



**CAYMAN ISLANDS  
LEGISLATIVE ASSEMBLY**

**OFFICIAL HANSARD REPORT  
ELECTRONIC VERSION**

**SPECIAL MEETING  
2015/2016 SESSION**

**25 April 2016**

*Third Sitting*

*(Pages 9-69)*

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

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PRESENT WERE:

**SPEAKER**

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

**MINISTERS OF THE CABINET**

Hon Alden McLaughlin, MBE, JP, MLA	<i>Premier</i> , Minister of Home Affairs, Health and Culture
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 G Wayne Panton, JP, MLA	Financial Services, Commerce and Environment
Hon Osbourne V Bodden, JP, MLA	Minister of Community Affairs, Youth and Sports
Hon Marco S Archer, JP, MLA	Minister of Finance and Economic Development
Hon Tara A Rivers, JP, MLA	Minister of Education, Employment and Gender Affairs

**EX OFFICIO MEMBERS OF THE CABINET**

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

**ELECTED MEMBERS**

**OPPOSITION MEMBERS**

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

**GOVERNMENT BACKBENCH**

Mr Roy McTaggart, MLA	Second Elected Member for George Town
Mr Joseph X Hew, MLA	Sixth Elected Member for George Town

**INDEPENDENT MEMBERS**

Mr Anthony S Eden, OBE, MLA	<i>Deputy Speaker</i> , First Elected Member for Bodden Town
Mr Winston C Connolly, Jr, MLA	Fifth Elected Member for George Town
Mr Alva H Suckoo, MLA	Fourth Elected Member for Bodden Town
Mr D Ezzard Miller, MLA	Elected Member for North Side
Mr V Arden McLean, JP, MLA	Elected Member for East End

**OFFICIAL HANSARD REPORT  
SPECIAL MEETING  
2015/2016 SESSION  
MONDAY  
25 APRIL 2016  
9:29 AM  
Third Sitting**

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

**The Speaker:** Good morning. I now call on the Honourable Premier to grace us with prayers.

**PRAYERS**

**The Premier, Hon. Alden McLaughlin:** 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 Premier, the Speaker of the Legislative Assembly, the Leader of the Opposition Ministers of Cabinet, ex-officio Members 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.

The House is now resumed. Members should all now be in possession of their Order Paper for today.

Madam Clerk.

**READING BY THE HONOURABLE  
SPEAKER OF MESSAGES  
AND ANNOUNCEMENTS**

**The Speaker:** There are no apologies for today as Members would be cognisant that all Members are in their seats.

**OTHER BUSINESS**

**PRIVATE MEMBERS' MOTIONS**

**Private Member's Motion No. 19/2015-2016—  
Enquiry into the Search and Rescue Operations  
on Sunday 6<sup>th</sup> March 2016**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

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

Madam Speaker, just on a procedural matter and one of certainty, which meeting are we in?

**The Speaker:** I'm happy to clarify. We are in the continuation of the Special Meeting that was requested by the eight Members of the Opposition that signed, and the Speaker duly exercised her discretion to so do.

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

Madam Speaker I beg to move Private Members' Motion No. 19, standing in my name, which reads as follows:

**WHEREAS there is much dissatisfaction with the Services of the Police;**

**AND WHEREAS the recent disappearance at sea of five (5) persons was not handled with efficiency and promptness that is expected of life-saving search and rescue machinery;**

**AND WHEREAS there is discrepancy in the report as given by the Ministry of Home Affairs and the report of the family members;**

**BE IT RESOLVED that Government appoint an independent inquiry with a Chairman and members that are not police officers nor civil servants and with whom the police or Deputy Governor have no connections; to determine the facts of what ensued on Sunday March 6, 2016**

and surrounding matters connected to the disappearance of the five (5) individuals including an eleven (11) year old and a nine (9) year old child.

**The Speaker:** Is there a seconder?

**Hon. Anthony S. Eden, Deputy Speaker, First Elected Member for Bodden Town:** Madam Speaker, I beg to second the Motion.

**The Speaker:** The Motion has been duly moved and the Motion is now open for debate.

I recognise the Honourable Leader of the Opposition.

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

Madam Speaker, the Motion before us, which I just read, is a subject already well known. Much has been written and much spoken on the radio and national television on it. I do wish to put on record of this honourable House our sincere condolences to parents and other family members of those five missing persons, one of them being from the district of West Bay and whom I knew better than I did the others. Nevertheless, Madam Speaker, they are all people—humans—people belonging to these Islands.

As a legislator, Madam Speaker, I am far from satisfied by answers given by officialdom.

Madam Speaker, souls are lost—five. Five souls are lost. What has been done, Madam Speaker, besides blame and accusation, denial, confusion? I do not expect that, Madam Speaker, in a country that has what we say we have. What has been done since this unfortunate set of circumstances?

When I wrote this Motion, Madam Speaker, I first contacted my colleague, the First Elected Member for Bodden Town, and the Honourable Deputy Speaker of this House, to get his agreement and his support and to be the Member to second this Motion. Madam Speaker, I did not know what to expect. All I knew . . . from what I heard from the beginning . . . I was not satisfied, I was confused. So, what should I do, Madam Speaker, but to come to the Floor of this House to try to get some answers, some headway, even though it would have been late, Madam Speaker?

What I then received later was a chronology of events of the missing persons at sea. At 11:00 am . . . this came from the Ministry of Home Affairs. At one point I knew the Premier questioned that, but it did come from that . . . or came by way; let us put it that way, Madam Speaker—by way of the Ministry of Home Affairs. And it says in this chronology—

**The Speaker:** Honourable Leader of the Opposition, if you wish to quote, you have the Chair's permission, but may I have a copy at some stage?

**Hon. W. McKeeva Bush, Leader of the Opposition:** Yes, Ma'am.

Do you want me to get it first you so you can follow it or should I read it and then get it to the Serjeant?

**The Speaker:** You can read it and then the Sergeant can get it afterwards. I obviously trust Members in this House that they would read exactly what is on the paper, so please proceed sir.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, *trust*—as one President said and I verify . . .

Copy this please.

Thank you very much, Madam Speaker.

**The Speaker:** Obviously, that is better coming from you than me.

**Hon. W. McKeeva Bush, Leader of the Opposition:** It is.

**The Speaker:** For the edification of the listening public, the House is still in session, we are just awaiting relevant copies of the document that the Honourable Leader of the Opposition wishes to quote from.

[Pause]

**The Speaker:** I recognise the Honourable Leader of the Opposition.

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

Madam Speaker, this is a chronology of events as given by the Commission of Police through the Ministry of Home Affairs:

“They say at 11:00 am (approximately) Gary Mullings, Kamron (age 11), Kanyi (age 9), Edsell Haylock, Nicholas Watler leave on a fishing trip aboard Mullings' 28 foot Panga boat.

- “At 2:57 p.m., the last mobile phone communication from the phone of one of the crew members (not confirmed at this time as to which).
- “At 3:00 p.m., or thereafter, a passing fishing vessel sees the boat and offers them a pump. The captain of the Panga tells the fishing vessel he does not need more assistance. The captain of the fishing vessel understands that there is a problem with one of the engines.
- “At 3:41 p.m., the cell phone belonging to Nicholas Watler is disconnected (only known from subsequent telephoning investigation, it was not known at the time).

- “At 23:57 p.m., 911 call received from Melody Mullings that her children went out on a boat and had not returned; had left before noon; no phones being answered. Brother had maintained at one point some troubles he is having with an engine.”

On the 7<sup>th</sup> of March (that all was on Sunday the 6<sup>th</sup> of March), Monday, at 12:37 or . . . they say . . . let me read exactly what it says:

- “00:37–00:43, CIM Bailey contacted ASU; was advised that helicopter could not be deployed. Further discussions with Marine Command determined not feasible or safe to deploy at that time without specific search area being detailed and no deployment could be made until morning.
- “00:46–00:48—Police checks at GTH and CMTH re: any of the persons returned—a negative reply.
- “0:1:20—Command agreed and endorsed that no deployment could be done at that time due to available advice and safety issues.
- “8:30—Air Support Unit helicopter takes off to begin search and rescue operations.
- “9:00—Police marine vessel *Guardian* leaves from the Marine base to join the helicopter in search and rescue.
- 9:15—the *Guardian*’s rear propeller is damaged in the channel due to rough waves. The *Guardian* returns to the marine base and is repaired during that afternoon.
- “10:33—the Police helicopter locates the missing vessel overturned about 25 miles southwest of Grand Cayman. The helicopter carries out a detailed search of the vicinity and then returns to the island to refuel. No persons or survivors are sighted.
- “13:00 hours—two private boats with police officers aboard as part of crew had deployed to the site in concert with the police helicopter from Cayman Helicopters. A C-130 airplane from the US Coast Guard joins the search.
- “17:15—the capsized Panga is relocated by pilot, Jerome of Cayman Helicopters. The C-130 drops a beacon at the site in order to relocate it in the morning.
- “Tuesday, 8<sup>th</sup> of March, 7:00 in the morning—the repaired Police vessel

*Guardian* and two private vessels (volunteers) set out for the site from their different locations around the island.

- “8:00 a.m.—the boats arrive at the site and begin a coordinated grid pattern search for any survivors. The *Guardian* uprights the overturned vessel despite waves of up to 12 feet and begins towing it to George Town harbour. It is due to return around 5:00 pm this evening.” [UNVERIFIED QUOTES]

This goes on, Madam Speaker, to talk about false rumours. And I have not made up my mind that I want to read this into the Hansards and the records of this House. But I still have time and I will see where the Motion goes from here. But I will not read this—what they call “false rumours”—at this time. Because this is the Police saying these are false rumours so I might come back to it, Madam Speaker.

**The Speaker:** Honourable Leader of the Opposition, just to be clear for the record, are you seeking to reserve your right to refer back to it? If so, would you please?

**Hon. W. McKeever Bush, Leader of the Opposition:** Yes, Ma’am. Yes, Madam Speaker, thank you.

They add additional information on this document. It says it is not released to the media. But it says, “At 11:30 a.m. today, a family member notified the Police that one of the premises owned by Gary Mullings had been broken into and searched, as had several vehicles in his yard. It is not known what was stolen at this time. The mother of Mr. Mullings visited the premises at 8:30 p.m. last evening when it was in order.

“A further briefing of family members occurred at 3:00 pm today. At 6:00 pm today RCIPS officers, including Chief Superintendent Kurt Walton and Air Executive Officer Steve Fitzgerald will give a live update to Cayman 27 on the Tom Sullivan Show.” [PHONETIC]. [UNVERIFIED QUOTES].

It went on to state briefings as at 4:00 pm on 8 March 2016. David Baines, Police Commissioner, Royal Cayman Islands Police Service.

Madam Speaker, all this confusion and then what ensued by police defence in the media . . . back and forth, I say, as a legislator, is one of the main reasons that we should have quasi-judicial inquiry. Not a one-man inquiry. And I will come to that in a minute.

Madam Speaker, we have a helicopter. What is it for? It can be used to chase cars on the highway, or bikers on the highway. It can be used to stay still over peoples’ houses in neighbourhoods that have never had anything happen to them, and they are not spotting in Boatswain’s Bay, they are spotting down in

Boltins [Avenue] where people are sitting around the table playing dominoes in my neighbour's yard.

I leave George Town or West Bay going to a farm in Bodden Town, and the helicopter follows me from West Bay straight up. And when I get to turn into the farm in Bodden Town they are facing me. That is the helicopter—police helicopter. But they cannot be used in 25 mph winds.

What is it for? I know it is supposed to be aiding the police to keep order and the police duties, but it supposed to be used for search and rescue. Those were some of the things that I heard. They could not fly for years. When the Government bought the helicopter they kept it up there in the United States for how long? It must be three, four years. They could not use it because they had to get some equipment so they could go between here and Cayman Brac.

Madam Speaker, what is a helicopter for? Search and rescue, Madam Speaker, we have some things to do. If our boats are too small for certain weather conditions, I do not know, but if so, then we must get the right equipment. We live on an island. We must have equipment and the right human resources to cope with the ocean where most of the incidents happen. This is not a lake or a river, this is the ocean.

Madam Speaker, the Governor's inquiry. After we tabled our Motion, six and a half hours later the Governor announced an inquiry.

Madam Speaker, as I said earlier, I am not satisfied with an inquiry that has every possibility of going nowhere. I know they are going to say that this work has already started, but just look at it. Look at the confusion already. Already the United States Coast Guard, who they claim they had gotten, turned them down. I have got to ask why. You never heard why. Maybe I missed the press report. Maybe! But I never heard why.

Madam Speaker, these are not cats or mannequins, these are lost souls! Very young lives have been wiped out. What went wrong? We need to know—not by the press who has to dig and find out or try to find out something that they publish. That is all we can go by. But it does not bode well for our country surrounded by water, surrounded by the ocean, that we have so much to depend on and here we are . . . these things can go wrong. And what do we have? Accusations! Accuse and defend. I see a trend among officialdom. We see the families being accused—*the family*—at a time like this?

No.

I believe a quasi-judicial inquiry is proper and is what the Governor should be calling. This is not about just a boat accident; it is about five souls lost. What the memory of those lost souls deserve, is, an open judicial inquiry, not a report at the behest of a Governor who believes that the failures of our Police Commissioner and his management of the RCIP de-

serves our confidence and trust. And if they are not in charge of this search and rescue, then tell me who is.

My concern is that the findings of any such report—public or not—does not ensure that we will have the answers that we need. Here is what I see. The Governor does not operate by herself here. She has advisors here. But according to many reports we have seen in the papers, many things that I know from being in Cabinet, the Governor is not moving by herself. She has to report and get permission from the Foreign and Commonwealth Office (FCO). The Foreign and Commonwealth Office, meaning the Governor's Office, or the Office of the Governor, meaning the Foreign and Commonwealth Office, set up this inquiry. This report goes to the Governor, meaning it goes to the FCO first. Then, they say it will be made public. Yeah. And we are down here sitting down; you're not coming to meetings; talking all kind of Nancy stories on the radio; saying all sorts of things and believe that that can satisfy what is needed? No, we can't do anything about the five souls that are lost. Pray to God that it were not so. Pray to God that somehow we would find those persons. Pray.

