time in the period of three years ending with the date of the application in that territory in breach of the immigration laws; and...";***

AND WHEREAS the foreign spouse of a Caymanian is not eligible to apply for naturalization as a British Overseas Territories Citizen of the Cayman Islands until after seven (7) years of the marriage subsisting and following the successful grant of Caymanian Status;

AND WHEREAS a disparity in rights conferred by the British Nationality Act 1981 and the Immigration Law on the spouses of Permanent

Residents versus the foreign spouses of Caymanians has existed for many years;

AND WHEREAS the apparent anomaly that has been created by the restrictions imposed on foreign spouses of Caymanians by the Immigration Law is causing tensions within the Caymanian community and is viewed by Caymanians as unfair treatment;

BE IT THEREFORE RESOLVED THAT the Government consider amending the Immigration Law with immediate effect to have this anomaly corrected with the desired objective of ensuring that Caymanians and their foreign spouses be afforded equal, if not greater, rights than Permanent Residents and their dependent spouses.

The Speaker: Is there a seconder?

Mr. Alva H. Suckoo, Jr., Fourth Elected Member for Bodden Town: Thank you, Madam Speaker.

I rise to second Private Member's Motion No. 3 of 2014/15 entitled "Inequity in the Immigration Law".

The Speaker: Thank you, Member.

The Motion has been duly moved and is open for debate.

I call upon the First Elected Member for Bodden Town to expound upon his Motion.

Hon. Anthony S. Eden: Thank you, Madam Speaker.

Madam Speaker, this Motion seeks to amend the current Immigration Law to change the situation which allows the foreign spouse of a permanent resident holder to apply for naturalisation as a British Overseas Territory Citizen of the Cayman Islands in a shorter timeframe than the foreign spouse of a Caymanian.

Pursuant to section 31 of the current Immigration Law, a person who is successful with acquiring permanent residence is allowed to add a dependent spouse thereon, subject to the marriage subsisting. Accordingly, Madam Speaker, once a permanent resident holder has possessed such status for 12 months and meets other criteria, he or she then becomes eligible to apply for naturalisation as a British Overseas Territory Citizen of the Cayman Islands.

Consequently, since the Immigration Law did not subject the dependent spouse of a permanent resident holder to a term limit, his or her foreign spouse then becomes eligible to apply for naturalisation irrespective of the length of the marriage to the permanent resident holder.

While other criteria must be met, this loophole in the Immigration Law therefore places the foreign spouse of a permanent resident in a position which is unfair, Madam Speaker, considering that the foreign spouse of a Caymanian is disqualified from applying for naturalisation until he or she has been married for

seven years and must first become successful with acquiring the right to be Caymanian. It is only after this process has been completed that the foreign spouse of the Caymanian becomes eligible to apply for naturalisation.

Madam Speaker, to me it is clear that the foreign spouse of a Caymanian should not have lesser rights when it comes to making an application for citizenship than the foreign spouse of a permanent resident.

The British Nationality Act 1981 stipulates that in order for a person to be eligible for naturalisation, he or she must be free from immigration control, thus the foreign spouse of a Caymanian is disqualified from applying for naturalisation until after achieving seven years of a stable marriage and thereafter acquiring the right to be Caymanian. Yet, Madam Speaker, the foreign spouse of a permanent resident holder can apply within a short timeframe once he or she has been listed as a dependent on the main Permanent Resident Residency and Employment Rights Certificate.

Madam Speaker, this Motion is hoping to create a level playing field. And I will say, that in discussing with some of my colleagues from the famous southeast corner, they indicated that they would offer their full support to this Motion. And I am asking my Government to look at this and consider what can be done. Thank you.

The Speaker: Does any other Member wish to speak?

The Fourth Elected Member for Bodden Town.

Mr. Alva H. Suckoo, Jr.: Thank you, Madam Speaker.

Madam Speaker, just to be brief, because I think for the most part everybody, at least on this side, agrees that this is a needed change. I am rising to ask everyone in this honourable House to support this Motion.

Madam Speaker, just to break it down to the barest element that I possibly can, no law in this country should effectively reduce the rights of Caymanians in relation to any other nationality. And at the very least this is how we need to look at the situation. We are correcting a flaw that I think existed in the law for whatever reason. I think it may have just been inadvertent, but it has upset a number of Caymanians and I wish to thank the First Elected Member for Bodden Town for bringing this forward so that we can correct it and move on.

It is something that we just need to do and resolve. At the very least, as the Member said, we need to have a level playing field and we should, at no time, have any law on our books that reduce the rights of Caymanians in relation to anyone.

So, with those few short words, Madam Speaker, I wish to just ask the Members of this honourable House if they would support this Motion.

Thank you.

The Speaker: Does any other Member wish to speak?

Honourable Premier.

The Premier, Hon. Alden McLaughlin: Madam Speaker, I just rise to say very succinctly that this is a matter which has exercised the Government's minds. We know the issue is not that simple to fix legislatively, but we have had discussions with the Deputy Governor and we do believe there is a way forward and we are proposing to make the necessary amendments to the relevant legislation.

There may be more than one piece of legislation that actually has to be addressed to ensure, as the Fourth Elected Member for Bodden Town said, that the rights of Caymanians and Caymanian spouses are not in some way diminished in relation to the rights of others who do not have Caymanians status or that degree of connection to a Caymanian.

The Speaker: Does any other Member wish to speak?

The Member for East End.

Mr. V. Arden McLean, Member for East End: Thank you, Madam Speaker.

I don't know why I did all of this research since the Government is not saying much. I don't think I should say much either then, because I have given my commitment to my good friend for Bodden Town, and the Member for North Side too. I think both of us have found ourselves in that unique position wherein we were married to foreigners.

The Speaker: Were?

Mr. V. Arden McLean: Are.

[Laughter]

Mr. V. Arden McLean: You gone back to those teaching days, or what?

Madam Speaker, I hear the Premier saying that he is going to do something about it. But importantly, it has to be done now, not tomorrow. I don't know the timeline that the Premier is talking about. But, Madam Speaker, for instance, let me say that in the last three months since we were here last . . . yes, three months . . . I have had to deal with four of my constituents in that situation. But more importantly before it reached that point to where they were trying to be naturalised to become Caymanians. So, the inequity not only comes at the stage of wanting to be naturalised to be able to receive a passport, but importantly, getting to that stage is now causing extreme

difficulties for Caymanian spouses, in that the Immigration Department is sending mixed messages and they are telling the Caymanian who is married to a foreigner that they have to apply for the status before the RERC [Residency and Employment Rights Certificate] runs out, and another message is being sent says that you have to wait until it expires.

Now, let's go through the expired one. I have a young lady in East End who has been married to a foreigner for about eight years. In that time they had gotten a nice house, one child, and they adopted another. Both have middle class jobs. Her husband's RERC ran out in January of this year, six weeks ago. Her sister called me and said that she was trying to get in contact with me for her.

I told her that she knew my number, and her sister said that she did not want to do it because she did not want to bother me. And the sister related the story to me that they were late in submitting the application for status for the husband and the Immigration Department had put the husband on a visitor's permit. That was in January and every month the wife had to go and pay \$100 to extend it. And she is the only one working and they only have one income and the husband is home sitting down.

I said, *No what you are telling me does not happen in this country. That's impossible.* Anyway, I told her to tell her sister to call me.

Madam Speaker, she called me and I had to call the first sister back and apologise because what she told me was exactly that. As a matter of fact, she was on the way to Immigration then to submit a letter to the board which she was instructed to do to explain to the board how important it was so that they could review it. That was after eight months—seven months.

Madam Speaker, suffice it to say I went berserk, you know that. How can we have a young couple in this country trying to make it with their family and we put the husband home to sit and the one young lady is supporting the entire family creating stress, the this, the that, the what have you.

Madam Speaker, I called them and they said they were going to deal with it. After calling them a couple of times they put it on the agenda and the next time she was scheduled to go to get time for her husband they asked her if no one had called her because it had been granted the week or day before. Madam Speaker, that is the kind of thing that is happening to our young people, but more importantly to our people.

In another instance, a gentleman in East End was preparing to go away with his foreign wife. Looking over their passports he recognised that the RERC had been expired for a couple of months then. So, he rushed to try and get all of these things together to submit this thing to Immigration, the application form. This all happened in the last three months, Madam Speaker, you know. When he got there after receiving recommendation from myself and others, Immigration told him that he had to go over to Enforcement.

When he went to Enforcement they told the wife that she had to write a letter apologising to Immigration for overstaying. Now, Madam Speaker, of course the couple came to me distraught as they don't know what to do. The wife could be taken out of the country. I said I would write the letter and it will not be any apology in that. We will recognise that there was an oversight on your part if that is what they want.

That is what we had to do.

Madam Speaker, do you think that is right for our own Caymanians? Madam Speaker, it is my understanding now that of all those people that the Government said that they were going to hire into the Immigration Department, that there is a section set up just to look at marriages of convenience. So, everybody is going to be scrutinised for a marriage of convenience.

[Inaudible interjection]

Mr. V. Arden McLean: But it is Caymanians.

Madam Speaker, everything we do in this Immigration Law, intended or unintended consequences, destroys the Caymanian.

I really don't want to read all of this you see.

[Inaudible interjection]

Mr. V. Arden McLean: You see what I tell you, Madam Speaker.

[Inaudible interjection]

Mr. V. Arden McLean: There is an urgency to correct this thing.

Madam Speaker, the latest, when a Caymanian spouse applies they have to put in a bank reference to show that they were not bankrupt or insolvent after being married for seven years now to a Caymanian. What are we doing?

What are we doing to crucify our own people? What?

A Bank reference? What for? So, that you can sit around a board table and talk about it and then come out and spread it on the street?

When was the last time this Government or this country required its citizens to give bank reference so as to prove that they can live in this country? When? When was it?

Madam Speaker, the Government is not in business with you even if you are living under a turtle back on the beach, until you ask them for something. Then they can require you to show what you have. This is what the Immigration Board and departments are doing. It needs to stop.

Marriage of convenience? What they need to start talking about and investigating are their marriage officers who marry one man this week to one woman and next week married to another one, not even an-

nulled the marriage yet. That is what it needs to start looking into.

Madam Speaker, every time we do something there is an interpretation of that, that adversely affects Caymanians.