We must get to the root of what happened. That is only one set of circumstances, Madam Speaker, that exist in this country that will be hid from the public as other things have. And they get a white-wash. I am not here to say it is political. I am not getting into that, Madam Speaker. It has no place. Those that want to deem it is so, let them. But I grew up in a community that cared about people and did not take people as cats or mannequins or just people, everybody seemed to have some rights, some special meaning in life. And I still feel that way.

As I said earlier, I knew of the others, I know them, I know their family. I knew Edsell Haylock quite well from when he went to primary school. I saw him grow. I saw his missteps in life. I remember him, though, as a primary student in football. And I am a parent and a grandparent. I saw him as a young father, and I tell this world you would not have found a better parent than him.

And so, Madam Speaker, none of what I say will make a difference to the five souls that are lost. But I sure believe that this Legislature should demand from the Governor. And while this might be part of her responsibility, I am not sure it is all her responsibility because I thought search and rescue and what we need and the machinery that we need first and the answers on this particular question, or matter, should be ours to make and not hers. Every one of you on that front bench and all of us on this side, and all four of you in the back, needs to understand that.

We are not here to put down anybody, Madam Speaker, or to denigrate anyone. We are not here to do that and I hope people do not get the wrong impression, but what I have said, I stand by it. I do not believe that this cock-up that we have had since the persons were missing took so long. How many days?

Some 45 days now, maybe more, closer to 50. Everything is supposed to be smooth. They are getting somebody to look and somebody to talk to somebody. Somebody writing on a piece of paper, that does not satisfy me. I do not think it satisfies the seconder of this Motion.

I do believe that the thing to do is to have an open review on this where people can be called as witnesses and people are sitting there listening, not this one-on-one, *my story as against their story, their story as against mine*. That does not work. It could have been one of ours. What then? It could have been one of the police officers themselves. And when I say police officers, I am not talking about the force in general. Let us be clear about that. In fact, the Motion that is coming from this side, as far as I can understand, is not about that. No. The last thing we want is to let anyone believe that we are against the police. No. We are all for the police and nobody have to question my loyalty. Anyone doing so here, then, I would have to deal with them through the Standing Orders, Madam Speaker.

I can speak from knowledge. I can speak from experience. If history shows and tells us anything, it tells us what to expect when a failure of office comes to light. We cannot expect change or responsibility to be taken by people in charge, only denial and concealment. If you want to call experts then let them be called as part of a judicial review as expert witnesses. Let it be testimony, not civil service bureaucratic machinery.

I will stop there, Madam Speaker.

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

I recognise the Honourable Deputy Governor.

**The Deputy Governor, Hon. Franz I. Manderson:** Thank you, Madam Speaker.

Madam Speaker, before I give my debate here I, too, want to offer condolences to the family of all those persons that have been missing at sea for quite some time now. I, like the Leader of the Opposition, did not know all of them. I certainly knew of the Mullings family for quite some time during my time at Immigration. I knew Mrs. Mullings, the mother of Gary and Mr. Hyman, who I think is here with us this morning, and I played darts with Edsell who was one of our spectacular dart players and actually had won a championship. And I remember seeing him about two weeks before this incident, we said "hi" to each other and that was it, and that is something that will always stay in my mind. So, I want to let the family know that we also grieve with them during this most difficult time.

Madam Speaker, I want to . . . it was my intention to read out the chronology of events that was given to me also by the Commissioner of Police, but

the Leader of the Opposition has done so, so I will not do that.

What I will say, Madam Speaker, is that I learned a long time ago not to second guess operational decisions made by the persons who we trust to make those decisions. I am not familiar with search and rescue, I am not familiar with when you deploy the machinery that we have to deal with search and rescue, so I am not going to try and second guess the decisions that were made. They are persons who are highly trained to make those decisions and, like I said, Madam Speaker, I am not going to second guess those decisions.

Madam Speaker, as the Leader of the Opposition said, I think everyone agreed that a review of this incident is required. I remember discussing the matter with the Governor, our Premier was there, he emphasised emphatically that whatever we do needed to be independent, and we all agreed. That is why we approached the US Coast Guard, because they had absolutely no connection to us in the Cayman Islands. I just want to make it clear, Madam Speaker; they never agreed to conduct the review. We did ask. They pushed it up the line. And I guess maybe two or three weeks later they came and said they were unable to do so. It is my understanding that they confine their work to search and rescue reviews in the United States, which we can certainly understand.

It was then our duty to look to the UK to see what assistance they could give to us. And Madam Speaker the Governor's Office has confirmed that the UK Maritime and Coastguard Agency (MCA) have agreed to conduct an independent review. The MCA is the UK organisation with responsibility for safety of life at sea for the entire UK, and they have identified an experienced Coastguard Commander, Mr. Andy Jenkins, who has technical expertise and experience needed for this review.

Madam Speaker, I understand that he will be travelling here and the review should begin this week.

Again, Madam Speaker, the Governor has committed to making the findings of this review public. That has been something that we have said from the very beginning. We believe that it is absolutely necessary, that there is full transparency and accountability in this process. All of us deserve that, especially the family.

Madam Speaker, I just want to say that Andrew Jenkins has 19 years working for the Maritime and Coastguard Agency. During this time he has spent 11 years as a watch manager and search and rescue mission coordinator. He has conducted many thousands of incidents of all scales and types, including such notable incidents as the *MSC Napoli* grounding. He has worked at an operational tactical and strategic level within the Agency and his current role as Maritime Operations Commander sees him working with the strategic level oversight of the UK's search and rescue operations and the delivery of UK Coast-

guard functions on a daily basis, as well as reviewing incidents and working with operational coastguards on follow-up recommendations and actions.

So, Madam Speaker, it is clear that we have found an expert—

**Hon. W. McKeeva Bush, Leader of the Opposition:** A witness.

**The Deputy Governor, Hon. Franz I. Manderson:**—who is independent; he is not connected with the RCIPS. He is certainly not connected to me, as the Motion asked for; I have never met this man in my life. He has nothing to do with the civil service here and this is a local matter that the Governor's Office is dealing with.

**Hon. W. McKeeva Bush, Leader of the Opposition:** What's wrong with a judicial one?

**The Deputy Governor, Hon. Franz Manderson:** Madam Speaker, the Leader of the Opposition has talked about a judicial inquiry. Madam Speaker, my view is this: We will not find a judge that has this knowledge. So this judge will call witnesses and experts, which will probably be this exact same gentleman that we have here now. This is who the Government will put forward as our expert and he will deliver his findings to the judge. So, I do not . . . Madam Speaker, we are achieving exactly what everyone wants here using this methodology that the Governor has agreed to. We are getting an independent person to come in to review the entire incident. We are committed to making the report public.

Madam Speaker, we all want to know—not just the Leader of the Opposition and other persons who signed off on the Motion. We all want to know whether this could have done better. The Police want to know whether what they did was right. We want to know whether we have the right assets in place.

So, Madam Speaker, let us get on with that. Let us have the gentleman come in, do the report. Let us look at the report, look at any recommendations that are made, and together let us implement them. The family deserves that. I agree, we are surrounded by water. We need to make sure that when our people go out there that we have the equipment to rescue them.

So, Madam Speaker, this is something that we all want. We believe that we are doing this absolutely correctly. We have an open and transparent process and, Madam Speaker, we will make the report a public document and then we can all get together and decide what actions to take based on the recommendations.

So, Madam Speaker, in conclusion, I think it is unfair for us to second guess decisions made by our law enforcement agencies. We do not know what circumstances were available to them when they made

the decisions that they made. Let us wait until this expert comes in, who does this for a living. Let him table his report, let us look at the recommendations, and then we arrive at decisions.

Madam Speaker, I thank you.

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

I recognise the Honourable Premier.

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

Madam Speaker, before I start I wish to publicly offer my condolences to the family of those who have been lost, although I have done so privately, and to say particularly to those who are here today in the Gallery, how very sorry we all are over their tragic loss.

I know some of the family quite well. There are others I know less well or . . . and I certainly did not know the dear children. But I have spoken to their mother and to the father. As a father, I cannot even begin to contemplate what they must be going through.

Edsell I knew very well. Edsell is the nephew of one of my very, very best friends on this earth. I have spoken to his wife as well and to his nephew Kary [PHONETIC]. I have some sense of the deep loss they are all feeling.

Madam Speaker, from the moment I became aware of the situation I raised the issue with the Deputy Governor and the Governor when there was still some hope that those that we now know were lost at sea would have been found. And, Madam Speaker, from the very outset I know there have been concerns about some of the operational decisions that were taken and about the conduct of this search and rescue operation.

Allegations have been made one way and the other about who did what, who did not do what, what the family did, what the family did not do, what the police did, what the police did not do, what 911 did, what 911 did not do. And some of us have seen things, heard things. But I endorse the approach taken so far by the Leader of the Opposition in his presentation of the Motion in that I do not believe that the Floor of this House is appropriate, or the right place for talking about rumours and allegations in the absence of an independent report which is able to point to evidence and is written by someone who is able to make judgments about the suitability of the tactics employed with respect to this entire operation.

So, I am certainly not going to pass judgment on anything that was done or not done at this stage. No doubt, a time will come when that will have to occur, whether it is on the Floor of this House or somewhere else. Some view will have to be taken about the entire conduct of this exercise. But I do not believe that this is the appropriate place.

Madam Speaker, the whole question about the search and rescue unit that we have, whether what we have is adequate, both in terms of equipment and in terms of training and so forth of those who operate the equipment, the operational tactics used in relation to this matter, and the operational decisions that were taken, are all part of what, I believe, this inquiry will encompass. But, Madam Speaker, we have to be careful in our efforts to make sure that we get to the truth and that we make the right decisions, that we do not ourselves put ourselves in the position of making judgments without the proper basis for so doing. And we have to remember too in our discussion and our concern about these tragic events, that they are also real men and women who operate our search and rescue unit; men and women who have wives and husbands and children and mothers and fathers too, who put their lives on the line each time they deploy in difficult weather conditions and difficult circumstances.

And so, where criticism is due, criticism should be made. Where people need to be held accountable for failure to meet the standards, then, that is right and appropriate. All I am asking and urging Members of this House not to do is to jump to conclusions without the proper basis for doing so, because the decisions and the things that we say impact other peoples' lives as well.

Madam Speaker, I discussed with Her Excellency the Governor, I have met with the family and their attorney, along with Minister Tibbetts and Minister Archer and Minister Rivers. And their concern from the outset was (to use their expression) that this did not become a cover-up and an attempt by (to use the words of the Leader of the Opposition) "officialdom" to not get to the bottom of the matter, for the truth of whatever transpired not to come out. They wanted to make sure that there was an independent inquiry conducted by people who did not have, shall I say, any irons in the fire, any relationships with any of those in officialdom that might cause them to be sympathetic to the cause and less willing to be objective.

I discussed all of that with the Deputy Governor and with the Governor herself. I spoke to the Governor about the need for an inquiry even before the Commissioner of Police actually said that that is what he wanted done. I pushed, Madam Speaker, as far as possible for the inquiry to be conducted by someone. I thought the United States was the most appropriate because of its proximity because of our long standing relationships with them because of our better understanding of how they operate. And the initial approach which Her Excellency made was to the US Coast Guard.

Initially, it seemed as it was something they would be prepared to do. It was then suggested by them that the National Transportation and Safety Board, which most of us would be familiar with from international new reports, carries out investigations into any major sort of transportation event, whether it

is a plane crash or a railway crash or indeed a marine event. And, obviously, Cayman, because we are an Overseas Territory, is unable to make that approach directly or formally, anyhow, and so it had to be a matter that was handled by the United Kingdom Government—Government to Government—UK Government to US Government. And that is why, I understand from my discussions, it took as long as it did to actually get back an answer, which unfortunately turned out to be in the end: *No, we are not prepared to do so.*

I say all of that to say that I and the Government, which I have the honour to lead, have been pressing ourselves, even though we do not have constitutional responsibility for national security which this does. None of us, and I certainly do not pretend not to have some influence or not to discuss these issues with the Governor, I just do not get to make the decisions, because constitutionally that is not my role. But we have worked very hard to try to get to what we believe is a satisfactory result.

I did raise the request with Her Excellency, which was formally—I say formally, but which was made to me by the attorney for the Mullings' family, the request for a judicial review. Her Excellency took that on board, sought advice about it, and what she has said to me is that the advice is that this is not an appropriate case for a judicial review hearing to be dealt with for reasons which—although we did not go into that detail—no doubt are along the lines stated by the Honourable Deputy Governor, the ex-Officio Member, when he spoke a while ago.

I am satisfied, Madam Speaker, that given all of those circumstances and the limited options with which Her Excellency was eventually presented, having been turned down by the US agencies, that the entity (I want to make sure I get the name right) which has been engaged and, indeed, the Commander who I understand will arrive tomorrow; the UK Maritime and Coastguard Agency, and the Commander Andy Jenkins, with his considerable experience and training does have what is necessary to ensure that we do get a proper independent objective professional report about this whole very tragic set of events.

I would ask Members of this House to support the decision taken by Her Excellency with respect to this inquiry, this review, and to withhold judgment about the whole exercise until that has been conducted and the report has been presented. It may very well be that the report concludes with major criticism of the way the matter has been handled. None of us know. But I believe that we should repose confidence in the UK Maritime and Coastguard Agency and give the Commander the opportunity to conduct this inquiry and to present the whole country, but, in particular, this Legislative Assembly, with a report which, in due course, I would expect would be debated and we can all come to our own view about both the quality of the report and its findings.

And so, Madam Speaker, I conclude, again expressing my deepest condolences to the family who have suffered and are still no doubt grieving very much the loss of their loved ones.

Thank you, Madam Speaker.

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

Does any other Member wish to speak?

I recognise the Honourable First Elected Member from the district of Bodden Town.

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

I, too, as the other three gentlemen who spoke on this situation, would like to extend my sincere sympathies and condolences to the family that has gone through this incredible tragedy.

I must say I am pleased in the response, the demeanour in which the Government has indicated their intention to deal with this. I, too, like the Leader of the Opposition, have some concern, but this is a decision that has been made by Her Excellency and we will see what comes out of that.

I rise to say that when the Leader of the Opposition spoke to me about seconding this Motion, the furore that was going on when you looked at the papers, the editorials, the great concern expressed by the family, as one gentleman said, the failure . . . what appears to me, the failure of communication and understanding between the parties of what could have and what could not have happened.

Madam Speaker, I would just like to bring to your attention what really triggered me when I saw in the *Cayman Reporter* (and I will table this if I need to but it is public knowledge), the [Cayman Reporter](#) on Monday 14 March of this year, the private helicopter pilot said, *I would have gone if RCIPS asked me*. Just to read a couple of paragraphs, Madam Speaker:

**“Jerome Begot, pilot and owner of Cayman Islands Helicopters said he would have gone to search for five missing boaters lost at sea on Sunday 6 March if the Royal Cayman Islands Police Service (RCIPS) had asked him.**

**“Mr Begot said if the police were not able to conduct the search due to a problem with their duty time and the availability of a pilot he would have done it.**

**“‘You never know. The first two hours will be very critical in this kind of operation,’ said Mr Begot.**

**“‘If the police asked me to go because for any reason they were not able to go, yes I would do it,’ he said.”**

So, Madam Speaker, based on this and what I am hearing and seeing in the paper, and hearing from the families, their concern of the way the situation was investigated and the time element, is the reason why I supported this. And I trust, with God’s help, that a pos-

itive resolution will come out of this from what has happened because I need not tell you, for those older ones of us here in Cayman, certain other investigations leave much to be desired.

Thank you, Madam Speaker.

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

I recognise the Honourable Member from the district of East End.

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

Madam Speaker, I rise to make a contribution to this Motion, which calls the Government to consider an investigation into the events of some two months ago . . . over two months, where we had the loss of lives at sea—five lives.

Madam Speaker, I, too join the chorus in expressing publicly my sympathies to those families. I really did not know any of the people involved to that extent. I knew of them, but I did not know them. But that is beside the point. Madam Speaker, when one family loses five family members it is a tragedy, it is devastating for that family, to say the least.

Madam Speaker, much has been said about this, much in the papers. And I should say, Madam Speaker, people were not as sensitive as I thought they should be with the manner in which they expressed themselves about it. Madam Speaker, I have a family that are avid seamen, so to speak. We do not believe that we are invincible.

Madam Speaker, at an early age I left this country to go to become a marine engineer myself. So it would be safe to say that I have been there. I have watched many a shipmate lose their life at sea. And I stood there helpless on the decks. It is safe to say that I have rung more water out of my socks than many have seen. And I feel the pain. I understand what this family is going through.

My brothers and I, Madam Speaker, travelled far on boats, just the three of us or with other friends. We venture far off shore to fish. And tomorrow the same thing could happen to me or it could happen to any other Caymanian who ventures out to sea. In a flash, in the wink of an eye, the weather can come down on you that put you in serious danger.

Madam Speaker, I just recalled an experience I had right off East End when I was fishing one day alone, which my brothers kept telling me not to do. And I saw the cloud coming and I have a much bigger boat than the victims were on, and all alone, but other boats were around. And Madam Speaker, I saw the rain cloud coming. And know what a rain cloud gives. Inside it, there is nothing but bad weather. And the seas went from a two to three foot chop into a 10 foot chop in the blink of an eye and I could not see where I was going except for the GPS. And I almost ran over

a small boat. I made a promise that day that I would never use my boat again without radar on it.

Madam Speaker, those are the dangers we risk when we go out there. Unintentional; we do not go out there . . . and I am sure those five people led by Gary did not go out there with the intent or belief that they would get into bad weather. Nobody does that. And when it happens, sometimes our boats can handle it, sometimes it is too much for our boats and there is nothing we can do.

However, Madam Speaker, therein lies . . . then comes, I should say, over-reliance upon the country and the generosity of others to come and search for us. I have participated in search parties. I have seen other boat owners in this country do the same thing.

Madam Speaker, my contribution is going to be along the lines of better management of those resources that we have, better handling of those resources, that when we find ourselves in situations like this we have sufficient assets to respond thereto.

Now Madam Speaker, I was a part of the Cabinet that voted \$50 million over four years to provide helicopter and marine assets for the Police Department. Madam Speaker, I believe, if I were to be fair and kind to all, that there were some omissions on our part, and I also believe there were omissions elsewhere, and I also believe we failed in some regard out of ignorance, Madam Speaker.

Madam Speaker, those other Members in this Honourable Chamber who were with me there can recall that one of the things that I wanted to see was the development of a “coast guard” come out of it.

A couple of mistakes we made, Madam Speaker, but I believe we can correct them. One was the helicopter we purchased. We did not see to it that that helicopter was fit for purpose. It is not. But we have used it and we have been quite successful with it in the areas that it is suited for, such as good weather, interdiction of drugs here and there and travelling from here to Cayman Brac here and now and again to bring some airlift and the likes, and search for prison escapees and the likes. And I will not ridicule anyone in that regard.

Madam Speaker, where we made our mistakes, as a Cabinet, we allowed someone else to write the criteria for that helicopter. We did not employ the help of an expert until it was too late. That was a mistake. What this country needs now, in retrospect, Madam Speaker, is a helicopter similar to, or of the type, that the US Coast Guard uses where it is a full-fledged helicopter, it has all the accessories for rescue. I believe it is one of the leading helicopters—the premier helicopters—in domestic rescue, not armament. I think those are Chinooks and the likes of that nature. We need to change that helicopter out.

Madam Speaker, I can tell you where . . . we look at our mistakes and I am sure the other three Members here will agree with me. We bought the heli-

copter, sent it over to New Orleans to get minor work done on it. We had not done the proper inspection and it cost us millions of dollars because the . . . I want to say the damper for the rotor or something was damaged, and that cost hundreds of thousands of dollars. We could not get the lift onto it then, which I do not know if it would have worked. We couldn't because of the cost to retrofit it with buoyancy flotation devices (I think they are called) and then the infrared Floric [PHONETIC]—it cost so much to retrofit it. That was our mistake.

I hope, Madam Speaker, in time, we as legislators in here, or the next to come, can see the need and find the resources for us to get the proper helicopter because of our isolation here as a country and the increased activity that we are having in our marine environment. It is a necessity, because those helicopters can fly over and above a 25 mph wind. It is risky but they are capable of doing that.

Madam Speaker, like I said, I am not blaming anyone for this matter. We need to see what happened and what we can do to correct it. But I do know that that helicopter is not fit for purpose in its entirety, the full purpose that we need a helicopter in this country for. And we need to start working on it to change it.

Madam Speaker, the fight that we had in Cabinet with the authorities, with those who agreed that they wanted to go to buying planes and the like was that they wanted a fixed-wing plane, and we insisted on having a helicopter. Madam Speaker, I stand accused and guilty. I did that. Because I believed that it is more versatile. It costs more to operate—absolutely, but you cannot hover in a fixed-wing plane over a boat that is lost out to sea. And you cannot drop a discharge pump on the deck of a ship from a fixed-wing plane. So, somehow we need to find whatever it takes to do it.

I know, Madam Speaker, incidentally, when we were considering doing that, the Canadians were giving the Jamaican Government six, seven helicopters, I believe, right at that time, as a gift. Of course, Jamaica is an independent country so, you know, one independent country to the next, they can develop those relationships and give these gifts of equipment that originates from that country. Of course, they like to tell us that we are an Overseas Territory so we cannot accept gifts, as if we had any vote in the UN to give the other country.

However, Madam Speaker, the advent of the new Constitution, which was after my time, gives us that opportunity to negotiate with other governments once it is delegated to us. And I believe that if this Premier does not finish it in his tenure, then, maybe he should even start working on that.

I do know, Madam Speaker, that when I was a Minister I met with the Canadian Government as well and that was . . . I went to Ottawa to meet with the Canadian Government. And that was one of the stumbling blocks for us. And then, if these other three

honourable Members can remember, the Southeast Commander in the Coast Guard came to Cayman at that time and came to visit Cabinet and it was brought up then with him and it was looked into and the little Governor came back and said that—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** No, the little Governor. Everybody knows who that is; the one who had to look up to tie his shoestrings.

*[Laughter]*

**Mr. V. Arden McLean:** Had to . . . came back and said that it—

**The Speaker:** Member—

**Mr. V. Arden McLean:** —those things were not possible.

**The Speaker:** Member from East End, I should just wish to give a warning shot that you are threading pretty close to the Standing Order [35](7), so please do not push over that limit.

**Mr. V. Arden McLean:** Madam Speaker, if you would read that out for me, please, I do not remember that one.

**The Speaker:** The conduct . . . and the description of Governors, unless you bring in a substantive motion of a long departed Governor.

**Mr. V. Arden McLean:** Madam Speaker, I do not remember which one you say, but I would respectfully ask if it says former Governors or current Governors, because this one is a former.

**The Speaker:** He is a former Governor, Member, but I would ask that you would still refrain from going on that line and continue with the high road that you have taken with this debate.

**Mr. V. Arden McLean:** Thank you, Madam Speaker, but you know . . . Governors are human beings, too. And he did some damage to us that I will never forgive him for. But anyway, Madam Speaker, I never said anything ill of this Governor, but I will live up to your ruling.

Madam Speaker, as I was saying, he came back and said that it was not possible to deal with the US Coast Guard at the time because one of the things we were looking for was one of the Coast Guard cutters, I believe, they are called, second-hand or fairly new. Those were the options we were looking at.

Madam Speaker, then, we turn to the boats. And I think we ordered three boats—a 65, a 45 and a

RIB—yeah, the RIB [Rigid Inflatable Boat]. And again, those boats are very good boats. Unfortunately, we have had some unprecedented difficulties and problems with these boats. Some of it, I submit, is from lack of training; from the promotion of people who hither-to, have never stepped on the deck of a boat; who probably have round-foot bottoms—that is non-seamen. But Madam Speaker, those boats are very capable.

I understand in this report that came out, which I received myself, the one that was dispatched to respond to this incident, damaged its prop at going out of the channel. Now Madam Speaker, here is where I am going to part company with some of the utilisation of these boats with the Police Department.

Madam Speaker, in 1932 we did not know that storm was coming. But we know it today. We know whichever side of this country, this Island, is going to be rough and which side is going to be smooth. But we do not utilise the boats the way they were intended. The intent is to take care first and foremost of the coastline—drugs and firearm interdiction. But I believe that requires the boats to be stationed on different sides of the Island at different times.

For instance, Madam Speaker, when we get a nor'wester, we leave the boat up Spotts, and you come to shore in the dinghy and the shift is changed in the dinghy. You cannot get out of the North Sound. What is the purpose of having the boats tied up at the Marine Station in Newlands, when you cannot get out of North Sound? Now that just does not make sense.

If we are going to need those boats, Madam Speaker, the likelihood is much higher when it is rough. Do you really think people are going to turn up when it is smooth around the whole Island? Not that I am aware of. Sometimes people get in difficulties, but it is more likely you will get in difficulties when you have inclement weather. But we leave them in the North Sound. When people get in difficulty and we get an SOS we try to get out of the channel. The channel is too shallow in most instances. When you have got 12 foot seas rolling across it, it goes up and it comes down the trough and it destroys the boat.

Madam Speaker, I grew up with a little Seagull and I understood that. What are we doing with the boats in the North Sound when the north side of the island is rough? And who has been trained on how to get out of channels? It is unlike going off Seven Mile Beach, you know. The waves have a natural cycle and they come in series of seas and between those series it is dead smooth, no matter how rough it is out there. But if you did not grow up in East End or North Side or West Bay to know that, you would not know—Bodden Town to some extent, too—you do not know. That is how we get out when it is rough. That is how we effect those rescues in East End when the seas are 12 foot high . . . 10, 12 foot high rolling across the channel. We count the seas and time the sequence of

waves and we go out. And we do the same coming back.

But we stick this one in the trough between two seas and destroy the props. That is what is wrong. Trust me. Nobody who has been a policeman in the middle of London knows anything about them seas out there. Madam Speaker, we see then the need for local personnel. Our assets will be destroyed if we do not apply the right personnel.

But, Madam Speaker, besides that . . . Madam Speaker, now I am not saying the boats are not being utilised to patrol. My brother and I were in the East End fishing about two years ago and we had just relocated to another position because the fish were not biting. And after anchoring we were setting up to start fishing when somebody spoke to us. Now you know, Madam Speaker, I cannot say what really happened, but I do not know where I went from there on in. You cannot be in pitch dark and somebody speaks to you and it is not your brother and only you and him on the boat! You need to start getting webbed feet and start walking on water.

Madam Speaker, lo and behold it was the RIB that had pulled up alongside my boat and I did not see it, and I did not hear it. And [it was] one of those young men. And what was interesting about it that I started stuttering because they asked me what I was doing, and I could not get out a word. And Madam Speaker, what was also interesting was I know it was not only that police officer on that boat, there must have been five or six, and this was . . . I do not know, 12:00 or 1:00 in the morning. And Madam Speaker, we only saw one police officer because my brother and I commented on it once they had left and they were within five feet of my boat. So, I guess how the boat is tinted and what have you.

Madam Speaker, I do not know if they were on patrol. They did not say, I did not ask them because it was not my business. But that was what we all hoped those boats would be used for—interception. What is wrong with the police boarding your boat? That is what they are there for. What is wrong with them inspecting your boat to see if you have a life raft and this and what have you? That is what their job is. Do it.

Madam Speaker, I think of the larger vessel, the 65 foot vessel. It was intended that that vessel would go out for a week at a time with supplies and the likes. I do not know if that is happening. I would not want to know either, nor would I want to make that public. But these vessels were intended to handle up to 12 foot seas. And I heard that report saying that that 28 foot canoe was righted in 12 foot seas. Anyone who did that, you have got to applaud that police officer. You cannot even get alongside it in 12 foot waves. Anybody ever seen a 12 foot wave? It is taller than inside here. Do you think you can handle that? The boat is going to go through it but you will not work in it. These walls are 10, 11 feet. And that is from the

trough to the top, to the crest, that is a 12 foot wave—12 foot waves, I can tell anybody that.