The Premier says that they may have a solution to this. Let me suggest that since . . . because the effect of the British Nationality Act, section 18, is that someone can come to this country and stay here for nine years under our Immigration Law, get residency unrestricted, marry a foreign spouse the same day and one year later the spouse can be naturalised. In the meantime, a Caymanian marries a foreign spouse and has to wait seven years before they can even apply for Caymanian status to get naturalised. And then, Madam Speaker, it gets so bad that they don't even tell the Caymanian spouse that they can apply immediately. They make them wait a year. But the foreign spouse married to the permanent resident can apply immediately.

Lordy, Lordy, Lordy, Lordy!

Madam Speaker, it gets worse. I don't even know if I need to go on anymore because *unna* got to get the gist of it by now. It gets worse.

A young lady married to a Caymanian for nine years, in my constituency again, works for the Government. Her RERC expires on 10/5/14. On May 10th they fired her because she is not Caymanian. It is October 5th, 2014, and they got rid of her in May 10th, 2014. It nah going good, ya nah.

Is this what we have . . . I mean they are just picking um out. Every little thing that Caymanians do they pick it out and they wipe you out.

[Inaudible interjection]

Mr. V. Arden McLean: She still has RERC up until now.

An Hon. Member: But you said nine years.

Mr. V. Arden McLean: What happened is that she was here on work permit.

Hon. D. Kurt Tibbetts, Minister of Planning, Agriculture, Housing and Infrastructure: Oh, she has not been married nine years.

Mr. V. Arden McLean: She has been married nine but she was on work permit so the work permit went then, and when she applied now it is seven years—right.

[Inaudible interjection]

Mr. V. Arden McLean: Right.

Have two children. So, she is out of a job. And they thought it was May so we rushed and got that put

in and they just granted her status before the RERC ran out.

[Inaudible interjection]

Mr. V. Arden McLean: Yes, she got her job back, thank God.

What are we doing, Madam Speaker? It is frustrating. It is extremely frustrating for Caymanians to survive in their country. And I wonder what we are going to do. I really, really wonder how, why, where Caymanians are going to survive in their own country.

Madam Speaker, I want to say that the changes we have made to this Immigration Law and the difficulties Caymanians are going through now is unintended consequences. It was not seen when we did it. I want to say that. But the interpretation thereof is causing a lot of it as well. And I don't know if they are getting legal opinion, legal advice, and I would not say the Attorney General's office because I don't even know if they consult with him nowadays. They go out and hire their own lawyers in most instances. But I do know, at least in one instance, I called my good friend, the Attorney General, and he advised me that my interpretation of it was correct and the law is silent on when the spouse can apply.

Therefore, even if they applied before or immediately, then it would be fine. Now we need to change that along with allowing Caymanian spouses to have a greater right to reside in this country than someone else who comes in here and only spends a couple of years and then they . . . and I don't have anything against them, Madam Speaker. But should Caymanians not have better than they?

We like to talk about discrimination—a good word to use now. We must discriminate for our people. They are entitled to it. They have a right to be discriminated for, and not against, because this is discrimination against them. That is what I see it as. We need to stop this thing about marriage of convenience. We have a whole department, as I said, dedicated to marriage of convenience. Can you believe that? And not a department in Immigration dedicated to chasing down these people who are in contravention of the Immigration Law when it comes to labour. That's where we need a whole department, the taskforce ensuring that Caymanians are trained on the job and that the work permits they are applying for, when they say they are redundant . . . we ga talk about that one soon now too.

Then they say they are overqualified. That's what they need to be concerned about when they admitted to me that they processed probably 1,000 of these a year and they have two or three that they think would border on marriage of convenience. Two or three out of a 1,000 and we are wasting time on that?

I do apologise, Madam Speaker, a lot of the Members have never had to experience this. I have

experienced it with my constituents—four. The last one now I am trying . . . she told me last night that hers went in one month and a half ago and they have not heard about it yet.

[Inaudible interjection]

Mr. V. Arden McLean: You are going to have to get up and say that. I ain't telling them that.

[Inaudible interjection]

Mr. V. Arden McLean: So, Madam Speaker, here we are you know. It bothers me, Madam Speaker, it really bothers me that we take the law . . . I don't know if we train our people enough or not, but everybody has a different interpretation thereof. And I am not saying the Immigration people are not reasonable civil servants. I am saying that they are applying the law incorrectly against Caymanians. Why do Caymanians have to produce bank references and bank statements and all of this kind of stuff? It is uncalled for, you know.

When I was a minister, Madam Speaker, and my wife was applying for RERC, I got a letter from Immigration. Today I regret not replying in writing because I would have had you know, both. They wanted me to prove that I could support her. So, I picked up the phone and I called them and I said: "This is Vincent Arden McLean."

The person said: "Yes sir".

I said, "Well, my wife just applied for RERC." And I gave them the reference number. So, the lady said that she had it right on her desk.

She said, "Yes sir, we would like you to prove that you can support your wife."

I said, "Okay, but before I do that my dear, do me a favour, pull up the application. She said, I have it right in front of me." I guess they were waiting for me to respond. You heard about the monkey and the alligator?

I said, "Look at it; there are two job letters on the file. Which one is the person applying?" She called her name. Right.

"Which one is the spouse?" She said, Well, that is you sir." I said, "Oh you know that. That's good you know that. Now, look into those letters and see which one is making the most money."

She said, "Well sir, she is."

And you want me to support her? You are being fair to me? You really mean that. Somebody who makes more money than me and I have to prove I can support her?

[Laughter]

Mr. V. Arden McLean: Now be fair, Madam Speaker. Where did they get that train of thought from? You cannot do that. You cannot be asking me to support

somebody that makes more money than me. Oh no. Not today Bobo. That ain't going to happen.

These are the types of things that they are doing to Caymanians. But because it is the written law, then they apply it straight across the board without looking through the entire thing. And we are still too small, Madam Speaker, for us to be caught up in all of these nuances and requirements and stuff. And if something happens in society, do you think they are not going to know? They know everything else. They will know that too. You have to be good to keep it a secret from them, you know. That is why I keep mine a secret from them.

Madam Speaker, we are going to get back into another thing here later with that labour thing so it is no use of me expending it all now. So, I promise you that I told my good friend for Bodden Town that I was going to support him. From the day he called me and said he wanted to do it I told him like how I was with him with the cigarette bill, I am standing right behind him, right against his back. Thank you.

The Speaker: Does any other Member wish to speak?

Member for North Side.

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

Madam Speaker, I have to be very careful and very circumspect in what I say because my darling wife and the mother of my two wonderful daughters happen to be in the final stage of this horrendous process. But any changes that might become, she will not be a beneficiary to because she will either have gotten it or left the island because she did not get it. But I have a duty—

[Inaudible interjection]

Mr. D. Ezzard Miller: Next week, Wednesday.

I have a greater duty, Madam Speaker, in my view, having declared my interests, to represent the people that elected me. And, like the Member for East End, I have some horror stories about these cases as well. And the reason I am going to tell one of those stories is because I want to impress on the Government that this is not a matter that we can tarry with.

The Motion by the Member for Bodden Town has been on the Table of this House now for six months—five to six months. And while I will accept the Premier [saying] that they have been exercising their minds on it, I don't think it is a very difficult thing to correct. I just think we need to be fair, specific and brutal in the corrections.

Madam Speaker, I had a case with one of my constituents who, unfortunately, five years into her RERC she was widowed. Now, there is a section in the Immigration Law specifically where widows can apply on their own right for the grant of status—

[Inaudible interjection]

Mr. D. Ezzard Miller: Or extend the RERC.

So, she came to see me. I spoke to two very senior people related to the Immigration Department and they agreed with me that having had her RERC for five years, and everybody knows that the marriage was not one of convenience, it was intact at the time of death, [said] that she should apply to the board for the grant of status, I think under section 22 of the law. So, Madam Speaker, I offered to assist her and went on the Internet and downloaded the forms and helped her fill them out and got all of the relevant documentation, death certificate, marriage certificate, birth certificate, whatever the package is.

She took it to the Immigration Department, handed it in as an application. The person taking the application told her she could not apply for that and cancelled her RERC immediately! They then converted her to a visitor and told her that being the part owner of a business with her husband, she would have to apply for a temporary work permit but she could not work between them cancelling the RERC and when the work permit was granted. She told them that she needed to go home on some urgent business. So, they told her that she would have to apply for a visa to get to come back.

Madam Speaker, something is wrong when this kind of thing happens. Now she then went and got an attorney involved, because I told her that I am not a lawyer and this new civil service mantra is that if you get a lawyer to do these things for you, you will stand a better chance. Because, Madam Speaker, I personally divide the civil service pre-1984, post-1984.

Pre-1984 if you went to a government department and you did not have one particular box ticked, the civil servant would tell you, *Well, Ezzard you know you needed to fill out this part but let me fix it for you and give you what you were applying for, once you qualify.*

Post-1984 if you go to a government department and you do not have one box ticked they would say, *Well Ezzard, you know you are not a lawyer or an accountant and you know nothing about filling in these papers, go and get a lawyer or an accountant to fill it out and bring it back within two to three weeks, exercising the authority, as opposed to the pre-1984 where the civil service mantra was to facilitate the public getting what they were entitled to get as quickly and as efficiently as possible.*

Now, Madam Speaker, similar to the elected Member for East End now, when my darling wife was getting close the seven years of her RERC, again, I asked two very senior people in the service if she had to apply before or after. One told me unequivocally that she has to apply before it expired. The other one, unequivocally she could only apply after the seven years because that is what the law says.

[Inaudible interjection]

Mr. D. Ezzard Miller: No, no, that nah . . .

Anyway, Madam Speaker, I prepared two applications. I put two dates on it. One I turned in three weeks ago. I still have the other one in my study at home dated the day after the thing expires. And if I have not heard anything between now and then, I am going there 8.30 in the morning and hand that one in.

You see, Madam Speaker, I believe that we are doing this thing the wrong way. The time when it should be determined if the person is going to get the Cayman status by virtue of being married to a Caymanian, should be at the time when they apply for the RERC. Once you cross that threshold it should be automatic, unless there has been a divorce which is recorded in the government records at the court house, or there is an agreement for legal separation which alters the terms of the RERC. If nothing has happened to disqualify the RERC, on the date that the seven years expire the person should be able to go to government and get the status. You should not have to go through this whole rigmarole of an application now—

Mr. V. Arden McLean: And then another application.