Anyway, Madam Speaker, manifest some of these things, surrounding methods to be used are new ones in order that our police can utilise the assets they have efficiently and effectively. These incidents are happening more and more often. And if we as legislators do not do something about it, we are to blame. We need to equip this police force because that is our only means of defence; that is our only means of protection; that is our only means of security; that is our only means of safety. We need to equip them and educate them properly on the use and the utilisation of all of their assets. The few that they have, we need to help them; we need to enhance them. And Madam Speaker, I believe that someone somewhere needs to get busy and start getting people on a register for volunteers for rescue missions.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Yeah, like how they do in America with fire fighters. As a matter of fact, Madam Speaker, after this incident a number of people in the private sector—one in particular—wanted me to think about his company donating hundreds, thousands of life vests to give to people in order that we know people do not go out . . . Madam Speaker, in my constituency and like all our constituencies, our constituents go out in south-seas, their little 12 foot south-seas. Do you think they have a life vest? No. And those are the things we need to educate our people on. And there are people who want to do that, which hopefully, he will soon be able to announce that.

We need to get volunteers. There are people who will volunteer. There are people in this country who have large vessels capable of going out there, working alongside the Police/Marine Unit to assist with them. But when we talked about that in Cabinet, the first response we got as a Cabinet—political directorate—was, *Well we need to talk about liability, personal liability for those who would be doing that. If they are with the POLICE they cannot go on the boat because if something happens and they get shot or they get drowned or . . . it was always the worst case scenario. We never had anybody shoot at a police boat yet, maybe once or twice.*

*[Inaudible interjection]*

**Mr. V. Arden McLean:** We never did get the answer from risk management about the cost of insurance and the like—never did—because they wanted to kill it, you know. Covington needs to be in charge. That is what happened.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** But Madam Speaker, we tried. And the former Minister of Tourism, Clifford, was with us as well. And he, with his knowledge of the police and the likes . . . I saw him get a little agitated on day with it, that they were not responding the way they should. But Madam Speaker, that is our biggest problem all—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** All we ever do is sit back and allow someone else to tell us what we need to do with our country. We need to stop it!

*[Inaudible interjection]*

**Mr. V. Arden McLean:** There are 18 Members here who are held responsible at the polls!

**Hon. W. McKeeva Bush, Leader of the Opposition:** Yes, I agree.

**Mr. V. Arden McLean:** And if we cannot decide what is best for this country, they cannot. Let us stand together—18 Members—and do it!

**Hon. W. McKeeva Bush, Leader of the Opposition:** That's right.

**Mr. V. Arden McLean:** About they in charge of internal security, and my people suffering and I do nothing? No, no, no, no, no, no, no. We are walking down the wrong road now!

Madam Speaker, I better leave that one until later, you see?

**The Speaker:** Members, it is time I will take the morning break and it is going to be for 10 minutes.

**Proceedings suspended at 11.11 am**

**Proceedings resumed at 11.30 am**

**Private Member's Motion No. 19/2015-2016—  
Enquiry into the Search and Rescue Operations  
on Sunday 6<sup>th</sup> March 2016**

*[Continuation of debate thereon]*

**The Speaker:** Proceedings are resumed.

I recognise the Honourable Member from the district of East End.

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

Madam Speaker, I apologise for that flashback that I had, which reminded me of all the troubles that I have been through to advocate on behalf of my people's commonsensical ideas, and I know how diffi-

cult that has been over the last 15 years. But I, nevertheless, have not stopped. I continue to do as I think is in the best interest of this country.

Madam Speaker, I know in this instance, that marine unit may very well feel like they have been bombarded by criticism. But despite all that, Madam Speaker, I believe that that unit does a pretty good job under trying times. And much of it, no one knows about. Much of it is only that that comes to light when there is some controversy surrounding it.

I know the gentleman who must be a Sergeant, Inspector, from Bodden Town . . . a Sergeant who is very capable . . . what is his name again? King Bush? Hew. No, King, King. Hew [PHONETIC]. . . I know; it's got to be. And he . . . I know he knows water, because all he has ever done is been out on the beach in Bodden Town when he was young. So, you know, you have to raise your hat to these young Caymanians who try their best under trying times, Madam Speaker.

I have had a number of conversations with him about these boats, and I believe he has identified some faults in the boat, if I may, and I believe he needs to be listened to a little more, you know. Most times these men have very good ideas on how to deal with situations, but nobody listens because that does not auger with their plans. But that is throughout the police force, I guess. But the best knowledge is local knowledge. You can learn everything elsewhere in the world, but when you dovetail it, try to dovetail it with the local requirements and needs, you need a little local knowledge, and if you do not have that, then, you are inefficient.

Madam Speaker, I hope that whatever comes out of this, the Mullings family will one day get some closure. Not only will they be looking for closure on how it happened, but closure, I believe more, because I have heard the mom and the brother speak of closure about *it will never happen again if they had to make their sacrifices* and if there was any fault on the part of the state, then, it will be closure for them that it has been reviewed and it may never reoccur if we put provisions in place to correct it. And I am not saying that there was any fault, Madam Speaker, on either side, it could be anything.

I too, Madam Speaker, thought like the Premier, that we would be looking for somebody closer to us—America. And I am a little surprised that we went to the Coast Guard and then the National Transportation Safety Board. I am a little surprised because, Madam Speaker, they are private investigators in America who are former members of Coast Guard, NTSB [National Transportation Safety Board], and the likes, who could have done just as good a job. Things are cold now and the delay does not bode well with peoples' memory. So, I am a little surprised we went to that distance.

And whilst the Premier says that this gentleman is qualified, or the Deputy Governor speaks of his

qualifications, I shall leave my opinion of that until a later time, because I hope that application of policies and procedures applies equally across the pond and that should not change, or I hope it should not change, the outcome of that review.

Madam Speaker, again, my heart does go out to the families, and I hope that they can wait a little longer to find some peace, closure and finality on the loss of their loved ones.

I thank you, Madam Speaker.

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

Does . . . I recognise the Fourth Elected Member from the district of Bodden Town.

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

Madam Speaker, before I begin I would also like to express my sincere sympathies to the family of those that are now presumed lost at sea. And I know I have had one or two conversations with them and I do have a great appreciation for the sense of loss that they have experienced.

Madam Speaker, I myself have had an experience on the ocean that has taught me to respect the ocean and the seas around us. I remember going out on a fishing trip with Mr. Frank Martinez who has now passed on. He and I used to take regular fishing trips out, especially in the South Sound. There was one particular day that we were out fishing. We had left early in the morning. Something that I learned that day is that around about 10:00 11:00 in the morning the weather pattern can change. And that is something that I was not aware of until that day. But when we left it was dead calm.

Around about 10:00 we were so busy catching fish and enjoying ourselves we did not notice that the seas had started to pick up and we were out, Madam Speaker, in an 18 foot Dusky. I do not know if anyone here is familiar with the Dusky, but it is more appropriate for flat water—lakes and so forth—not really out in a rough sea. It is a very shallow boat.

As we were out there fishing and enjoying ourselves and it was at one point that I remember, Madam Speaker, Mr. Frank looked up and looked around, took an assessment of the weather, and said to me, *You know what? I think we'd better head back in.* That was when the reality of it hit me, because when I did really take good stock of my surroundings I realised the seas had picked up quite a bit and significantly more than that little boat could handle. It only had a 50 horsepower engine on it

Now, I probably knew back then more about riding bicycles than driving a boat, but I had the benefit of having Mr. Frank with me, and I think everyone knows of his legacy on the water. He is one of the Caymanians who spent his life at sea and spent his

boyhood fishing and he is completely familiar with our waters and the weather conditions.

So, Madam Speaker, in the time that it took for us to pull up the anchor and start to head back in, the seas had become so high that the boat was completely being swamped by sea water. I couldn't keep the bow up high enough to stop the water from coming into the boat. At that point we had lost pretty much all of our tackle, life vests, flairs—everything had washed overboard. I remember sitting in that boat up to my knees in seawater. And until that day, Madam Speaker, I wasn't that much of a praying man. But I can guarantee you, when I finally got to shore, I was praying heavily.

*[Inaudible interjections and laughter]*

**Mr. Alva H. Suckoo, Jr.:** Well, Madam Speaker, what actually, I think, saved my life that day was having Mr. Frank as my companion on board that boat with me. Every wave that came toward that boat, every condition that changed, he was sitting there giving me instructions. I knew very little about driving that boat and getting that boat back to shore. But with that experience on board with me, I was able, through the grace of God and with His help, to save both of our lives that day. I have resigned myself to the fact, Madam Speaker, that if I had been out there by myself, I would not be here today.

And I understand the gravity and the reality of being in that situation, Madam Speaker. I cannot explain the emotions and the anxiety that runs through your body when you realise the predicament that you are in. I can only sympathise with those five who were on that boat that day. But I am saying that to say this, Madam Speaker: We do have Caymanians with that expertise, with that knowledge. And in my discussions with members of the marine force, and the police in general, that is one thing that has been highlighted to me, Madam Speaker; is that there have been cases where we have not put those with the requisite experience in charge of making certain life-saving decisions. I just wanted to use that story to illustrate how serious it can be.

Madam Speaker, I would like to thank the Leader of the Opposition and, of course, my colleague, the First Elected Member from Bodden Town for bringing this Motion to the fore. I am aware, through different media, conversations and also conversations I have had with family members of those missing, that the family did want to have this Motion brought to the House.

Madam Speaker, I would not have supported doing this in the absence of that knowledge. I take my responsibilities very seriously, but I was assured that the family wanted us to do this here today. As a matter of fact, I was assured that the family wanted this done much earlier.

*[Inaudible interjections]*

**Mr. Alva H. Suckoo, Jr.:** I certainly would not have supported coming here without that assurance, Madam Speaker.

I am also concerned that up until the day that this Motion was filed, there was no official announcement of any investigation. Now, it may have just been a coincidence, but I would like to think that this action here today played a role in helping that decision get made.

Madam Speaker, the family have been begging for answers, the family of those lost. This is an extremely tragic event, and it is not one to be taken lightly, Madam Speaker. The persons lost on that boat are people's children, fathers, brothers, cousins, uncles, and friends. I think that we owe it to them to respectfully discuss the situation here. And somehow I think, through this debate, we have already seen evidence that it has proven useful.

Madam Speaker, the family of those missing were promised answers. I think as representatives—not politicians, but representatives—we owe them that much. I was aware early on, that the family was visited by Members of the Government. I commend the Government for being involved at that early stage. It is customary that as representatives we visit our constituents and we show them our concern for their issues.

I actually went to visit the family myself when I heard what had happened, after speaking to a few of them on the phone. The day that I chose to visit they were actually at a meeting with the Commissioner of Police, and being briefed. But at that point, I understood that Members of Cabinet had actually gone to visit the family. So, I decided, Madam Speaker, that in the interest of not politicising this event, I would take a back seat and allow the Government to do what it was doing to assist the family. I didn't want my presence to inflame the situation, or to give the impression that I was trying to disrupt what was happening. I wholeheartedly supported their efforts, and I took a back seat. I may have taken the risk of appearing insensitive by stepping out of the way at that time, but I wanted to give the Government the opportunity to do everything it could with no interference.

Madam Speaker, I was watching the news late last week and I saw Mr. Mullings emotionally expressing his disappointment in the lack of action, and, in his opinion, lack of concern. And it really bothered me, Madam Speaker, when I turned on my television to see a Caymanian who depends on us, as his representatives, to assist his family at this time, pleading tearfully for assistance. I did feel disappointed, Madam Speaker, that enough had not been done (in my opinion) up until that point.

Madam Speaker, I can appreciate that the Government is busy. I have seen the number of Bills that have come forward now for us to debate and deliberate within this honourable House. But I think it is

of equal importance that when our constituents cry out to us to get involved, that we also do what we can within our power to assist.

Madam Speaker, I keep hearing references to the police not being under the remit of the elected Government, and that we are not responsible for policing. But in researching for my debate on this particular Motion, I did come across a section of the Police Law that actually gives Cabinet the ability to **“make regulations for the good order and government of the Service and for carrying into effect any of the purposes or provisions of this Law . . .”** [section 146.] And it goes on to list numerous areas, Madam Speaker, where Government can create regulations that will allow us to have more say in the governance and the administration of the police.

I don't believe, Madam Speaker, (I may be wrong), that those regulations have been put into effect. But I would strongly urge the Cabinet to consider doing that with urgency. Because section 146 of the Police Law actually gives Cabinet the ability to be more involved in our policing and to have more of a say.

Madam Speaker, I do believe that the Government has a responsibility in this. And when I say “Government,” I mean all 18 of us. And I think it is completely appropriate for this Motion to have been brought to the Legislative Assembly. It was requested by constituents, people who put us here. I think that this is the appropriate place for us to discuss this issue.

I know that our Opposition and Independent Members of this honourable House have been accused of playing politics with this issue, Madam Speaker. But when our people, our Caymanians, ask us to get involved, we have no alternative. We have no choice. This is where we come and do our work. I think that ventilating this issue here, in this honourable House, is completely appropriate. This is where the people have their say. And if the people are not satisfied that the Police Service is functioning in the way that it should be, then, I think it is our responsibility to bring those issues forward here. This is not playing politics, Madam Speaker; this is doing our job, as far as I am concerned. We are here to represent our people.

*[Inaudible interjections]*

**Mr. Alva H. Suckoo, Jr.:** Yes, this is serious business. We are not playing politics.

I wish I didn't have to do this, Madam Speaker. I wish the outcome of that day could have been far less tragic. It is not easy for us to get up in here and discuss this issue and, if need be, point fingers. But we do need answers. The family does need answers. I dare say, Madam Speaker, when single-member constituencies are in place, you are going to see an increase of this sort of action. Because I can guaran-

tee you every single member that represents a single-member constituency is going to have to pay closer attention to their constituents.

*[Inaudible interjections]*

**Mr. Alva H. Suckoo, Jr.:** So, you know, Madam Speaker, when the Opposition and Independent Members are accused of playing politics, I completely disagree with that.

We were all elected here as equals—all of us. And none of us in here are more important than the other. And we all have a right to speak. We all have a right to air these concerns. If the Standing Orders didn't allow for us to request a special meeting, there might be an argument. But the Standing Orders do allow for it. Someone had the foresight and the vision to put that in there, and I hope it remains because, yes, I believe in majority rule. And I believe the Government has the numbers, but issues as important as this, there must be some mechanism in place for us to call special meetings and bring these very important issues to the fore.

*[Inaudible interjections]*

**Mr. Alva H. Suckoo, Jr.:** Madam Speaker, in researching what I was going say for this particular debate, I came across a report of the Session 2010/11 of the House of Commons, titled: "**Policing Large Scale. Disorder: Lessons from the Disturbances of August 2011.**" In that report . . . it was a report ordered by the House of Commons to discuss issues and concerns with policing. It was not in relation to a maritime incident. It was in relation to riots. But there is a mechanism there and I think it is totally appropriate for Parliament, or in our case, the Legislature, to have that avenue at our disposal.

So, Madam Speaker, now that we have established that it is our business to raise this issue, and it is our business to ensure that the constituents' concerns are addressed. I must say that I am happy to see that an investigator has been appointed and I have taken the time to examine his credentials, and I must say that I am pleased that someone with that experience and knowledge is being brought to the Cayman Islands to help investigate what actually happened in this incident.

What I would ask, Madam Speaker, is that the Government consider not just making the final report public, but to also give us the terms of reference of the engagement prior to the investigation commencing. I would ask that the investigation be given a reasonable timeline for conclusion because this is not something that I think should be dragged on for years; but rather, I think can be completed in a few short weeks.

Also, Madam Speaker, I would respectfully ask that the final report be tabled here in the Legislative Assembly, and that the House be allowed to con-

sider the content of that report and be able to express our views and opinions on it. We should also, Madam Speaker, highlight what corrective actions are identified. And, as a Parliament, we should be discussing and debating those recommendations with a view to putting them in place in short order.

I would also hope that a local individual can be identified to work alongside this investigator, Madam Speaker. Not to be involved in the decision-making or the actual investigation, but more as an observer, at the very least, so that we can actually have some knowledge transfer from this individual, who is only going to be here, hopefully, for a short time.

Madam Speaker, my concerns primarily remain with the family members. I know that some of them are here with us today. I want to give them my assurance that I will continue to be engaged in this discussion and I am going to do my best to be as helpful as possible and as supportive as possible of this process. Because I know, Madam Speaker, that they all want closure. They all want answers. If it was any of our family members, Madam Speaker, I think we would all want the same thing.

Madam Speaker, there has been a lot of discussion in the media and otherwise about some of the differing accounts of what took place. I won't go into detail very much on those because they will probably be part of the investigation. I don't want to say anything that will influence the outcome. But there are conflicting reports of what happened. And like my colleague before me, I really want to highlight the fact that we do have a helicopter here that is not fit for what I think its purpose should be when it comes for search and rescue operations. I remain very concerned that we haven't, at this stage, taken actions to correct that situation, Madam Speaker.

I know that the helicopter is very good at locating individuals on land, tracking individuals at night, but I think we do need to boost up the level of maritime assistance that the police can offer, especially to the individuals who are in distress at sea. I do think it is time for us to really engage in a conversation of whether or not we need to implement a proper coast guard. As mentioned earlier, Madam Speaker, there are many, many officers who risk their lives on a daily basis to keep us safe and protected. And none of this is aimed at them. I wish to say that publically, Madam Speaker. We are not on a witch-hunt. No one called for anyone to resign or step down. We simply called for an investigation, but we wanted it in a timely manner.

Madam Speaker, I can't bear to be away from my children for a day. So, when you think about what these families are going through, you know, it tears at your soul. I can completely empathise and sympathise with them. We have to do everything within our power, Madam Speaker, to bring some closure to these families. Help them understand what went wrong. And, at

the end of the day, we don't know what the report, the investigation, will say. Nobody is prejudging. But timeliness—we need to get this done and behind us so that this family can have some closure.

This Motion is simply asking for an independent inquiry. No one is being blamed, Madam Speaker. I had wished though, when this incident occurred, that instead of calling for an independent investigation, that the police leadership would have already launched their own investigation. I think that signals strong leadership when you are able to critique your own actions and learn from those mistakes. At this point, Madam Speaker, no one seems to know all the facts. The families don't know; the police don't know; the public does not know. So, we all do need to work together to draw this to a rapid conclusion. I really don't understand why we have to end up here to demand those answers, Madam Speaker.

That is what, I think, bothers me the most about this situation. It seems as if the situation was just going to be left to languish for a while, and hopefully die down and go away. But we can't take that approach, Madam Speaker. We are legislators, but we are also representatives and we have to demand better for our people. There is nothing wrong with that. We have many, many Caymanians in the Police Service, who go beyond the call of duty, but there are questions, there are concerns. The best way to deal with those, Madam Speaker, is to get them out in the open, discuss them and resolve them.

I don't intend to engage in any sort political back and forth over this issue. It is too serious. This is not something that I am doing looking [for] votes or political mileage. I simply want to know, at the end of the day, that I did everything in my power to bring some closure to this family and to prevent this happening in the future.

So, Madam Speaker, with those few short words, I really want to ask the Members of the Government to please consider supporting this Motion. By the indications of those who have already spoken, it seems that they will. And in the spirit of the 18 of us working together, Madam Speaker, let's move forward together to ensure that we continue to address these concerns for the betterment of our people.

Thank you.

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

I recognise the Fifth Elected Member from the District of George Town.

**Mr. Winston C. Connolly, Jr., Fifth Elected Member for George Town:** Thank you, Madam Speaker.

I rise to give my support to this Motion because, unlike what has been said in the press, that this is about politics, you just have to look around in the Gallery and realise it is about people—people's lives, their feelings, the loss of their loved ones.

Madam Speaker, I too give my condolences to the family of the five missing persons. I have spoken to some of them and heard their concerns. And like the Member from Bodden Town, to my right, if you just sat and listened to them for five minutes, you would realise that this is their priority. It might not have been a priority for some of us in this House, the media, or whoever else echoed that the time would come, but the time was not then. The time was not last week. Madam Speaker, when we are playing with people's emotions and people's lives, we have to be able to empathise and put ourselves in their shoes. Priority, I understand, is relative. But who feels it, knows it, Madam Speaker.

Madam Speaker, I would like to publically apologise to those families for the time it has taken to get to this point. We have to do better as elected representatives of this country when our people cry out.

*[Inaudible interjections]*

**Mr. Winston C. Connolly, Jr.:** Madam Speaker, to say that this was not a priority was a slap in the face to everyone involved, but especially the families. And everyone involved includes the Royal Cayman Islands Police Service, because, I am sure that they also didn't want this hanging over their heads for as long as it has taken.

Madam Speaker, we have to look in, and amongst ourselves, and ask some simple questions. If the question is: Were people satisfied with the series of unfortunate events that occurred in this situation? And that answer is no, it is incumbent on us as leaders in this country, as representatives of the people, to ask those questions as soon as possible so that we can get clarity, so that we can have accountability, so that those involved on all sides of the coin can get closure, but most importantly, Madam Speaker, so that we can learn from some of these situations.

We on this side have been accused of attacking the police. Now, Madam Speaker, I want to state emphatically for the record that I would never be a part of any witch-hunt. I have said it publically, but there are questions that need to be answered over this process. And each and every one of these people in this Gallery needs answers, including us, the legislators. Madam Speaker, there remain unanswered questions over the process, over timing, over accountability, over responses to the press and to all 18 Members of this House. And also, responses over why [a] private helicopter operator could say that he could have gone out, but the police helicopter couldn't.

Madam Speaker, those are all legitimate questions, and for us to ask them, should not be dismissed as political grandstanding. Just like the Members of the Government can speak to the family, we can as well, and we can represent their true emotions. Sometimes it might take longer than we care to put

something together where it is an inquiry, but by no means should we be unsympathetic and say that it is not a priority.

Madam Speaker, in the next debate I will talk about governance and management, so I need not further dilate at this moment. I do hope that in this investigation, the full report of the proceedings, all the questions, including why the US Government refused to conduct a review; why we went to them in the first place; the full report of the telephone calls, a tracking back to whatever the response plan is by the RCIPS, and whether or not that was followed by the book. And if not, a full list of the mitigating circumstances. And we have heard some of that this morning by what was read out by the First Elected Member for West Bay.

Madam Speaker, they say every dark cloud has a silver lining. In this instance, Madam Speaker, I would hope that the silver lining is that once we review what has occurred here, we come up with solutions to try to ensure that it never happens again.

Madam Speaker, it is a great opportunity to start looking at our processes, to start looking at the technology which people have presented to the Government, even in the last year, in terms of electronic border control and being able to use radar and satellite and other things to pinpoint vessels at sea. To say that we don't question operational matters, Madam Speaker, is only half a statement. It is absolutely our responsibility to question them when our constituents come to us because they have lost trust in the system. It is absolutely necessary to question them when we see that there was breakdown in the process. And if, once we question them, inadequacies are found, then, we should move swiftly to correct them to reduce the probability of them happening in the same manner again.

That is our role, I would dare say, Madam Speaker, to speak for those who cannot speak for themselves, who might not be able to ask the right people, or contact them. Madam Speaker, it is the reason why we were elected by the people of this country. That is our primary role.

Madam Speaker, as I look back over the series of these events, including the special meeting that we called for, I am sometimes embarrassed to be a Member of this honourable House because we do see when politics take over. And even if it is momentary, all of us tend to forget why we are here and we react, and that can't be good for anybody, Madam Speaker, but especially the people looking on and expecting results.

Madam Speaker, I would suggest to my colleagues that all of us use this opportunity to reflect on our own actions and our ability to relate to our people. Use this as something that we can learn from as well. Because, Madam Speaker, this matter is not about sides, it is not about official Opposition, Independent Opposition, Government, who has the right to rule, who has the right to say, who has the majority, who

doesn't. This should be a bipartisan matter, Madam Speaker. Every single one of us has constituents that have come to us and said something about this process—be it good, be it bad. But to use it politically—shame on all of us, Madam Speaker.

Madam Speaker, we need to use this time as well to look at the governance and management of the Royal Cayman Islands Police Service, and that is from top to bottom. Although I will go into it in the next debate, we need to have a plan. Because if we don't have a national plan for the Royal Cayman Islands Police Service that we can hold people accountable to the processes when things like this occur, then, we are all failing the people of the Cayman Islands.

I echo the sentiments from the honourable Member from East End, in that we should also use this opportunity to look at the equipment that we have. Is it fit for purpose? Is it suitable for all eventualities, all events that could occur in the life of the service of the police? If the answer is no, then we, again, as 18 Members of this House need to really focus on getting the police the equipment that they need in order to carry out their roles so that our people can have faith in the system and when these types of incidents occur, because that is also what is important here, Madam Speaker. The police need to reflect the wishes of the people, the service they get from the police. And if the people find it wanting, then, we need to address those areas because they need to feel that the service that they are getting is suitable.

Madam Speaker, what this incident also shows us is that communication is key. [If] we had clear, transparent, timely communication, a lot of this could have been avoided. Again, like the Fourth Elected Member from Bodden Town has said, this is not a time for playing politics; it is a time to do the right thing. If we cannot, at times like this, forget political differences, then I dare say we never will, because this is far more than just about politics.

We are not here to be friends with the Police Service, Madam Speaker. We are not here to take sides. We are here to be independent, arm's-length observers, and represent our people. No one that I spoke to on this side, questions the competence of the police, in general. No one sits and says, *We want morale to be low in the Royal Cayman Islands Police Service*. So, again, to be accused of things like that when you are trying to bring things to light, those are things that are very avoidable if we remember what we are here to do.

Madam Speaker, I just want to ask everyone in this House a few questions before I close. What if this was our children? Would it have been a priority then? Where is the empathy and sympathy, even when questioning some of the people involved? They are human beings, Madam Speaker.

At the end of the day, the people expect more, they demand more, and they deserve more, Madam Speaker.

Thank you.

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

Final call—Does any other Member wish to speak?

I recognise the Minister responsible for Education.

*[Pause]*

**Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs:** Madam Speaker, before I go into any substantive debate, or the few words that I want to contribute to this debate, I first want to express my deep, deep condolences to the families of the five people who were lost at sea. Madam Speaker, I have already done so privately, and now I would like to do so publically.

Madam Speaker, I know both Gary and Edsell very well, as we went to school together. We were school mates, being virtually of the same age. I know the siblings of Gary. I know his mom. I know the aunts, the uncles, the cousins, and other family members of Edsell. I visited with both of the families, Madam Speaker, to express, as I said, my condolences, but to also hear and listen to their concerns as well. Madam Speaker, Gary was my friend. Edsell was my friend. And the missing of the five persons, even though I personally knew Gary and Edsell, but the missing of all five of those people has personally and deeply affected me. So, I cannot imagine the grief; I cannot imagine the confusion, the myriad of emotions that are being experienced by the respective family members. Madam Speaker, as a mother, I simply cannot imagine what it is like, or what it would be like to lose your children.

So, Madam Speaker, immediately upon hearing of the incident, I broached the subject with the Premier and the Government and expressed my concerns, my personal concerns, about what was happening, what happened, what is going to happen, and expressed, as I said, my concerns about what I believe should happen. Even up until this very day, Madam Speaker, I have expressed similar concerns to the Government.

Madam Speaker, as the Premier stated in his contribution, that the Government made it abundantly clear—and Madam Speaker, I certainly made it abundantly clear that there must be an investigation into this matter, and that it must be free, fair, objective, and thorough. Madam Speaker, it must be publically available, because, as was expressed by a number of people in this room, the family deserves answers. Madam Speaker, the public deserves answers. And we as legislators and representatives of the people, we were elected to serve, Madam Speaker, we deserve answers as well.

Madam Speaker, it is important for me as a legislator, as a representative of the people of the district of West Bay, and as a Minister in the Cabinet of the Government of the people of this country. It is incumbent and it is important to help the people of this country understand our role and our respective responsibilities because there is a lot that has been said. There is a lot of confusion about who is responsible, who can do what, how things should be done. And, Madam Speaker, this certainly isn't about casting blame at this stage. We don't know; we haven't had any fulsome investigation, which has been promised by the Office of the Governor. And, Madam Speaker, as a Member of the Government, I want the public to understand and appreciate what that means as it relates to calling on and determining any sort of action to be taken by the RCIPS or not.