Mr. D. Ezzard Miller: Right. And all of this documentation: police record . . . mind, Madam Speaker, now when I applied for RERC I submitted my birth certificate, my father's birth certificate, my marriage certificate, her birth certificate, her father's birth certificate at the time of the application. And now that she is applying for Caymanian status, I have to submit all of that documentation all over again. Why?

So, Madam Speaker, I would encourage the Government that in looking to the solution, that we look to make it a straightforward and as simple as possible. Because, Madam Speaker, you either have a marriage certificate or you don't have one. You either have a decree of divorce or you don't have one. You either have a decree of legal separation or you don't have it. Because, Madam Speaker, now I don't know of anyone else, but putting love and admiration aside, the biggest reason I married my wife was for convenience so I am guilty.

[Laughter]

Mr. D. Ezzard Miller: Now, there is lots of love, respect, admiration. But I am guilty of marrying her for my convenience, so that I can experience that love, I can experience that admiration and all of those other things that go with it too.

Mr. V. Arden McLean: And two paychecks—

Mr. D. Ezzard Miller: Yes, yes, exactly!

The question now is, Madam Speaker, understand now that if she does not have her status

Wednesday, she cannot go to work Thursday. Or she is breaking the law. And trust me, Madam Speaker, they cannot find all of those other people out there working without permits but they would find Ezzard's wife, because they would want nothing better than to put a headline "North Side House Representative Works Without a Work Permit". So, I cannot take that risk.

But I cannot comply because we put everything in and I must say that the receiving administrative clerk went through everything. She even scotch taped the pictures with the X of the scotch tape, the way that they want it done. Everything was in order. I paid by cheque. I think the cheque should have cleared the bank by now but I will check Monday just to make sure. But I cannot do anything about speeding the process up.

Madam Speaker, one of the things that frustrate me, in particular in this House, is when you try to impress on the Government and they will not stay inside to listen, and those who are inside are on their Blackberries and whatnot, ignoring you. Because, Madam Speaker, the Deputy Governor is responsible for Immigration. As soon as Arden and I got up to speak they walked out. Now, it could well be that there is a genuine reason for that, but it happens far too often to me, when the person with responsibility on the Government Bench needs to be listening to me when I am speaking.

So, Madam Speaker, this matter is not only the inequity in that non-Caymanians who get residency are usually people who can afford big time lawyers and all of the other stuff because they are getting it for all of those points and investments and all of that kind of stuff. They are not like the constituent people that Mr. McLean and I have to deal with who in these economic times have to look to us, of all people, for legal opinions. Because most of these offices in town when you knock on that door they are going to tell you, *Well, Mr. Ezzard now, before I give you this advice you have to put me in pocket*. And that is legal talk for "I need some money up front". But they will call me now ten times a day for advice on government and they make sure that whatever environment they ask me that I cannot produce any invoice.

So, at the risk of being accused of trying to get something that might benefit my wife, it is more important for me to represent the people of my constituency who need this. And I am prepared to run that risk of getting chastised by some member of the Government for bringing up my family here, because, Madam Speaker, what I want the Government to understand is that there is urgency in correcting this matter. And it does not need three Philadelphia lawyers and three rocket scientists to do it. We just need to get it done. Thank you, Madam Speaker.

The Speaker: Does any other Member wish to speak?

The Third Elected Member for the district of West Bay.

Mr. Bernie A. Bush, Third Elected Member for West Bay: Madam Speaker, I too have these same horror stories from my district, so I don't have to repeat it. And I have had another one dropped on me in the last two weeks where it seems to . . . I don't know if it is to try to say that Caymanians are being employed.

I have a young Caymanian child, Madam Speaker, age nine years old, crying because the mother has just lost her job in the government after four years of working hard, getting appraisals, and now to be told that because your status will not be granted until another week or two, you will still have to go, and to say, *Oh, we've replaced you with a Caymanian*. But the other Caymanian is coming from another government post. I must say though that the chief officer has spoken with me and talked with the lady. But, Madam Speaker, these stories are horrendous.

I want to commend the First Elected Member for Bodden Town for bringing this Motion. The one thing I want to say to the powers-that-be, when they go and adjust this, if you can make it easier on the side . . . in fact, looking at this particular thing, it should be reversed. I think the spouse of the PR person should have to wait because there are too many of them who have come here. Once again I have my file of some of these people who are on PR and their spouses who are causing trouble for Caymanians.

So, Madam Speaker, kudos to the First and Fourth Elected Members for Bodden Town for bringing this; it will have my support as well.

The Speaker: Does any other Member wish to speak?

The Honourable Minister responsible for Gender Affairs.

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

I too rise to lend my support to this Motion. Madam Speaker, I simply want to say that the principle which this Motion is trying to address, you have heard me state before in this honourable House and you will probably hear me state throughout my entire tenure here, is the principle of equality.

Madam Speaker, it is fundamentally wrong to have a system which discriminates, especially if it discriminates against our own Caymanian families and what constitutes a Caymanian family. And in many instances, as we know, many persons choose to marry people who are not of the same nationality, and that is everyone's right, as it should be. But with respect to having rights and tenure in a country, the determining factor as a spouse should not be based on being giv-

en preferential treatment based on you being married to someone who has less tenure or fewer rights than a Caymanian.

So, Madam Speaker, without really elaborating on that point, I would just simply like to say that as a Member of the Government I will be working very closely with the Government to see that we do try to address this anomaly, as is stated in the Motion, and to say that it has my full support in looking to ensure that the rights of Caymanian families are not disenfranchised in such a way going forward. Thank you.

The Speaker: Does any other Member wish to speak? Does any other Member wish to speak? Does any other Member wish to speak?

If not, I call on the First Elected Member for Bodden Town if he wishes to exercise a right of reply.

Hon. Anthony S. Eden: Thank you, Madam Speaker.

Just to say thank you to my colleague, the Fourth Elected Member for Bodden Town for seconding the Motion, my colleague for East End, the Honourable Minister of Works. His quiet support . . . I know that when I shared with him he always stood by my side, not like the what the Member for East End said, "back to back" but by my side in supporting these humanitarian reasons for trying to make things better. And I thank my colleague for North Side, the Third Elected Member for West Bay and just now, the Minister of Education.

I am saddened to know that so many people have been having difficulties in this area and I think this is why this Government when we took over and when we adopted the name 'the Progressive' that under the leadership of our Premier, when he senses anything to do that can make things better for our Caymanians, he will do his best to deal with it and put the necessary legislation in place.

I will implore and ask once again through him unto the Deputy Governor's office, or whoever, in Immigration deals with this, that this legislation be dealt with as quickly as possible. And once again, thanks for all of those others for their tacit support in this very important piece of legislation that unfortunately has seems to have been languishing for so long. Thank you, Madam Speaker.

The Speaker: The question is: BE IT THEREFORE RESOLVED THAT the Government consider amending the Immigration Law with immediate effect to have this anomaly corrected with the desired objective of ensuring that Caymanians and their foreign spouses be afforded equal, if not greater, rights than Permanent Residents and their dependent spouses.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Private Member's Motion No. 3 of 2014/15 passed.

The Speaker: Honourable Premier, is it your intention to continue on beyond this hour?

The Premier, Hon. Alden McLaughlin: Yes, Madam Speaker, I think we need to press on as indicated until seven o'clock to try to get as many of these motions dealt with as possible so that we can complete the business of the House on Monday.

The Speaker: Okay.

That being the case, I am going to ask the First Elected Member for Bodden Town if he would take the Chair for ten minutes.

[Short pause]

[Hon. Anthony S. Eden, Deputy Speaker, presiding]

PRIVATE MEMBERS' MOTIONS

Private Member's Motion No. 4 of 2014/15 Single Member Constituencies

The Deputy Speaker: I now call on the Elected Member for East End for Private Member's Motion No. 4 2014/15.

Withdrawal of Motion

Mr. V. Arden McLean: Mr. Speaker, when this Government expressed their unwillingness through the Premier recently to support my Motion, which was filed some time ago on the issue of Single Member Constituencies, I retreated to my abode, thought about it long and hard, and I believe that I came up with what I thought would be a reasonable approach to this Motion.

Mr. Speaker, my responsibility here is to ensure that I represent the people of this country and, in particular, the people of East End in the best way possible. And whilst I did not vote, but voted as an abstention on the Government's Motion to appoint an Electoral Boundary Commission, I did so because I will wait with bated breath to see what happens, with cautious optimism. But I believe it is reasonable and fair that I do not waste anymore of this country's precious time and the precious time of the Premier, and I want him to get back to his good office and proceed with immediate haste in doing what he promised this country two days ago—he and the Minister of Finance *[sic]*.

So, Mr. Speaker, I decided that . . .

[Inaudible interjection]

Mr. V. Arden McLean: The Minister of Financial Services, not the Minister of Finance. But the Minister of Finance will have to be involved in it to find the money as well.

Mr. Speaker, in so doing, I believe it is in the best interest of the country, in the best interest of saving time of this legislature, that I withdraw this Motion so that my cautious optimism can be given an opportunity so that I can be pleasantly surprised and we can get on with the provisions of 18 single member electoral districts. I put emphasis on "18", Mr. Speaker, because I am waiting to see what the Government does.

So, Mr. Speaker, contrary to the belief of the Government (no popular belief), I am reasonable and understand like Kenny Rogers, "when to hold them and when to fold them".

Mr. Speaker, I hereby request that my Motion be withdrawn, but the Government should know that that does not mean that it is not going to come back.

Thank you very much.

The Deputy Speaker: Do I have a seconder?

Mr. D. Ezzard Miller: Mr. Speaker, I beg to second the Motion to withdraw Private Member's Motion No. 4 2014/15 on today's Order Paper.

The Speaker: The question is that Private Member's Motion No. 4 of 2014/15 be withdrawn.

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

Ayes and one audible No.

The Deputy Speaker: The Ayes have it.

[Laughter]

The Deputy Speaker: Madam Clerk.

Mr. V. Arden McLean: Mr. Speaker, I heard a No. Can we have a division please?

[Laughter]

The Deputy Speaker: Are you serious?

Mr. V. Arden McLean: Mr. Speaker, I would like to find out who voted no if they are so mindful to say so in the division.

The Clerk:

Division No. 22

Ayes: 14

Hon. Alden McLaughlin

Hon. D. Kurt Tibbetts

Noes: 0

Hon. Osbourne V. Bodden
 Hon. G. Wayne Panton
 Hon. Marco S. Archer
 Hon. Tara A. Rivers
 Mr. Winston C. Connolly, Jr.
 Mr. Roy M. McTaggart
 Mr. Joseph X. Hew
 Mr. Alva. Suckoo, Jr.
 Mr. Bernie A. Bush
 Capt. A. Eugene Ebanks
 Mr. D. Ezzard Miler
 Mr. V. Arden McLean

Absent: 2

Hon. Moses I. Kirkconnell
 Hon. W. McKeeva Bush

The Deputy Speaker: The result of the division is: 14 Ayes, 0 Noes and 2 absent.

Agreed by majority on division: Private Member's Motion No. 4 of 2014/15 withdrawn.

PRIVATE MEMBERS' MOTIONS

**Private Member's Motion No. 5 of 2014/15—
 Penalty for the Offence of Aggravated Burglary**

The Deputy Speaker: I now call on the Sixth Elected Member for George Town.

Mr. Joseph X. Hew, Sixth Elected Member for George Town: Thank you, Mr. Speaker.

Mr. Speaker, I rise to move Private Member's Motion No. 5 of 2014/15—Penalty for the Offence of Aggravated Burglary standing in my name.

WHEREAS section 244(1) of the Penal Code (2013 Revision) provides that it is an offence for a person who commits any burglary and at the same time has with him any firearm or imitation firearm, any offensive weapon or any explosive commits the offences of aggravated burglary is liable to imprisonment for life;

AND WHEREAS home invasions do cause significant physical, psychological and other traumatic effects on victims, including children of the household;

AND WHEREAS often times it is unclear whether these traumatic effects are taken into account and or reflected in the sentences imposed by the Courts;

AND WHEREAS it is recognized that the Courts do enjoy wide discretion in determining the appropriate sentence for any particular offence;

AND WHEREAS it is not intended to in any way fetter the Court's discretion in sentencing persons convicted for such offences;

BE IT RESOLVED that the Government consider whether the Alternative Sentencing Law

should be amended to expressly provide that evidence that occupants have been traumatized during home invasions shall be taken into account and recognized as an aggravating factor during sentencing.

The Deputy Speaker: Do we have a seconder?

Mr. Winston C. Connolly, Jr., Fifth Elected Member for George Town: Mr. Speaker, I am delighted to rise to second the Motion so ably put by the Fifth Elected Member for George Town.

The Deputy Speaker: Private Member's Motion No. 5 of 2014/15 has been moved and I call on the Sixth Elected Member if he wishes to comment.

Mr. Joseph X. Hew: Thank you, Mr. Speaker.

Mr. Speaker, we all know the situation of crime as it is and has been for the last couple of years now. In fact, we all hear daily. Unfortunately, we all get stories if not daily, certainly weekly, of persons known to us, perhaps family or friends that have become victims of burglary.

In fact, Mr. Speaker, today as we were sitting here and I was running through my motion in my head I received an email from my manager telling me that one of my lead technicians had to rush home because his wife had gone home for lunch and realised that someone had been or was in the house, and I have not gotten an update. But that is how frequent this happens, Mr. Speaker. Just today I received that email.

Mr. Speaker, we just have to pick up the paper on any day and you will read about home invasions. Some of those people speculate because there is gambling there or there is a reason they went. But, Mr. Speaker, the truth is that break-ins and theft have become prevalent in our communities.

Mr. Speaker, aggravated burglaries: In 2011 we had four; in 2012 we had five; in 2013 we had seven. To date, with three and a half months to go, we are at five. Burglary: In 2011 we had 516 and 42 attempted burglaries. In 2012 we had 461 and 40 attempted burglaries. In 2013 we had 658 and 36 attempted burglaries. For the year to date we have had 455 with 56 attempted burglaries. Mr. Speaker, that is averaging about 51 a month. So, we are right on course to match or break last year's 658 burglaries.

Mr. Speaker, as of this morning, when I met with the Director of the Prison Services, Her Majesty's Prison, Northward, houses 15 inmates for burglary. Fifteen, Mr. Speaker! We have had 455 burglaries this year. We had 658 last year. And there are currently 15 persons incarcerated for burglary. Mr. Speaker, we have one person incarcerated for aggravated burglary.

At Fairbanks we have three female prisoners incarcerated for burglary and no prisoners incarcerated for aggravated burglary.

Mr. Speaker, in talking with persons in the community there are a couple of worrying trends. The statistics are also showing that these burglaries are starting to take place more regularly and frequently during daylight hours. In fact, I understand that what they are doing is they are taking generally young persons with clean police records and saying to them, *Don't worry, if you do get caught you will only get a suspended sentence or you can go to the Drug Court.*

Mr. Speaker, this is also true for juveniles. They are saying to them, *They are not going to send you anywhere, you will just get a suspended sentence and you may have to wear the ankle bracelet, but you will not go to jail.* And what they are doing, Mr. Speaker, is sending these individuals into the homes while they wait in the car, and then once the coast is clear or perceived to be clear, they would join them in the burglary.

Mr. Speaker, today our residents are living in fear. Several years ago we did not bother with putting alarm systems in our homes. In fact, several years ago just a few businesses were putting alarm systems in. And then all of a sudden we had to have alarms. And then I remember when I would just put my alarm on at night, just for peace of mind, perhaps more scared about what I would do if somebody came into the house, what I would do to them rather than what would happen to me. Needless to say, it gave me peace of mind and it gave my wife peace of mind to put the alarm on at night. And I know many, many people thought that way.

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

Mr. Joseph X. Hew: But unfortunately now, Madam Speaker, we are putting our alarm on all the time. When we are sitting in the house watching television in the evening or having family dinner, if you decide to get up and go and get something out of the car you have to remember to turn off the alarm. It has gotten that bad, Madam Speaker.

Families are afraid to allow their teen children, particularly girls, to go home after school in the evenings. Some of them are in college, 17, 18 years of age, and parents do not want them in the house alone during the day because of these instances.

Burglaries, Madam Speaker, have just continued to rise, but more concerning is the blatant disregard for the fact that there are persons in the home when they commit these burglaries. I know my colleague, the Fifth Elected Member for George Town, will probably relate a story that happened to a mutual friend of our just recently.

Madam Speaker, it is only a matter of time before these brazen burglaries during the day and in

the evenings when people are in the homes, escalate to much more serious crimes, escalate to sexual assaults, escalate to even more serious crimes, such as murder or kidnapping. And, Madam Speaker, we also have to be concerned for our young people committing these burglaries that more citizens do not start taking the law into their own hands and we lose our young people without any opportunity to rehabilitate them.

Madam Speaker, the Fourth Elected Member for George Town, Minister Archer, and I, attended several police community meetings. Madam Speaker, whilst at one of the meetings, we heard a story from a citizen who was at home with his family, his two young children and his wife, and the family pet, the dog, when three assailants broke into the home. The gentleman quickly gathered his two young kids and locked themselves in the bedroom where the dog was as well. Madam Speaker, the dog went crazy obviously trying to protect his family and the perpetrators ransacked the house before leaving.

The gentleman had cameras and the police were able to recognise and track down one of the perpetrators and arrest him. He later went to the courts, Madam Speaker, and was sentenced to three months suspended sentence. Madam Speaker, that gentleman had to sell his house. They could not sleep anymore, the kids were having nightmares. They had to get rid of the family pet because the kids were now afraid of the pet after seeing the way it acted. It totally, totally disturbed their lives. It turned them upside down, Madam Speaker. And three months suspended sentence.

Madam Speaker, with your permission I would like to read parts of a *Compass* article. I have a copy for you, Madam Speaker.

The Speaker: Thank you. When the Serjeant returns I will get a copy.

Mr. Joseph X. Hew: Madam Speaker, Friday, 24th January 2014, the [headline](#) read- "**Magistrate: Burglary Jail Sentence must be Deterrent**". Sub-heading—"Residential burglaries violate the basic right to feel secure in one's own home' magistrate says."

"After being granted bail for two burglaries allegedly committed in January 2013," (the assailant) committed another burglary in February. Last week, those offences and others resulted in a total prison sentence of four years and one month.

"In passing sentence Magistrate Valdis Foldats said that because the burglaries that were committed were residential, at night, and the victims came face to face with the intruder, the objective of his sentence had to be a deterrent."

"Left unchallenged, residential burglaries changed the face of the community. Burglary bars, surveillance cameras, security officers, guard dogs

and gated communities become the norm,' the magistrate told the court.

"Residential burglaries destroy the public's expectation of a right to a peaceful society where homes are safe from intruders, he pointed out.

"Residential burglaries violate our most basic right to be secure and feel secure in our own homes,' he said. 'That sense of security is shattered when the sanctity of one's own bedroom is invaded and the victims are at their most vulnerable because they are asleep,' he added.

"Burglary of hotel rooms has the potential to damage Cayman's reputation as a tourist destination, the magistrate said." [UNVERIFIED QUOTE]

Madam Speaker, this particular person, all three of his burglaries occurred at a condo or a hotel. And it took three burglaries for him to receive a sentence of three years.

Madam Speaker, it is obvious that before he was given a custodial sentence that this young man's previous rehabilitation efforts were not working for him.

I also received some data, Madam Speaker, on a current case with a 41-year-old with 42 convictions. His last sentence was on 10 July 2014 where he received 18 months of probation. Since he has been arrested and given his probation he has apparently committed five more burglaries and one aggravated bodily harm, I think it is (ABH), assault and bodily harm. And, Madam Speaker, two of his offences were on the 28th and 29th of July after receiving probation on the 10th of July. Madam Speaker, we have got to be stronger in our sentencing if we are going to be effective and if we are going to have an opportunity to effectively rehabilitate these individuals.

Madam Speaker, I know that imprisonment by itself is no ultimate deterrent to crime. This Motion not only addresses the sentencing, but also the importance of the witness impact statement.

Madam Speaker, I would suggest, because I had no other way to show it here today, that the honourable Members of this House and yourself, Madam Speaker, if you have the opportunity, to google the "Woolf Within". Madam Speaker, this is a video about a gentleman named Peter Woolf who was a prolific offender entrenched in a world of violence and depravity, who, by his own reckoning, committed about 20,000 crimes. This is in the UK, Madam Speaker. He burglarised a house, fought with his victim and ended up in prison yet again. This time, though, it was different. Peter met with his victim, Will, in a restorative justice session that took place in the prison.