Madam Speaker, the Constitution sets out very clearly the role, the responsibilities of the Government, of the Cabinet, of the Governor, of the Deputy Governor. And, Madam Speaker, it is very clear in a number of provisions, and I won't go into the technical analysis of the Constitution right now, given the nature of this particular debate. But I thought it is important for people to understand, especially if you are looking at sections 31, 32, 55, and 58, in particular, you will see it is very clear on its face that the Governor has the responsibility, the sole responsibility as it relates to internal security, including the police.

And even though we have a National Security Council, there is specific carve-out with respect to the responsibilities of that Council as it relates to operational and staffing matters. And, Madam Speaker, I only raise that to say, because even in the debates today there seems to be some confusion, either inadvertently or otherwise, as to what we can and what we can't do as legislators, as representatives, as the elected arm of this Legislative Assembly.

I absolutely agree with the Fifth Elected Member for the District of George Town when he said that we should be questioning, and we should be asking questions where we feel, either of our own volition or because questions have been put to us by our constituents, we absolutely should be raising those questions in the appropriate forums, given the nature of where we sit, so to speak, on the aisles, or what roles we play in this House and in the Government as a whole. But we certainly, Madam Speaker, cannot dictate what happens. The Constitution makes that very, very clear. And I think it is important that the public understands our limitations, to some degree, in that regard, when it comes to what can or can't be done when it comes to determining operational policy and matters related to the police and internal security in general.

Now, Madam Speaker, you know, raising the question about whether or not we as legislators should be more able to do that, or whether or not the Government does or doesn't have that responsibility,

that is a question that goes far beyond this particular debate here. And I certainly do not want to take us down that tangent. And I certainly don't want to say that that may not be a question that shouldn't or should be asked, i.e., the nature of our constitutional arrangements. But, Madam Speaker, we have what we have, and we are what we are, and we need to appreciate and respect the fact that we can do all that we can do within our power.

I want to echo that particular sentiment that was expressed by the Fourth Elected Member for the district of Bodden Town. We must do all we can within our power to assist and to help impact this process. But when it comes to making the final determination as to what that is, our power is limited. Not because of our desires to do more or otherwise; that, Madam Speaker, in some instances, that is irrelevant. And I say that not to sound callous, or to sound like a lawyer, but Madam Speaker, we, as legislators, have to help to educate the public about how we govern what our roles, our responsibilities, and our abilities are. Because it is not good enough, Madam Speaker, to just talk about rhetoric, especially when we talk about issues such as this that is so emotional, that touches the lives of people that many of us in this room know and knew personally. Families' emotions are at stake. And when we talk about not making this political, I absolutely agree. This cannot be a political football, where people try to have mileage as a result.

*[Inaudible interjections]*

**Hon. Tara A. Rivers:** We cannot . . .

*[Laughter and inaudible interjections]*

**The Speaker:** Order!

**Hon. Tara A. Rivers:** We cannot get to the point where people expect more than can be delivered.

Madam Speaker, the one thing that I would like everybody listening, everybody in this Gallery, and everybody on the opposite side of the hall to understand and appreciate, is that I, for one, certainly, from the very beginning, have implored and will continue to implore—and as I said, up until this day, have implored—that there is a review of this process that will be conducted in a manner that is fully free, impartial, thorough, and one which is deserving of what we know these families are going through today, and that would help to provide some form of clarity, if not comfort, as to what went on. Madam Speaker, as I said before, these families, this country, our people, deserve no less.

Thank you, Madam Speaker.

**The Speaker:** We now take the luncheon break and reconvene at 2:15.

**Proceedings suspended at 12.40 pm**

**Proceedings resumed at 2:22 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

## **PRIVATE MEMBERS' MOTION**

### **Private Member's Motion No. 19/2015-2016— Enquiry into the Search and Rescue Operations on Sunday 6<sup>th</sup> March 2016**

*[Continuation of debate thereon]*

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

I recognise the Honourable Minister responsible for Planning.

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

Madam Speaker, so that everyone understands how it is, and as I listened to all the contributions from the mover's introduction of this Motion right down the line, it became very obvious to me that every Member in this honourable House is with a desire for the same result. And, Madam Speaker, I know your position. But I'm going to take the opportunity, because I'm confident, to add you into that number, so I can therefore say all 18 of us want the same result.

Now, Madam Speaker, I well understand the frustrations. And so that everyone will know, so that everyone will know, Madam Speaker, Nicholas . . . My wife is Nicholas's aunt. So by law, he's my nephew. I watched him grow. I remember him as a kid. I remember him as a kid. And, Madam Speaker, the family . . . 40 years ago I knew Hyman Mullings, Sr., very well. The matriarch of the family is my friend.

I want to make it very clear, Madam Speaker, I have never considered myself a politician. I know I'm a representative, and I do the best I can.

*[Inaudible interjection]*

**Hon. D. Kurt Tibbetts:** So, no play on the politics. Madam Speaker, I was with shock because I was outside, because I get up as soon as daylight clears. I know most people know that. I was outside underneath my ackee tree, picking some ackees that morning, when my wife came to me and said that my sister-in-law had texted her to tell her what had happened. And of course, everybody is hoping and praying and wanting to find out, and everybody was back and forth in contact.

So, Madam Speaker, while lots of things have been said and sympathies extended, and I know that I fail on many occasions to say the right things. But

even now, sometimes I'm just driving, and it comes to my mind, and I shudder when I think of what might have happened and how terrible it would have been. And the business of closure, Madam Speaker, I also struggled and still struggle right now wondering if how it is, is better, or if you knew for sure, if that would be better. I don't have an answer for that; I really don't. I just know that it's terrible.

And it is unfortunate with all of that and with . . . I think the Honourable Leader of the Opposition used the word *confusion* more than once in his introduction, because that certainly is an appropriate word. It doesn't sum up everything, but there has been confusion. And there are many questions that are left unanswered, I'm sure in the minds of the family, in our minds, and everybody would like to know.

Madam Speaker, I don't intend to speak for very long. I'm confident that the family knows that our hearts reach out to them. In situations like this, if one is truthful, you don't know the right things to say. You don't know the right things to do, because you don't know if you're helping or making it worse. Some people react differently to certain things. But here we are.

The business of whether the RCIPS is properly equipped or not properly equipped is one which I could speak to at length, because I am one of those who believe that they are not properly equipped at this point in time. And it is just so unfortunate that when certain incidents happen, certain things stare you in the face all the more and they are right at you. The Member for East End was recalling the 2005 to 2009 administration, when the helicopter was acquired and when we got the three boats. And he is right. The fact of the matter is that the expertise required to make those decisions was not within us as a Cabinet. And we had to rely on the expertise of others.

There was also what I call, Madam Speaker, the *money factor*. And then I shake my head and say, *Well, how can you equate money to the value of life?* I certainly don't. But resources are always limited, so you do the best you can to find the best answers that you can with those resources.

So, we are here where we are. And I want to let the Member for East End know that I, for one, am in total agreement about us looking to see what we need to do and how we need to do it, and see how best we can find the resources to improve the equipment. I had to shake my head when he was speaking about it, when some of the experts were trying to tell us that we needed a fixed-wing aircraft. And he might not remember it, but I remember his saying, because he can be off the cuff and make some quick retorts . . . I remember him saying, when the suggestion was brought first—*If they expected a plane, the fixed-wing aircraft to land out in the ocean, pick up people or what?* And that was just his way of making the point.

Madam Speaker, I don't think that there is any good or anything good that would satisfy in the immediate the pain and heartache that the family is still go-

ing through. I watched and I listened, and I could see the pain all over. I wished then and there that I could take some of it away, if not all of it, but I knew that that's impossible. I've been there in certain situations myself. I know how it is.

In all of that, Madam Speaker, we now have to look some way forward, that, given what circumstances exist, we, can do the best we can. There are 18 of us, including your good self, here, Madam Speaker. And this is not one of those issues where we go at each other across the floor, because to posture would be totally insensitive, unfair, unkind and unjust.

The Premier has already spoken. He spoke after the Deputy Governor spoke, because, as has been explained during the contributions, just about all of us know where the responsibilities are and where the authority is. And while it may seem, sometimes, that we as the elected arm of Government can do certain things, there are certain things which we just don't have the responsibility for. But you're careful in saying that, because you don't want people to believe you're hiding behind something because you don't want to act. That is not the case in this instance, Madam Speaker.

And while the Premier has spoken after the Deputy Governor, the Premier has huddled with the Government on this side. And everyone is in total agreement that we do not wish to participate in this Motion and for the Motion to end with us seeming to take different positions. The Cabinet, especially, has to bear in mind where the responsibilities and the authority, as I said, both lie. So, we can't just simply disregard that. But at the same time, we have to be willing in instances like this to cooperate.

So, the Premier has asked me, since I indicated that I was going to speak for a few minutes to the Motion, to first of all explain that the Government is in agreement with the principles of the Motion. But while there were some difficulties with the construct of the Motion, in a discussion with the mover of the Motion, the Honourable Leader of the Opposition and the seconder of the Motion, the Honourable Deputy Speaker, I am happy that there are indications that we can make some slight amendments and agree on the Motion.

And, Madam Speaker, I am not afraid, ashamed or whatever to say to you that personally, (although I thank both the Government and the Opposition that they are able to agree), Madam Speaker, me, I would have extreme difficulty with a situation like that in these circumstances. I have a great respect for all the people involved. I have a love for all of the people involved, in my own way. And I believe the least that we can do as a Legislative Assembly is to try to ensure that we find out all of the facts. And if there are measures to be taken that can be corrected, that we do so, notwithstanding what has happened.

And you know what else, Madam Speaker? I battle in my own mind about saying this. But even

now, my mind wanders to what has happened and what appears to have happened. And I still pray that the end may be different than all of us think at this point in time. But that is not my will. And so, I have to accept that there are certain things over which I have no control. That is one of them.

Madam Speaker, I look forward for the Government and the Members on the other side being able to support the amended version of the Motion that the Leader of the Opposition has assured me that he's going to bring. And once again, I want to thank him personally for seeing the wisdom, and as he said in his contribution—and I know he'll probably say it again in his winding-up—that this is about people. And we have a responsibility to ensure that whatever we can do, we do. And in instances like this, at least to make sure we know what has happened and to make sure that we do everything in our power to do anything that needs to be done to make it better for the future.

Madam Speaker, like just about all of us, I could go on and on. But I don't think that that is either necessary or perhaps appropriate. And I look forward to hearing the mover of the Motion and the seconder deal with the amended version so that we can be all on the same page and try to accomplish what we know we need to do. Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? Does any other Member wish to speak? Final call: Does any other Member wish to speak?

I recognise the Honourable Minister responsible for Finance.

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

Madam Speaker, this is indeed something that is not easy for anyone. I think it's probably fair to say that everyone in here are parents, and certainly, would not have wanted to experience this kind of thing. Many of us were familiar and in some cases friendly with . . . certainly, I knew both Gary and Edsell and was friendly with both of them. I saw them on occasions. So, Madam Speaker, it was not just surprising, but also rather hurtful to know that, you know, they were on the vessel at the time.

So, having done so already, Madam Speaker, to the family when I visited their home, I want to say again publicly, my condolences to all of them, the mother, the father, the siblings, friends, the entire family and all who are affiliated with them. It has been a major loss for everyone. Madam Speaker, I went there with the Premier, Minister Tibbetts, and we were there for several hours. And yes, Minister Rivers (correct), she joined us later on. We were there for several hours, Madam Speaker, and we sat and understood all that the family had experienced and all that they had tried to do. And we saw the pain and anguish that they felt.

Madam Speaker, I'll never forget standing and speaking to the father of the two little boys. And I'll just say, Madam Speaker, it was very tough. To just speak with the gentleman at the time was very tough because, as I expected, he broke down and he cried.

Madam Speaker, I won't presume to speak for the family. But I think the family would not have wanted any of us to turn this into a political matter. And thankfully, no one has. It's good that we have been able to discuss it, and each one, make their own contribution, in the way that we have. I think what they really wanted was for the safe return of their family members. So, it's good that we have acted in the mature and responsible way that we have today, to each one make their contribution, and, as has been said by Minister Tibbetts, the Leader of the Opposition will say what he will say concerning the way that we have come together on this matter.

Madam Speaker, the Governor has called for an independent inquiry. And while no one can say with absolute certainty what the future holds, I do believe that following the inquiry, we will have the necessary information to provide the answers that we seek. So, I know that this is an issue that the country really wants to hear, all that there is to know about it. And hopefully, following the results of the inquiry, we will then know what transpired, perhaps what could have been done better, what could have been done sooner.

And it is from that, Madam Speaker, we will progress and move on as a country and put in place the necessary policies, procedures. And if procuring additional and improved equipment is necessary, then of course, that should also be a priority. Because when it comes to human lives, we have to ensure that we do all that we can do. But at the same time, recognising that there are times when Mother Nature may prevent us doing that.

So, Madam Speaker, with a tragedy of this scale, where five men and young men lost their lives at sea, we ought to ensure that, as elected representatives, this not occur again. Because, Madam Speaker, this is not the first time that this has occurred. I recall a few years ago, we lost another boat with five persons on-board. And, Madam Speaker, at that time, if we had thought about it, perhaps at that time it would have been appropriate to put in place the necessary policies, procedures, whatever the case be that would regulate as to when the Royal Cayman Islands Police Service and whatever other emergency services that we have, how and when they would respond to these types of events. Because I think it was similar weather.

So, Madam Speaker, I don't want to go on much longer, but just to say my sincere condolences to the family, some of whom are here today, and to say, Madam Speaker, that I'm sure I speak for everyone in here that, following the outcome of the investigation and the publication of the report, the country

will then be in a much better position to know what occurred, and then, what is necessary on the part of the Government and emergency services and the police service to make sure, Madam Speaker, that we know what has to be done, by whom and when and how and why. So that going forward, Madam Speaker, everyone can then be confident that everything necessary was done to save lives.