The Meeting changed both their lives forever. Peter and Will tell their stories in this film, which coincides with the launch of Peter's book "The Damage Done" and the launch of "Why Me?" founded by Will, a campaign group set up by, and for, victims of crimes who have benefitted from restorative justice and want others to be able to benefit from the same opportunity.

Madam Speaker, Peter said in a comment: **"When you hear the harm you've caused, you've got to be a very bitter and twisted human being if this does not affect you. You've got to be a sicko prolific sex offender."** Peter Woolf tells how meeting one of his victims changed his life forever.

It is important for more reasons than one that when a trial is taking place that victim impact statements are taken. And this is not happening, Madam Speaker. I have again, if you would allow me to read some quick stuff from a *Compass* online article.

The Speaker: Please proceed.

Mr. Joseph X. Hew: I have a copy for you as well, Madam Speaker.

In a meeting held in Bodden Town, **"RCIPS, Chief Inspector Brad Ebanks, who heads up the Bodden Town Police Station, acknowledged publicly that lack of information from the police to the victims of crime has been a long-standing issue in the Cayman Islands.**

"We realized that this is a major downfall that we have', Mr. Ebanks told a group of about 25 residents at a public meeting in Bodden Town earlier this month. 'We get so caught up in the day-to-day... sometimes we forget there is a victim there that needs to know.'"

Madam Speaker, I am going to skip down to when a former Cayman Islands crime victim stated that this is a positive change.

[Inaudible interjection]

Mr. Joseph X. Hew: Pardon me?

Read what Brad Ebanks says again. **"We realized that this is a major downfall that we have', Mr. Ebanks told a group of about 25 residents at a public meeting in Bodden Town earlier this month. 'We get so caught up in the day-to-day... sometimes we forget there is a victim there that needs to know.'"**

One former Cayman Islands victim commented: **"I think that would be a great thing', said a former Cayman Islands resident, Jeff Brammer, 'because after [the police took] fingerprints and stuff [from a burglary investigation at his home], we never heard another word.'"** It goes on to say that Mr. Brammer now lives overseas. He had some \$15,000 worth of camera equipment taken from the home and a laptop and irreplaceable family photos.

It went on to say: **"None of the photo equipment was ever returned. It was not until nine months later, in mid-2012, that he was informed that police had arrested and charged someone in connection with the break-in. That information came from a reporter at the newspaper who happened to be in court during the sentencing of the burglary suspect.**

“[I was notified] after the hearing had already happened’, Mr. Brammer said. ‘It would have been nice to have been brought up to speed. It also would have been nice to get into court and address the judge. Let him know what the situation did to both my wife and myself. I would have liked to make a victim statement of some kind.’”

So, Madam Speaker, here is a victim who found out about it after the fact, after the sentencing and had wished that they were able to give a statement.

Madam Speaker, the Canadian Penal Code, when referring to sentencing, states: “**s. 718. - The fundamental purpose of sentencing is to contribute along with crime prevention measures to respect for the law and the maintenance of a just peaceful and safe society by imposing just sanctions that have one or more of the following objectives:**

- a) to denounce unlawful conduct;
- b) to deter the offender and other persons” (who would do so) “**from committing offences;**
- c) to separate offenders from society where necessary;
- d) to assist in rehabilitating offenders;
- e) to provide reparations for harm done to victims or to the community; and
- f) to promote a sense of responsibility in offenders and acknowledgement, of the harm done to victims and to the community.”

Madam Speaker, I think that far too often we hear a lot about the accused. We hear a lot about social inquiries done on the accused. We hear about the clean record. We hear about the remorse. We hear they now have a good job. But, madam Speaker, “(e) to provide reparations for harm done to victims or to the community and (f) to promote a sense of responsibility in offenders and acknowledgement of the harm done to victims and to the community”, those are the parts that we are missing, Madam Speaker. That is why we have statistics showing over 500 burglaries and having 15 people in prison for it.

Madam Speaker, I am aware that we are somewhat lacking in comprehensive programmes, such as the restorative justice rehabilitation that I spoke to earlier. Madam Speaker, I give notice here today that as a follow-up to this Motion I intend to champion the cause of rehabilitation in our prisons, and, more importantly, programmes that focus on early intervention and preventative measures. Madam Speaker, whilst I am asking here today for the courts to take into consideration the crimes and to issue the sentences warranted, it is my hope that we can incarcerate these persons for a period of time as justified by the crime and that they are incarcerated long enough that we can apply well-structured rehabilitative

programmes so that when they do finish serving their sentences that they are much equipped to rejoin society.

Madam Speaker, as is said in the Motion, I do not want to fetter the court’s discretion but I am asking the courts to send a clear message that the courts will not tolerate home invasions. And that the courts will exercise its ability to issue sentences to fit the seriousness of this growing trend and crime.

Madam Speaker, in closing, I hope that the Government and my friends across the hall will support this Motion this evening, and that they will also, once accepting this Motion, embrace in the future motions that may come to this House to further address the rehabilitation of our offenders and certainly, as well, programmes that deal with early intervention and preventative measures.

Thank you, Madam Speaker.

The Speaker: I recognise the Member for North Side.

Mr. D. Ezzard Miller: Madam Speaker, I rise to support Private Member’s Motion No. 5 of 2014/15—Penalty for Offence of Aggravated Burglary and to also congratulate the Sixth Elected Member for George Town on a very thorough presentation on the Motion.

I have argued this point for years. My community that I represent is particularly affected by these repeat offenders. I met with the Chief of Police three years ago, volunteered to go to the court and advocate for the people I represent as a form of a witness, a statement or . . . and nothing happened.

I have similar situations where at least one person in my community who, when he is out of jail, breaks into a house at least once a week. And he gets community service. I don’t understand how that is possible.

[Inaudible interjections]

Mr. D. Ezzard Miller: And, Madam Speaker, he is also an expert in these wonderful electronic monitors that they put on their ankles because he knows exactly what thickness of foil paper he has to buy as he tells me that the thin one is no good, it has to be the thick one and it has to be wrapped twice. And when he puts that on the people who are monitoring thinks that that is where he is. And he puts a bag over it, goes fishing and he does whatever he wants to do. He was caught—

[Inaudible interjection]

Mr. D. Ezzard Miller: All two, because if he is going fishing he is doing burglary because he will break the Marine Conservation Law. I know of one case he was caught by the owner with a machete in his hand inside his house. And that might be the case that he got

community service for. I really do not know specifically what case it was.

Madam Speaker, we have to do something as the mover of the Motion said. And I don't have any problems with Parliament instructing the courts you know. I think we should be very specific for what we expect them to do because it is obvious that they are not doing what the elected representatives of the people expect that they should be doing.

I don't know how to describe my most recent experience with this, Madam Speaker. I am just going to tell the story and people can judge what they want. My wife caught somebody stealing from us red-handed. She took pictures of the person in the act. I went to the police station in Bodden Town to report it myself. They told me I could not do that. I said, *but this is the Bodden Town Police Station.*

"No sir, you have to call 911."

Well, the girl helped me, she called 911.

The [911 operator] asked where I was. *Well, I am at the Bodden Town Police Station.* "Well, you sit in the lobby, we are going to send somebody" (I assume from George Town) "to find out what the problem is."

Anyway, I happen to have a good relationship with the Chief Inspector in charge of the Eastern districts. So, I called his cell phone and he was inside so he came out and got me and I made the statement and everything else. Madam Speaker, the policeman showed up at my house, I think it was last week Monday night. Because I was told that the police recommended to the DPP to charge the man for criminal trespass.

Now, I have a text from this man telling me that he does not know what I am complaining about because he has been doing this for the last ten years.

[Laughter]

Mr. D. Ezzard Miller: And I showed this to the police.

He went back to my house the next day—lucky for him I was not at home, I was in town—harassing my maid for my telephone number to straighten me out because I had reported him to the police. Well, I called the police and told them that I was leaving George Town and going home and I suggest they try to get there before I got there.

The police showed up at my house, Madam Speaker, with a letter of apology because apparently the DPP had decided not to prosecute this person because he does not have a record. Well, I told the police, I said, "Sir, just carry the letter back with you. The next time I catch him I will know how to deal with him."

Madam Speaker, one of the things that I would invite the Government to look at when we are looking at this whole thing about aggravated burglary and house invasion, is to ensure that the law offers adequate protection for people who defend them-

selves in their house or any of their property. Because, Madam Speaker, I do not think it is that clear in the Penal Code now and we need to make sure that if some good citizen happens to shorten the life expectancy of some person invading their house, that they have adequate protection from the law.

I am going to relate another case—

Mr. V. Arden McLean: Not from the law, within the law.

Mr. D. Ezzard Miller: Within the law.

Madam Speaker, they will tell you that burglaries and robberies are down. The people in my community basically have stopped reporting them.

My father goes home from Rotary and puts his groceries on his kitchen counter, goes to watch the news, comes back and his groceries are gone.

Seriously, Madam Speaker, understand if my father had gone through the sliding door of his family room and come back through the kitchen door, and the person that we suspected it was, was in that kitchen, he was going to need to claim self-defense because somebody was going to get hurt. Because, remember, my mother is in the house too you know. And the court just takes this trivially. They don't record anything against them because they are on a work permit or some other reason.

This Parliament needs to send a direct message to the courts that we expect them to deal firmly, adequately and appropriately with these people.

[Inaudible interjection]

Mr. D. Ezzard Miller: Madam Speaker, the Minister of Planning will know that in my constituency when about three people are in jail, we have no problem. And, Madam Speaker, you notice that I have a motion and I cannot anticipate the debate (Three strikes and you are out), because ten years, I would suggest to the Sixth Elected Member for George Town, if we cannot rehabilitate them in 10 years then we need to give up on them. Just leave them there.

So, Madam Speaker, I support the Motion and I think the people that we collectively represent expect us to send a clear message. And, like I said, Madam Speaker, I don't have any problem with directing the court because I have a responsibility to my people. Send a clear message to the courts and amend whatever laws we need to amend to ensure that, particularly in these home invasions sessions, people are sentenced properly and that the homeowner, if he has to defend himself and if he happens to reduce the life expectancy, he can claim self-defence once it is proven, as a defence and not have to worry about it. This thing is creeping up in our society. It is getting worse every day. And, obviously, going before the judge is not a deterrent to these people. So, Madam Speaker, I support the Motion before the House.

The Speaker: The Fifth Elected Member for George Town.

Mr. Winston C. Connolly, Jr., Fifth Elected Member for George Town: Madam Speaker, I rise to support the Motion brought by the Sixth Elected Member for George Town. I campaigned on crime reduction and policy, Madam Speaker. So, I am therefore very happy to have been asked to second this Motion.

Madam Speaker, I heard the sentiments of the Member for North Side in support of the Motion. I too have heard and seen the reports of too many of these types of incidents. Madam Speaker, the [Sixth] Elected Member for George Town stated something that I think is unfortunately the norm now. When somebody comes into your house, and a person's home has always been known as their castle, and that person comes in when you are there with no regard for you, no regard for doors, locks, no regard for anybody in that house at all, then, Madam Speaker, I think that they should face whatever comes with that and it should be more severe just like the Sixth Elected Member for George Town said when that person decides with impunity to come in and abuse that person's right to peaceful abode.

Madam Speaker, when I looked at the United Kingdom's punishment for aggravated burglary, they talked about first offences getting a minimum of 18 months. They talked about minimum sentences increasing to three years for second offences and if there are more than two and greater than four, sometimes six and ten years or more.

Madam Speaker, we used to think about this type of activity as being something that was foreign to us, something that did not happen to anybody we knew, something that did not happen to us personally. And like the Sixth Elected Member for George Town said, just last week Sunday morning at about 8:30 am I got a call from one of our mutual friends who also happens to be a constituent that lives less than half of a mile away from me. He was irate. He was frustrated. He was scared, Madam Speaker, because what had happened at 5:30 am that morning. And he has a video camera. All over the windows you will see "protected by" whatever security company.

Somebody put on a mask, came through a broken door, and his two daughters, one 13 and one 9 were sleeping in the bed. Madam Speaker, as a father I have the greatest sympathy for that man for all of those emotions that he portrayed, because, again, Madam Speaker, when he said that this was the third time this year that somebody had broken into his house, Madam Speaker, the situation has grown too great to ignore in these hallowed Halls. To me, Madam Speaker, that shows that people do not fear the punishment.

Madam Speaker, when you look at our headlines they all talk about second and third, not about first attacks. It's like the Sixth Elected Member for

George Town said, they are also not happening just to residential communities or businesses, they are starting to happen more repeatedly on our tourism corridor.

This one: "West Bay Condo—Woman awakened by burglar". She has her eight-year-old daughter in the room next door. A man came in with a knife to her.

Madam Speaker, it is like the Second Elected Member for West Bay said, I believe in equality but, Madam Speaker, as a man, when you hear about that type of aggravating circumstance when a single female and her eight-year-old daughter are being intruded on by somebody with a knife, you quickly forget equality and you go into protection mode. You go into anger mode. And, unfortunately, Madam Speaker, the sentiment in our society now is retribution mode, and that is a dangerous sentiment, Madam Speaker. And you have heard it in these halls.

Madam Speaker, although I have never been put in that position before, I cannot help but think that I would do and say the same exact things, because if I do not feel protected and it comes to protecting my family, Madam Speaker, there is no choice and I will take whatever the consequences are. And that is somebody that is trained in the law, that somebody that respects the rule of law, but if I do not feel that burglar bars, video cameras, or the police or the courts can adequately protect me . . . Madam Speaker, I am not condoning this, I am just saying what raw emotions feel.

If you look at these headlines and you see again, Madam Speaker . . . and I am trying to show the escalation here, "Home Intruder Shot Dead". This was four years ago, Madam Speaker, where a man that was actually on an electronic tagging system, just like what the Member for North Side spoke about. He had obviously beaten the system and ended up breaking into someone's house. Madam Speaker, it shows the extent and one that we should not try to condone or push people to. It shows the extent that people will go to when they are scared and when protecting their family and their homes.

[Inaudible interjection]

Mr. Winston C. Connolly, Jr.: Absolutely.

And when that person took the law into their own hands they had to face the consequences and fight some of that initially. Madam Speaker, as legislators we can do something, I know, to deter some of this by setting harsher laws.

Madam Speaker, this is the last headline that I will refer to today. But again it is just hammering home this point: "Man Remanded on Sex Crime" "Alleged Rape"; "Abduction and Aggravated Burglary". Madam Speaker, years ago the whole community would have been aghast. Unfortunately, these are more and more frequently our headlines.

Madam Speaker, I sat on the Parole Commissioners Board in my past life. I saw in some instances the same offenders coming back over and over. And I will say publicly that I support the Motion brought by the Member for North Side and I will support it when he brings it.

Madam Speaker, we shouldn't go out and just penalise these offenders, but at the same time we shouldn't make excuses for their behaviour. We have to look at what they do to the victims, the families of the victims, their peace of mind, their sense of feeling comfortable in their own homes. We also need to punish the crime based on the seriousness of the offence. If you are bringing a gun, a knife, a machete, a baton, something, and you are coming after one of our vulnerable members of society, you have to be stopped initially, and hopefully, by the law, by the sentence, by the deterrent. If not, what I am saying to those people that would do this, society is saying, enough, they are taking it into their hands. And we as legislators can do our part to stop it before it gets there.

Madam Speaker, I received a call from one of my constituents in George Town who actually has a house in North Side. He wants to sell his house, which was their vacation house. He and his wife had worked very hard to do this. They love going to that side of the Island to get away from the hustle and bustle of George Town. But he was so frustrated, Madam Speaker. And also, not so much because he had never been in the house when someone did it, but he had been repeatedly—and I am not talking three or four or five times, I am talking in the space of a year basically like clockwork had been repeatedly burgled.

Madam Speaker, he was afraid that if he was ever home when something like that happens, what he would do in those circumstances. So, he could not enjoy his home. He was going to sell it because he knew that if the circumstance was different, he could be in real serious trouble with the law. Madam Speaker, upstanding members of the community, upstanding members of this society should never be placed in that situation.

Madam Speaker, like I said, we do have to look at some of the root causes for these actions, but we cannot condone them based on lack of parenting, on socioeconomic backgrounds, et cetera. We cannot make excuses, but we have to do what we can to tackle it before it happens and intervene when we see at-risk kids. And if they get to that point and go to prison, we have to put in proper programmes to rehabilitate them. But there comes a time, Madam Speaker, when we say enough is enough when we see that not working.

Madam Speaker, I could go on. I will just touch on some things that may act as deterrents as well, and that is restitution and compensation to victims. I think people should be forced when they are sentenced to ensure that some of that is paid back, even if it takes them for the rest of their life, Madam

Speaker, because, that should be a constant reminder that if you do the crime, you take the results.

Madam Speaker, it would be remiss of me not to address an email I received from a concerned constituent when they read the list and saw what we were bringing. I will repeat verbatim what was said, and whilst I note that, I have something to say after this, Madam Speaker. The email said: "Studies have shown that increased penalties have little effect on crime, but instead, improving the wellbeing of persons through employment, skills training, drug abuse help, help to families, improved community environments, et cetera, are far more effective. So, maybe instead of increasing penalties which will only lead to more money spent on prison, more foreign employment, motions should be brought to provide a national dialogue on the contributing factors to crime and provide services that are budgeted for in our large \$650 million budget to address these causes." [UNVERIFIED QUOTE]

Madam Speaker, I read this and agree to a large extent with some of the things that were said. I say to that person, we hear you; we are advocating all of those things. As a Government we are trying to do all of those things. But at the end of the day this is a choice, Madam Speaker. Right? We cannot mollycoddle the members of our society who would choose to do this repeatedly.

Madam Speaker, we've heard various Members in this House today talk about how they repeatedly help those around us and how we are trying our best to create opportunities for them. And in many instances when we look at some of the jobs out there, people refuse to go out and take jobs that they claim are beneath them because it is not at a certain level.

Madam Speaker, we have an employment problem. We are addressing that. That does not lead to people being able to break the law and blame it on circumstances like where they grew up, lack of parental guidance, mental health, all of those things. Those are also things that we need to address, but I say, Madam Speaker, and this is why I support this Motion, that we have to look at the lasting effect on the victims, the families of those victims first and foremost. Yes, we then need to look at the root causes. But again I say that we should not be so quick to absolve somebody as having a troubled past.

As a country we absolutely need to support and facilitate the rehabilitation, but not until they have paid their debt to society and acknowledged their crime. Far too often other people feel it for them, other people apologise for them, other people make excuses for them, but you do not hear that person facing their victim or seeing that victim impact study and saying, *I am sorry*. We cannot mollycoddle our offenders.

Madam Speaker, in some of those reports and press releases we heard that it is the same bad apples over and over. Yet we do not do anything to deter them. What are we saying as a society to the

victims? This House can and should impose sentences that deter these types of actions, and I fully support the Sixth Elected Member for George Town in this Motion, and I implore other Members in this honourable House to support it as well.

Thank you, Madam Speaker.

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

The Honourable Attorney General.

The Attorney General, Hon. Samuel W. Bulgin: Thank you, Madam Speaker.

Madam Speaker, first of all let me also congratulate the honourable Member for bringing this Motion. It is timely, and the statistics clearly indicate that burglary and burglars has become a nuisance in the society.

It is unfortunate, Madam Speaker, because the Member who just spoke, quite rightly in my view, referenced the fact that there are underlying social problems that contribute to some of these unfortunate ways of life chosen by these people. Of course, more than making excuses for them, he quite rightly pointed out that in some instances it is really a choice. And those who have lived and transited these Islands will agree that certainly any person in this country who wants something to do, something meaningful to do, it might not be exactly what they want or what they desire but they can find something to do to earn an honest living. There are those who are just downright kleptomaniacs, Madam Speaker.

They are kleptomaniacs, it does not matter what you do, does not matter how much you encourage or support them. This is their pattern, a way of life for them, and that is how they are going to make their living.

Madam Speaker, it does not help, unfortunately, that we have some businesses called pawn shops

[Inaudible interjection]

The Attorney General, Hon. Samuel W. Bulgin: And I said *some* of these pawn shops that have made it quite easy. They have facilitated some of these behaviours by allowing people to pawn off the proceeds of their burglaries. I can tell this House that legislation is on the way which will seek to further regulate the conduct of some of these shops—well all of them really. There are those already complying, but it is clear from what has been happening that more needs to be done by way of legislation to regulate the operation of some of these pawn shops, Madam Speaker.

Madam Speaker, the Motion itself is quite interesting. Having looked at the document provided by Councillor Hew, and the observations by Chief Inspec-

tor Brad Ebanks, it is clear that there are those victims who are not being apprised of what is happening with their cases. Madam Speaker, for those of us who have not experienced that sort of issue it is very difficult to appreciate how traumatic it is to be confronted by uninvited guests in your home.