So, in closing, I'm thankful that we have done this in a very professional and respectful manner, given the situation, Madam Speaker. And I thank you to my colleagues and the Members on the Opposition for what we have done here today. And I hope, Madam Speaker, that for everyone who has spoken, that in some way we have given the family some peace of mind to know that we do understand to a certain extent, because we can never quite put ourselves in their position. But we do understand their concerns, and we will do our best to ensure that their concerns are addressed. Thank you, Madam Speaker.

**The Speaker:** Does any other Member wish to speak? Does any other Member wish to speak? Final call: 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:** Thank you, Madam Speaker.

Madam Speaker, I want to start by saying a thank-you to the Deputy Governor because it was me whom the family called at seven in the morning. It's not something that I like to do, but when it was explained to me, Madam Speaker, what had happened, I gave the young man the Deputy Governor's number. And that was at ten past seven in the morning, Madam Speaker. He answered, and the family called me back and said, *He said he would look into it immediately*. And even after that, Madam Speaker, it took almost till 8:30 before I saw the helicopter leave off, myself.

Madam Speaker, I coached both Edsell and Gary. In fact, I remember the first goal he scored for us, Gary's score, because it was strange to go to get a George Towner to bring him to West Bay to play for Scholars. He was young. And I saw people like myself, Ralph, Ronston, all of those starting to get old. I knew I had to bring in some young blood. And he was one of the first, along with LuLu [PHONETIC], who I knew could keep Scholars at their peak where we were. I too know the Mullings' residence and yard very well, so much so, that, I don't pay for food. Maybe that's why I'm so big.

Madam Speaker, the next Motion in this House, I think, will not be as pleasant or as touching as what has been going down today, out of respect to the families. Madam Speaker, what bothered me through this whole thing is the fact that it was in the press with me going back and forth with the Commis-

sioner. I felt if I'd said anything, it would definitely be deemed political or playing politics. So, I kept out of it. But it did hurt me, Madam Speaker, when I heard people, when people in the yard told me that politicians or representatives, whatever we want to call ourselves, came to the yard and said, *Yes, the Commissioner has to go*. But then, the next day we were in the press, saying the Opposition was being political.

But I'm happy to see that that card has not been played today and that everyone is in agreement that something went wrong, really wrong, and how it was handled could be best described as pathetic, disgraceful, with many words. Madam Speaker, it has highlighted something that has been going on in our country, and no one wants to address it and that is almost an "us-against-them" mentality. But no one wants to say so.

The Leader of the Opposition, when he decided to do this, decided to do it with a very honourable person in the Deputy Speaker of the House, to carry a lot more weight; two good people. And I'm very happy to see today that it has not been any games or things being thrown about our being political. I'm very happy for that.

*[Inaudible interjection]*

**Mr. Bernie A. Bush:** Oh, yes. But, Madam Speaker, I do hope that the two or three people in the House who are in the inner circle with the Governor will advise her that it may be, to use the words that I think it was either she or the Deputy Governor used the other day in a meeting, *Justice must not only be done, but [must be] seen to be done*. It would be good to put someone whom we can all agree on, so that the public will know or will feel, at least, that it's not all England covering up for each other. Okay. Okay.

So, I do hope that they will advise the Governor that whoever is put there to work with this gentleman whom they're bringing in from overseas, will make the public feel that is a real investigation, that we will get the true facts. That is what a lot of the public is appealing for. Make sure that whoever works with this gentleman, now that they're bringing someone, is someone that we all can feel and trust and say, *Yes, it was a good legitimate exercise*.

So, Madam Speaker, thank you very much. And I do appreciate it as well how we've all been very respectful to the family and to the lost ones.

**The Speaker:** Does any other Member wish to speak? Final call: Does any other Member wish to speak?

If not, I'll call on the Honourable Leader of the Opposition if he wishes to exercise his right of reply.

**Hon. W. McKeever Bush, Leader of the Opposition:** Thank you, Madam Speaker. And I certainly want to

thank all Members who have debated and all others who have in one way or another given tacit support.

Madam Speaker, for all those who got up and talked about being non-political, it reminded me of what Mr. Benson Ebanks said in his political meeting one night at the West Bay Town Hall, about a woman who had prayed at the other candidate's political meeting the night before in the same Town Hall. And he said that in a very short prayer he never heard God mentioned so many times. But he said it wasn't long after the prayer they forgot about God and threw God out the window. I'm well reminded of that when those accusing us on the outside came inside and skirted the word *politics*.

Madam Speaker, I want to speak to several matters. And then we'll see where we get at the end. Madam Speaker, there were those Members who talked about those persons whom we have working for us, the country—civil servants, let's call them. Madam Speaker, no doubt, we have a good civil service. I know of many good civil servants, Madam Speaker. In my years at the old Glass House and in the new admin building, I have been there till twelve o'clock at times at night, later. I have left there on numerous times at those hours. And when I would leave, there were civil servants who were there still working.

Probably, they were in those management areas, but I think it does run through the rank-and-file of the civil service of this country. Over these years, Madam Speaker, if this country had not in majority, large majority, a good civil service, we would not be where we are today. We would not have had the kind of development and the standard of living that we have. So, we are not here to tear down anybody in any position. That's not what we're here for, and that's not what we're doing.

Madam Speaker, I will say something else about that later, but the Deputy Governor said that we don't want to second-guess decisions made by persons who are in charge of a matter and who will make those decisions. But that's not what we want to do. We're not here second-guessing. That's why Mr. Deputy Governor, Madam Speaker, we want a proper, foul-proof, safe and legal judgment on this matter, because we don't want to be second-guessing. We want to have something that, when it is done, we all feel that it was done properly. And had it not been for the way it was handled in the beginning, then, there would be no need to come here. It's proper, Madam Speaker, for all of us to do what we have to do as representatives.

When something is at hand, something that needs to be attended to, I can break down. And I have. I don't know, outside of the First Elected Member from George Town, anyone in this House who has had to deal with more critical situations. Perhaps that's because we've been here longer than [they] have. And I've seen what families have had to go through and I've had to go through my own self.

Madam Speaker, the Premier says we must not jump to conclusions. Well, that's not what we're doing. If they recall, he said that the U.S. Coast Guard was asked, but they were asked *three weeks* later! Of course, they were asked three weeks later; they were asked to do the inquiry. But that's three weeks later. So, was officialdom concerned enough? Three weeks, nothing had been done. Don't jump to conclusions, Madam Speaker. We know, as I just said, that there are people who run the services of this country that we owe a debt of gratitude to, no two ways about it.

Oh, Madam Speaker, I know about remembering that people are human. I know about how wives, I know about how children, I know about how parents, people, should be handled in such circumstances. It's a pity, Madam Speaker, that, those who come here to police don't seem to know that part of humanity. It's a pity when they go after people. It's a pity. Ah! But, Mr. Premier, they want us. They want it given to them.

You see too much of that in this country! When it is them (and it can go back to the Governor. I hope they listen. And whoever has to take notes and carry it back, go) it's all right. It's not about terrorism. It's not about criminality when they do something. Uh-uh. When it is done here though, do the same thing, it's then criminal. If you all don't see that, then you're worse than blind Bartimaeus. But I know you do. I know you do! It's only when you want to beat up on McKeever Bush that you think you can get mileage out of it and you'll say that. But I know that you know what I am saying. When it is them, Mr. Premier, it's okay; this part of being human, and reading things into things that don't exist and setting people up!

*[Inaudible interjection]*

**Hon. W. McKeever Bush, Leader of the Opposition:** What about the old helicopter? I'm coming to it. I coming man, hold on —

*[Inaudible interjections]*

**Hon. W. McKeever Bush, Leader of the Opposition:** Mm-hm. So, we are not here to demonise or just lay blame. But if anyone is culpable, then, Madam Speaker, they can't be blameless. We are not jumping to conclusion. I don't think anybody on this side ran off and said something about this matter in such a serious situation when lives are lost in the way that they are. Yes, what we are talking about, they say they want to know. I think it was the Deputy Governor. They want to know if what they did was correct. They want to know. Why does it have to wait till someone goes missing to start to want to know? Why?

We are not jumping to any conclusions here. That's why I asked for more than just an ordinary review that is normally done. What we are talking about, what we must be concerned about is: What did hap-

pen? Closure cannot be put to this matter without going the full length. My concern is, why go to the length and breadth of accusing family in the papers? My concern is about resources. My concern is about the handling, the deployment of resources. And my concern is, do we have the equipment, and what type of equipment must we have? No, no government can think of everything at one time, not even sometimes in a four-year period. And I'm not going to be an Opposition like you all were in blaming people. Uh-uh, I've been there. I know. I know what obtains.

I know what you have to go through with the FCO [Foreign and Commonwealth Office], even though, you'd be hypocritical about it and say you mended fences. And then you come back and you're going to break them down with a hammer or a stick or a car drive through it, something you have to do, because there was no fence mended and never will be mended! It is always and has been and will continue to be us-and-them. When it is good for them, it is good for them, but not for you, nor me.

Every Minister gets up and talks about they wanted something done. I don't know. They say so. They all claim they went to the Governor, and they said this and they said that. I don't know. But, Madam Speaker, you see who the Governor said wanted an inquiry? Every one of them got up and said they went. They went to the family. They went to the Governor. Everyone—but you see who she said wanted an inquiry? She said the Commissioner of Police came to her and asked for an inquiry! She didn't say a word, not *quehey* about them! Not a word. I don't know what they did. I don't know.

Oh, you'll hear all sorts of things after I sit down.

Madam Speaker, equipment, much has been talked about the helicopter. What I want to know is about resources for the helicopter that we got. Madam Speaker, I want to know why the young man who went to school to train specifically for helicopter and graduated with flying colours (pardon the pun) years ago, three years ago graduated, but was not given the job at that time. Why? It is too obvious. They want us to trust them. But they don't want us in charge of these kinds of operations. Got to be! Why would they take out the second seat? Why? Out of the same helicopter? It is the seat or the stick or whatever it was, but something was taken out so that our boy wouldn't be able to say that he could get the job!

And that kind of stuff, nobody ever heard me talking about it. I leave them, Mr. Deputy Governor, because they are the operatives. You've got to have confidence in somebody. But when you find it out, by God, don't come here and grin in my face and be tongue-in-cheek and think that I don't understand. Me? Who has been here 30-something years? And besides that, been born 61 years, plus. I'm not fool-fool, not twice, maybe once. Once I trusted. But the Member for East End likes to use those words *trust*

*but verify*. No more of that! You've given them everything that you could, millions of dollars. And I was there. What was it? Fifty to \$60 million in the last four years and before that was another \$50 million. How much are we going to be pouring down into this? And you don't want to hear what the Motion says? Oh, no? Well, I believe it is going to be a long time tonight. You're going to hear.

Yes, why? Why? Take the seat out so the young man can't qualify. Say they nah ga no room—can't do it. And we here saying we're playing politics. Yeah, right.

Madam Speaker, the Minister of Education, my cousin . . .

*[Inaudible interjections and laughter]*

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

Before that, Madam Speaker, the private helicopter was not used or not asked to be used for this operation that they did. But since, I think 2006, the Royal Cayman Island Police Service have requisitioned the same pilot for reconnaissance missions for the Royal Cayman Islands Police Service. Most were night missions. Why didn't they use him? We want to know. We want to know. They can use him for all sorts of things. That's what he's supposed to be doing.

I'm not here to accuse anybody. But they didn't feel, plainly and simply, Madam Speaker, that it was important enough. Why? They didn't come from the right side of the street? They weren't the right people? They never had the right family? What was it? Go lie down, snore and sleep, drink wine, be happy while people are languishing in sorrow. And perhaps . . . Well, we don't know. We can't go that far because we don't know why. Why? That's why the inquiry is needed.

So, my dear cousin, Second Member for West Bay, spoke in regard to the Constitution. I listened because I said to myself, *It's a pity that my cousin didn't say all those things in the campaign of 2013*, when they blamed me for heavy rain and heavy breezes and everything else. Why?

It just came to me. I'll give her a bly this time. She can't say that I, this Member, don't raise the issues or ask the questions, I don't get in a battle, quiet as it is, in the National Security Council; she nor anyone else, because that's why I'm there. If I know something, let them have it. That's what we're there for.

I agree with her that our Constitution needs serious consideration at this juncture in our development as a country. We need to get more sovereignty than we have. And we need to try to balance and keep what little that we do have. But all those who are afraid to say so, better understand that more and more they're going to ram it down our throat if you sit down and allow them to do so. They're not going to leave us alone, no matter how many trips I went on,

no matter how many trips Financial Services Minister goes on now, or the Premier, and no matter how many times they carry up nails up there and batten down the fences, they always broke them down—no matter. So we'd better understand that this thing we call the Constitution is not made in cement blocks that we just can't do anything with it. We'd better look at it and start to teach our children what we faced so that they will know what to expect.

Those who don't like what I'm saying, if you're in here, plug your ears. If you're listening to television, cut it off. But I have said what I believe is absolutely right. Madam Speaker, not an appropriate case for judicial review. The Deputy Governor traded out and rolls out a long list of what the man has done. And we are not here to question that; we don't know. What I want is that what he finds, there are no changes made to it. Members ought to insist that there is a quasi-judicial enquiry. There are far too many examples, Madam Speaker, where those responsible (doctor reports) and we see too many examples where reports have redacted parts.

I certainly and like I said, I can't *trust*. I hope that Members here consider the environment existing and the history of the Foreign and Commonwealth Office and such matters. And after considering, how then, can anyone believe that we can't get a clear report if it is the kind or if it is found that the Commissioner, his Deputy or the Governor's Office is culpable and a decision that went wrong could have been made to have helped? Do you think there will be sanctions? Or don't we want sanctions? Or do we want to just go spend money, buy equipment and get more people? What do we want? Again, if it were you . . . Mr. Man who was the head of the Prison, a Caymanian, hah! Quick o'clock they moved him. Quick o'clock, they moved him for a break out. Mind you, I said down here then, that, instead of being up in the room eating mangoes they should have been looking after the prison. But it happened. It happened.