It is bad enough, Madam Speaker, when you are not at home and someone breaks in and you get back home and your property is gone and you really feel violated and you feel empty. But it is a crippling feeling to be in your home, in your living room trying to enjoy the comfort and the quiet enjoyment to be confronted by an uninvited guest and, or worse yet, in many instances they are armed, they are carrying a weapon.

The mover of the Motion spoke about an incident where it has literally shattered the entire family, the feeling, from the children to the pet in the home. So, it is clear that this sort of behaviour is having a very chilling effect on our society and more needs to be done to address the problem. It is a disgusting and disgraceful feeling to have to endure, and I don't think anyone should have to do that.

It is a further worry, Madam Speaker, because I often tell people the story that when I came here in 1992 and I was picked up at the airport and by the then Acting Solicitor General, Mr. Michael Marsden, and was driven to the Glasshouse. When we pulled up there I had my brief case with me and he told us that we were going upstairs, and I started turning up the windows. He said to me, "It is not going to rain." And I said to him, "I know it is not going to rain but I have my briefcase."

He said, "No, you can leave it there; it's fine." And I left it there, went upstairs, spent about an hour and a half up there being interviewed and all of that and came back and my briefcase was sitting right there on the front seat of the car. His keys were in the ignition, windows down, and, Madam Speaker, it did not rain either. And on my way back to the airport the following day I said to myself, *I just pray to God that I get this job.* I've never seen anything like that.

Madam Speaker, if you try that now in some places, not just the briefcase but the entire car would be gone. Unfortunately, that is where we are at these days. And I just don't understand where the wheels came off. I am not quite sure. But here we are as a society, people are now forced to incur additional expenses to install security gadgets at their homes, simply because of this choice that some of our citizens have made in pursuing a life of crime.

Madam Speaker, I am in total agreement with the mover of the Motion, that those who commits these offences should be left with no doubt—none whatsoever—that the traumatising effect that you create with your uninvited presence in one's home will be taken into account. Not only will it be taken into account, it will be reflected in the severity of your sentence that is imposed by the court.

Of course, he rightly points out that this is not an attempt to in any way fetter the discretion of the court. As I understand the Motion, the maximum sentence for aggravated burglary at the moment is up to life imprisonment, and the court will still enjoy the discretion to determine the length of the sentence, of course, taking into account the particular mitigated and/or aggravated circumstances as the case may be.

But the fact that persons are in the home, they were traumatised, some of them probably will never recover from that sort of experience, those who commit these offences ought to be made aware that that will be an additional factor that will be taken into account and will be reflected in your sentence. And hopefully, it will cause them to pause whenever they harbor any thoughts of breaking into people's homes or businesses, Madam Speaker.

The other point I wish to make is that for obvious reasons we cannot have a police officer on every street corner. That is a reality and we need to accept that. And so it is incumbent on us as a society, as householders, as individuals, to do whatever is necessary to help to mitigate these incidences. As the Commissioner of Police pointed out on several occasions, unfortunately, they are householders and business owners who continue to take large stashes of cash home or have it in their businesses. Now the truth is, why should you not be able to do that? It is your right, it is a free society and you ought to have been able to do that, to continue to do that, but the reality is that given what we are facing it is not something that you can do anymore.

So it is incumbent on those who are involved with handling large amounts of cash to try to prevent that sort of allurements to these people who are aware of the existence of it and will do anything and stop at nothing to try and get it away from you.

Madam Speaker, it is proper for me to say that this clearly is very timely and we are prepared to accept the Motion and look at how we can improve the legislation to reflect the wishes of the mover, and I image, this honourable House as articulated by the mover of the Motion. And I certainly, again, congratulate him for this timely Motion. Thank you.

The Speaker: Does any other Member wish to speak?

Member for East End.

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

I will be brief. Or, as King George said, I shall not keep—

Hon. Anthony S. Eden: King Edward.

Mr. V. Arden McLean: King Edward said, "I shall not keep you long".

An Hon. Member: Henry.

Mr. V. Arden McLean: Henry, whichever one. Henry the VIII.

Madam Speaker, let me congratulate the Sixth Elected Member for George Town for bringing this Motion. As the Attorney General said, it is timely. I recall many years ago the now Premier and I brought similar motions and nothing was done about them. In particular we were bringing motions to change the Penal Code. At that time it was about molestation of children. And, like a former leader of Government Business said, there were not any gangs, there were just groups and that developed into gangs. Nobody took note.

We are here today where we cannot enjoy the first impression our Attorney General had of this country that, hitherto, was a way of life, which was leaving your car open, the key in the ignition and what have you.

The Attorney General says he does not know where the wheels fell off. Well, there are a number of reasons why the wheels fell off, Madam Speaker. I recall Mayor Giuliani and his Commissioner of Police in New York [City] talking about derelict buildings and broken windows. When people are allowed to get away with breaking windows, even though they are in derelict buildings, it continues to escalate. They get a feeling of freedom that they can do anything they want. And it creates that belief in those who would challenge the system and it escalates into crime against society—crimes that if we do not put a stop to them we are going to have anarchy.

Madam Speaker, I saw this start many years ago. I saw the beginning of it. Unfortunately, the beginning started after the Caymanians who understood each other became no longer the majority of the police force. Madam Speaker, I recall people like Horter Rankine and Mr. Royal Anderson from Bodden Town and Mr. Frederick [PHONETIC] and the likes. They instilled fear in all of us and we could do nothing because we knew they were coming for us.

Nowadays, we have 30 times the number of police that we had then, albeit the population was smaller too, but it was their methods of policing. I don't know how to do policing but I know when it is being done right, and it is not being right now. And I can question that, Madam Speaker, because when we hear our residents, we hear our people complain about how they are burglarised, or whatever the case may be, and they call the police and nobody comes. That cannot be right. And then we see when they do come, they submit the cases to the DPP and when they get to the court, more than often now, we are seeing the courts say that somebody was not prepared, their case was not prepared properly and people walk from the court room. They walk around the corner and they burglarise another place with a machete, with a knife, whatever the case may be—which should be considered aggravated.

My brother's house was broken into a few years ago. The guy was with a machete. He was on the camera with the machete and they just charged him for breaking and entering, not aggravated, so he just got off.

The reverse was true with mine. And I know what it is to come home in the middle of the night and recognise that somebody has been in your house. My cat Skittles was gone and the house—

An Hon. Member: Ransacked.

Mr. V. Arden McLean: Well, more than ransacked. Everything was gone. Incidentally, this was long before I became a member of this House. My Rolex watch gone.

[Laughter]

Mr. V. Arden McLean: That is one of the five that I had then.

Madam Speaker, fortunately for me I was at a local bar, the good Premier and I, and I think he and I saw my watch at the precise time on a gentleman's arm. Both of us knew the person, and it had to be my watch. So, I guess the person recognised that both of us were looking at his arm at the same time and he said to me, "Can you come outside? I need to talk with you."

I said, "Sure."

When I got outside he took the watch off and gave it to me. He said, "Do you want to purchase that?"

I said, "Where did you get it from?"

He said, "Oh, some guy. He is not on island and those guys got it and . . ."

So, I held it and went inside and called my good friend, the now Premier. He was a practising lawyer during those days. So I handed him a dollar and retained him in front of this guy.

[Inaudible interjections and laughter]

Mr. V. Arden McLean: Madam Speaker, I said to the gentleman, "You find the rest of it by tomorrow or find a boat and put a sail on it and wish for lots of wind."

Suffice it to say, two days later all of my stuff was returned. Sometimes you have to use . . . and I am going to talk about the kind of things you have to use sometimes with the state, eh? And, of course, it was at four o'clock in the morning they came to my house to deliver it. He and somebody who was in between [INAUDIBLE] and I would not let them leave until they told me who had broken into my house. And you know I took the next day off from work.

Fortunately, for everybody, or unfortunately, I allowed them to leave my house and they notified those who had broken into my house and they took

the boat and stayed away for about four months. By that time I had calmed down. So, we—

[Inaudible interjection]

Mr. V. Arden McLean: I found Skittles.

So, Madam Speaker, I know what it is to feel naked when you walk into your house and feel like somebody has just invaded your privacy. And it took me years to be able to sleep comfortably in my house. So, I know what it feels like.

[Laughter and interjections]

Mr. V. Arden McLean: Madam Speaker, you see that?

Madam Speaker, you know that Minister of Health, I am going to put a gag order on him you know. I am going to retain a lawyer for him. Anyway, Madam Speaker, that is good that we can have fun about that every now and again.

Madam Speaker, I know what that is to feel like somebody is watching you all of the time in your house, and when you drive up you have to wait in your driveway before you open your door. And that is frightening knowing the community that I grew up in, in East End. It is frightening and scary. And when you have children and your children are exposed to these things they cannot live the life of free Willy, they cannot be free in their own society because of the fear of getting hurt. And then when they go away they think they are more secured away because they are away from home, and that is bad.

Madam Speaker, I am more like my good friend from Bodden Town, the First Elected Member, who is a conservative. And you know what they are, they are war mongers. They will fight right now. They will take an eye for an eye and a tooth for a tooth if the whole world go blind and cannot eat a mouthful.

[Laughter]

Mr. V. Arden McLean: But, Madam Speaker, having said that, it must be recognised that the state must always flex its might. The state must always be in a position to control its inhabitants; must always be prepared to flex the muscle of the state to control in the interest of the majority of those who live in it. We are not doing that.

Madam Speaker, I spoke about the police and their fears. They have more fears than we do because they fear the criminal and they fear the authorities, that if they do anything they are going to be persecuted. And so we are in a catch-22, wherein we are being terrorised by those who would enter our homes invited. And we are being neglected by the police because they fear if they go and do anything they are going to be persecuted and face the judge before the criminal does.

I don't know how the Attorney General and the Commissioner of Police are going to do this, Madam Speaker, but it needs to be in balance. The police need to have more authority and resources to get out there and deal with what they have to deal with.

I recall, Madam Speaker, when I was a part of that Government back then in 2005 to 2009 when we were getting the boats and the helicopter. I insisted that a turret be mounted in those boats. And when asked why, I said that they should carry three bullets—a turret for a machine gun at the front, a 50/50, three bullets; the first one across your bow, the second one through the middle and the third one to break up the splinters from the second one. That's it!

Sometimes, Madam Speaker, the state has to flex its muscle. Instead of wearing our hearts on our sleeves and when they say they found God we roll over and sympathise. Everybody finds God. I didn't know he was lost. But the criminal can find him as soon as they do something. He was not lost; but they know they can play on the hearts of people. And then the judges (no disrespect to them) . . . many of them have no point of reference here in Cayman, so they are as lenient as possible because they hope they can assist these people. They give them suspended sentences, spank them on the wrists, and within months or within days—or within hours—these people go out and do the same thing.

Madam Speaker, we saw this recently where the judge said that there was not sufficient evidence to convict somebody with a firearm charge, the DNA was not on it or evidence was collected incorrectly, whatever it was. And within days after the person got out, the person was rearrested for gun possession again. I understand all of that, Madam Speaker. But what the Government needs to also think about is expanding that prison at Northward.

By the way, Madam Speaker, if we are talking about second chances, that Eagle House needs to move from up there. And that goes for that Acting Deputy Governor. He came in here and talked about they were going to do something about it during Finance Committee.

I have always objected to the Eagle House being up by Northward Prison. The only person that the word "Northward" does not stigmatise is the Minister who is responsible for Works, because he has been there all of his life. Every time somebody goes to Northward . . . well, have we ever seen a guilty person in jail? No sir. Northward is not the place to accommodate Eagle House. But we are talking about renovating it. Renovating a disaster?

So, if we are going to give second chances to our young children, we need to get them out from the hardened criminals. Because all we are doing is having a revolving door. It is a vicious cycle. We teach them how to become hardened criminals and then they come out and then we come back here about aggravated burglary.

We need to stop. We need to look at a comprehensive plan to help our people and to jail those who cannot be helped, and when we see them next time they look like Zebras, stripes of black and white where they get sunburned from the bars.

The time has come. We need to stop (if I may borrow a word from my good friend the First Elected Member for Bodden Town), pussyfooting with it. We need to stop wearing our hearts on our sleeves. Madam Speaker, we need to tell our children they need to stop. Our young men need to stop. If the police pick you up for drugs or stealing do not drop the dime. Save that because you are going to need it. What is it now, a quarter to make a telephone call?

Mr. D. Ezzard Miller: Dollar.

Mr. V. Arden McLean: Well, save the dollar, you will need it for another call. Until we do that we are not going to get any further.

[Inaudible interjection]

Mr. V. Arden McLean: You see how that Premier is trying to circumvent us, the minority?

[Inaudible interjection]

Mr. V. Arden McLean: Telling me I need to finish before eight.

Madam Speaker, I know I am going to finish shortly.

Madam Speaker, the other thing . . . and I thank the Premier for bringing that to my attention because we need to get out of here now.

Madam Speaker, the other thing that I think is necessary for us to look at is 9-1-1. Madam Speaker, I spoke to the Commissioner of Police recently and made a suggestion to him. When 9-1-1 was installed here in '97 or '98, something like that, there was never a good enough education programme to tell our people what it meant, what they can do from what they cannot do.

Recently I questioned in Finance Committee why my people and the people of North Side, when calling the Police Station in Bodden Town, are being told to hang up and call 9-1-1. I believe there is a concerted effort to funnel everything through 9-1-1, which is how it should be. And that is the way we need it to be. But, of course, our people get aggravated and say they are not calling back. We need an education programme so that we can educate our people to call 9-1-1. That's why it is there and why it is such a short number.

Whether you see somebody walking down the street that you consider suspicious or it is somebody breaking into a house or there is a gunshot just went off, don't call the police stations, call 9-1-1. Because they are George Town does not mean they cannot

dispatch somebody in East End, North Side or West Bay. We need to educate our people on that because that is crucial. What is happening is that we are trying to get through to the police station . . . and absolutely; if there is a police station in East End you would expect it to be manned. But we need to educate our people on the value of 9-1-1, and we need to do it soon.

That is why our people are getting frustrated. But importantly, we need our police to respond in a timely manner, because two days is not too timely when you have fingerprints to get and every other human being using those premises has fingerprints too. One has to smudge the other.

So, Madam Speaker, there are a number of things that need to be done. We need our police officers to stop people if they see them loitering or doing whatever, hanging out or whatever. They're usually doing something illegal, most of them. The police come when you call them for loud music, depending on which country those police officers who respond come from, and they say loud music is nothing. Of course, not if you are in a tenement yard in Jamaica—pom, pom, pom, pom, pom, pom, pom! But it is not our way of life.

Madam Speaker, I hear them out there trying to get me to come. I don't know where I am going with them because I ain't doing that again.

One time the Commissioner of Police says that he knew all of them and there were 15.

[Inaudible interjection and laughter]

Mr. V. Arden McLean: Those were the days that this Legislature only had 15. I want *unna* to think about it.

Thanks, Madam Speaker.

The Speaker: Does any other Member wish to speak?

The First Elected Member for Bodden Town.

Hon. Anthony S. Eden, First Elected Member for Bodden Town: Madam Speaker, I was not going to speak but after those accusations from my colleague for East End, I have to clear myself.

[Inaudible interjection]

Hon. Anthony S. Eden: Yes, Madam Speaker, I have to clear myself. I am a bit out there on the aggressive side.

Just to give a bit of history as to what may have triggered this (and I guess they would have sent me to a psychotherapist). Back in those days when I was a child my father used to beat me. If I cried he would I am going to give you something to cry for and would beat me more, and let me tell you it has turned me into a decent person.

An Hon. Member: Oh yeah.

Hon. Anthony S. Eden: Just to share also with this Legislative Assembly: I was probably one of the youngest persons ever to have a gun licence. Some of my Bodden Town colleagues will know Mr. Logan [PHONETIC]. At the age of 12 I was able to get a gun licence.

Mr. V. Arden McLean: Suzie?

Hon. Anthony S. Eden: Betsy. Don't change her name.

[Laughter]

Hon. Anthony S. Eden: Madam Speaker, that is 57 years ago, and you know, all jokes aside, I have it for shooting vermin and . . . depends on what kind of vermin it is too.

[Laughter]

Hon. Anthony S. Eden: As long as it does not cross my threshold. But I must take my hat off to the Sixth Elected Member for George Town for bringing this Motion.

I know that I could not make my former colleague in Cabinet, the Honourable Attorney General, get up and say something that I didn't have something too, because, boy, he and I had some sayings back in those days with three different Cabinets with some of those liberals on how we deal with crime.

But back to the officials . . . I think, Madam Speaker, these officials are watching too much of NBC and CNN, because I heard my friend John Kerry say he is going to drop bombs filled with piñatas and confetti on Syria and Iraq. President Obama said that these are not terrorists and you must not call them Islamic radicals. Folks, criminals are criminals. And I have no hesitation, as from way-back-when, when we talked about amending the Penal Code, that we are too soft on crime.

Madam Speaker, some of these, what I talk about a little lick on the wrist with one of these socks; that is not good enough. And I have no problem, and I encourage my colleagues, and I cannot wait until the honourable Member for North Side brings his motion that we can talk more about this. We have to deal with this situation here and now. The Island is deteriorating, and it goes back to way-back-when.

And for those of you who may remember, when we had the gallows in Northward as a deterrent, believe-you-me, they did not want their neck stretched. And I also remember and I encourage . . . and I know it cannot happen because being in Cabinet I was told why it could not happen. We cannot send some of these guys over to Jamaica where you make little rocks out of big rocks. You remember that mountain on the side there coming on the airport when you are going into Kingston? We did not have a lot of re-

peat people going there you know. We have to take our time and deal with these people.

There are always reasons, and God forbid those that are unfortunate. I understand single parents and so on and so forth. But that is no excuse for these continued criminals. And I cannot wait: Three strikes you are out. It is in the United States. Why can we not bring it here? And when we come back down the line later, Madam Speaker (not preempting things about murder and sentence and tariff and stuff like that), but why in the States and most places in the world are they sentenced to life without parole? Why are we afraid to do the right thing?

God knows what is going to happen down the line when Human Rights hit us in full force and all of the lawyers got rich off of us and we were trying to kill mosquitoes around us. But I take my hat off to the mover and the seconder. It is timely and well done young men. These are the kinds of people I want to see coming behind me. Stand up for the right of our people. We have to take a stand and take Cayman back with God's help. Thank you.

[Thumping on desk and applause]

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

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

Mr. Joseph X. Hew: Thank you, Madam Speaker.

I am cognisant of the time, and I certainly do not want to be accused of keeping certain of my colleagues away from their dinner, despite the fact that we had a large lunch together.

Madam Speaker, I would like to thank the Members for their compliments and for their passionate support. I look forward to the passage of this Motion this evening. I also look forward in the future, as we heard when my colleague for East End spoke about the Eagle House and rehabilitation, to the support of the Members in the future when it comes to rehabilitation and preventative measures to deal with the other side of this major issue. Again, Madam Speaker, thank you very much for your patience and guidance, and I look forward and thank the Members for their support.

The Speaker: The question is: BE IT RESOLVED that the Government consider whether the Alternative Sentencing Law should be amended to expressly provide that evidence that occupants have been traumatized during home invasions shall be taken into account and recognized as an aggravating factor during sentencing.

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

Ayes.

The Speaker: The Ayes have it.

Agreed: Private Member's Motion No. 5 of 2014/15 passed.

ADJOURNMENT

The Speaker: Honourable Premier, can we have the motion for the adjournment please?

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

Madam Speaker, before I move the adjournment of this honourable House I wish to advise Members that I hope we can finish the balance of the Order Paper on Monday. So I would hope that Members could arrange their schedule so we can work through the other five motions. There are just those motions and some questions.

I am also cognisant that all of the questions submitted for this Meeting have been by the elected Member for North Side and the Standing Orders preclude a single Member asking more than three questions. But I am prepared to suspend that Standing Order on the basis that Ministers will have their answers. I hope they have all of their answers, but if they don't we can carry those remaining questions (I think there will only be a few) forward to the next Meeting. And given the Government's legislative agenda, it is likely that we will be back here in a few weeks rather than a much longer period of time.

So, Madam Speaker, with those few words I move the adjournment of this honourable House until 10:00 am, Monday, and wish all Members a good weekend.

The Speaker: The question is that this honourable House now adjourn until 10:00 am Monday.

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

Ayes and one audible No.

The Speaker: I believe the Ayes have it.

At 8:01 pm the House stood adjourned until 10:00 am, Monday, 15 September 2014.