Good gentlemen of this Honourable House, we ought to demand there be that sort of judicial inquiry. Why does anyone believe it is not appropriate? Hear me, Madam Governor. They have judicial review for PR, when people can't get from their residency or some question arises. They have it for work permits, when people say they've been treated wrong. They have judicial review on work permits. They have it when immigration officers are accused. They have judicial review. Now, pray tell, but when lives are suspected of being lost, five lives, we can't have a judicial review, Why? You're talking about looking into the future and you want change? Well, this is where change can happen, right here. I suspect that we could get more if we do what we're about to do.

So, Madam Speaker, I believe that we ought to be doing more than we have or has been done. As I said in opening, we cannot expect change or respon-

sibility by people in charge who must take blame. All we will get is denial and concealment.

We can mourn, and we must mourn with these families. But if you want to call experts, let them be called as expert witnesses. Let it be testimony, not political and civil service bureaucratic convenience that we know can take place. And we ought to now try to do something about this.

Madam Speaker, while I believe that the Government should come aboard and give this Motion full support for what I have been asking for, a quasi-judicial inquiry, I am prepared for a compromise to be able to get more objectivity in inquiry, as the Minister of Works, the First Elected Member for George Town, has said. We need to do this, Madam Speaker, to try to get to a point where I believe things would be much clearer in this matter. And I understand that the Government would not be supporting what we have before them. So, we are prepared, as agreed, to amend the Motion.

So, Madam Speaker, I believe that you have .

**The Speaker:** Honourable Leader of the Opposition, if you are about to go into the amendment that you are proposing, then, please indicate to the Chair, because I will have to take a short suspension to consider it in Chamber.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Yes, ma'am. I am going to propose that we go into this amendment. The one that we put forward said, "BE FURTHER RESOLVED that the Legislative Assembly requests Her Excellency the Governor"—

**The Speaker:** Honourable Member.

**Hon. W. McKeeva Bush, Leader of the Opposition:** Yes, Ma'am, but I need to say this.

**The Speaker:** I'm just saying that if you're going—can I just—

**Hon. W. McKeeva Bush, Leader of the Opposition:** No, no. I am not moving it. I am just—

**The Speaker:** Okay. Because—

**Hon. W. McKeeva Bush, Leader of the Opposition:** I'm not moving it. I'm just saying—

**The Speaker:** Standing Orders 24 and 25, there are certain provisions.

**Hon. W. McKeeva Bush, Leader of the Opposition:** I understand. Yes, Ma'am.

**The Speaker:** And discretions for two days' notice. I don't want any anticipation. I want to give you ample chance to deal with it. But—

**Hon. W. McKeever Bush, Leader of the Opposition:** Well, I'll deal with it afterward then.

**The Speaker:** Please allow the process.

**Hon. W. McKeever Bush, Leader of the Opposition:** Let's say I'm not going to anticipate, but I will deal with it afterward, because there's a change from what I expected to what it is now again. So, just one word—*consider*, which is not the end of the world, but, I just don't like it all the time where we have to ask them to consider all the time.

*[Inaudible interjections]*

**Hon. W. McKeever Bush, Leader of the Opposition:** I don't think so either, but they changed it.

**The Speaker:** The House will take 10 minutes suspension at this time so the Chair can consider the proposed amendment.

**Proceedings suspended at 3:28 pm**

**Proceedings resumed at 3:50 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

**Private Member's Motion No. 19/2015-2016—  
Enquiry into the Search and Rescue Operations  
on Sunday 6<sup>th</sup> March 2016**

**AMENDMENT**

**The Speaker:** I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeever Bush, Leader of the Opposition:** Thank you, Madam Speaker. I think we are ready to move on, then, Madam Speaker, with the Motion.

**The Speaker:** I have granted waiver of the two days' notice, and yes, sir.

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

**In accordance with the provisions of Standing Order 25(1), I, the Honourable Leader of the Opposition, First Elected Member for West Bay, seek leave in accordance with Standing Order 25(2) to move the following amendment to Private Member's Motion No. 19/2015-16, as follows:**

**To amend the last Resolved Section, which reads as follows:**

**BE IT RESOLVED that Government considers appointing an independent inquiry with a Chairman and members that are not police officers nor civil servants and with whom the police or Deputy Governor have any connections; to determine the facts of what ensued on Sunday, March 6<sup>th</sup>, 2016, and surrounding matters connected to the disappearance of the five individuals, including an eleven (11) year old and a nine (9) year old child.**

**The Resolved Section will now read:**

**“BE IT RESOLVED that the Legislative Assembly requests Her Excellency the Governor to appoint an independent inquiry with a Chairman and two (2) members (Justice of the Peace), one to be appointed after consultation with the Premier and one to be appointed after consultation with the Leader of the Opposition; to determine the facts of what ensued on Sunday, March 6<sup>th</sup>, 2016, and surrounding matters connected to the disappearance of the five (5) individuals, including an eleven (11) year old and a nine (9) year old child.**

**AND BE IT FURTHER RESOLVED that a report be prepared and tabled in the Legislative Assembly.**

**The Speaker:** Is there a seconder?

**Hon. Anthony S. Eden:** Madam Speaker, I beg to second the amending Motion.

**The Speaker:** The amendment has been duly moved. Does the mover wish to speak to the amendment?

**Hon. W. McKeever Bush, Leader of the Opposition:** Madam Speaker, as I said earlier, I am giving in to this, as I think, to get the objectivity (or some of it) that I believe is absolutely necessary, that we go this route if we can't get the quasi-judicial inquiry. And so, Madam Speaker, we prepare to accept this compromise to be able to get more objectivity in the matter. I don't think I can say much more, Madam Speaker, unless other Members want to move forward with it.

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

Honourable Premier?

**The Premier, Hon. Alden McLaughlin:** Madam Speaker, as the Minister for Works said, when he introduced the idea that the Government had met, and certainly wished to accommodate an arrangement in terms of the Motion, which would allow the Government and the Opposition Members to agree on an inquiry and be able to call on Her Excellency the Governor to (shall I say) adjust, amend the position that she had taken with respect to the inquiry . . .

We really do, Madam Speaker, want a proper inquiry where all in the country can feel that there are

no issues involving any matters of credibility with respect to the report and to have two Caymanian justices of the peace as members of this review team (if I may use that expression) as eyes and ears. Caymanian eyes and ears are something we all think would be very helpful to ensuring that the report is accepted by all as true and in accordance with the findings.

But I do believe that something has been lost in the translation, because I accept my scribbling as not the clearest, and I wonder if the Leader of the Opposition could follow me by looking at the draft, the Motion that he has just moved, if he could follow my attempt to read what it was that we in the Government had agreed to.

In the *resolved* section, what I think is missing is this . . . What we have proposed was or what we propose is (same thing):

BE IT RESOLVED that the Legislative Assembly requests Her Excellency the Governor to appoint an independent inquiry with a Chairman appointed by Her Excellency the Governor and two members (Justice of the Peace), one appointed after consultation with the Premier and one appointed after consultation with the Leader of the Opposition . . .

I think the bit, Madam Speaker, that is missing from the Motion, which has just been moved, is the bit relating to how the chairman is appointed.

**The Speaker:** Honourable Premier, you are finished? Okay.

I recognise the Honourable Leader of the Opposition.

**Hon. W. McKeever Bush, Leader of the Opposition:** Madam Speaker, I have no problem with the wording “the chairman appointed by Her Excellency the Governor.” I have no problem with that. But I just took it as a given, in fact, that she would have been the person doing the appointment of the chairman, since she had already got someone, and I guess he would lead the team. But to make it absolutely clear, let’s put it in, Madam Speaker.

**The Speaker:** Out of the abundance of caution and the significance of the Motion and sensitivity thereof, we will take a short suspension to allow the proper redrafting of the *resolved* section. And I would ask Members to please stay in their seats so we can make the best use of the House time.

**Proceedings suspended at 3:36 pm**

**Proceedings resumed at 3:40 pm**

**The Speaker:** The House is now resumed.

I recognise the Honourable Leader of the Opposition.

**Private Member’s Motion No. 19/2015-2016—  
Enquiry into the Search and Rescue Operations  
on Sunday 6<sup>th</sup> March 2016**

**AMENDMENT WITHDRAWN**

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

Given the agreed change to the Motion, I would beg to withdraw the amendment as I read earlier.

**The Speaker:** Is it the leave of the House that the [Amendment] to the Motion be withdrawn?

**AYES.**

**Agreed: Amendment to the Motion withdrawn.**

**The Speaker:** Honourable Premier.

**The Premier, Hon. Alden McLaughlin:** Sorry, Madam Speaker—

**The Speaker:** Unless there’s a dissent, I don’t have to put the vote. That’s why I purposely paused.

Honourable Premier.

**The Premier, Hon. Alden McLaughlin:** Okay. That’s what I was going to ask about; that’s all.

**The Speaker:** The House has given its leave for the amendment to the Motion to be withdrawn.

I recognise the Honourable Leader of the Opposition to move the amendment.

**NEW AMENDMENT TO MOTION**

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

**In accordance with the provisions of Standing Order 25(1), I, the Honourable Leader of the Opposition, First Elected Member of West Bay, seek leave in accordance with Standing Order 25(2) to move the following amendment to Private Member’s Motion No. 19/2015-16, as follows:**

**To amend the last Resolved Section, which reads as follows:**

**BE IT RESOLVED that Government considers appointing an independent inquiry with a Chairman and members that are not police officers nor civil servants and with whom the police or Deputy Governor have any connections; to determine the facts of what ensued on Sunday, March 6<sup>th</sup>, 2016, and surrounding matters connected to the disappearance of the five (5) individuals, including an eleven (11) year old and a nine (9) year old child.**

**The Resolved Section will now read:**

**BE IT RESOLVED** that the Legislative Assembly requests Her Excellency the Governor to appoint an independent inquiry with a Chairman appointed by Her Excellency the Governor and two (2) members (Justice of the Peace), one to be appointed after consultation with the Premier and one to be appointed after consultation with the Leader of the Opposition; to determine the facts of what ensued on Sunday, March 6<sup>th</sup>, 2016, and surrounding matters connected to the disappearance of the five (5) individuals, including an eleven (11) year old and a nine (9) year old child.

**AND BE IT FURTHER RESOLVED** that a report be prepared and tabled in the Legislative Assembly.

**The Speaker:** Is there a seconder?

Honourable First Elected Member for Bodden Town.

**Hon. Anthony Eden:** Madam Speaker, I second the amending Motion.

**The Speaker:** The amendment has been duly moved.

Does the mover of the amendment wish to speak further on his amendment?

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

No, Madam Speaker. I don't know whether this draws any debate further. But, Madam Speaker, I certainly don't have anything else to add to it at this point in time, just to await to see what the Governor is going to do. I am reminded that she is required to consult with us on appointments on several commissions. Not all the time I have been lucky, Madam Speaker; in fact, I don't know of any time that I've been lucky in making recommendations, because it doesn't say that she has to accept any recommendation, and we have to bear that in mind constitutionally. I've made recommendations, and they're right to me, asking me, doing what the commission says must be done. But whomever I recommend, never, I don't believe, gets any appointment.

So, maybe the Government is strong enough to let the Governor know that the House means business in this, and we trust that she will see the good sense in doing what we are asking. If we cannot get a quasi-judicial inquiry, then this is the next best.

**The Speaker:** Does any other Member wish to speak to the amendment?

Honourable Premier.

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

Madam Speaker, just briefly to say thanks to the Leader of the Opposition for taking into account, and, indeed, agreeing to what has been proposed by the Government, acknowledging that this is an area

which is within what are called the special . . . (AG, help me.)

*[Inaudible interjection]*

**The Premier, Hon. Alden McLaughlin:** Yes, the special responsibilities of Her Excellency the Governor under section 55 of the Constitution, being matters involving national security. And therefore, the elected Government, indeed the Cabinet, indeed, even me, as Premier, do not have the power to decide on these matters. Although as we are clearly demonstrating we do have the power to, I hope, influence decision-making in this regard.

I'm glad that we've been able to agree to the terms of the Motion. I cannot say whether or not her Excellency the Governor will accede to the resolution of this House. But I would hope so. It is really a very powerful message that is being sent by the 17 elected Members of this House, unanimously supporting the Motion in these terms. And I do not think it would be wise for any Governor to ignore such a resolution.

Madam Speaker, I do believe that, as I said previously, with having two justices of the peace, one nominated by the Leader of the Opposition and one by myself as Premier, that that should give us, collectively, in this House and more broadly and particularly the family, some comfort and satisfaction that what is to be done will be done properly and that there are going to be two sets of Caymanian eyes and ears and judgment being brought to bear on the inquiry, and ultimately in the preparation of the report.

So, Madam Speaker, I am very, very pleased that this House has, despite all that has transpired, acted in what I believe is a most mature, respectful way and that we have borne in mind what is in the best interest of the family concerned and the Cayman Islands as a whole, because the findings no doubt will impact the way we deal with these sorts of matters in times to come.

So again, Madam Speaker, my thanks to the Leader of the Opposition and all Members of the Opposition. And indeed, my thanks to the Government bench, who were prepared to sit and discuss how we could accommodate what all of us were collectively seeking in a proper inquiry, one which would be credible and one which everyone would be able to accept as true findings of the facts surrounding this tragic incident.

Again, on behalf of the Government and, indeed, this Legislative Assembly, our condolences to the family of those who have lost their lives.

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

I recognise the First Elected Member for the District of Bodden Town.

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

As seconder of the Motion, I just want to say here this afternoon how I appreciate what has been done here. As I listened to the First Elected Member for George Town, the feelings which he displayed emanated throughout this Chamber. I want to thank him and the Premier. Something of this importance and magnitude to these Islands, that we get this right, because if we don't deal with this at this level, I can't see any success coming out of it.

It is amazing, if we stick together, the 17 of us and with your leadership, Madam Speaker, what we can get done for these Islands. There's another Motion to follow, not quite similar, but once again, feelings that come from the public. But this one we're dealing with, Madam Speaker, most affects families that have been so drastically, so dramatically touched that I'm grateful this evening as I stand in this Chamber. I want to thank the Government for the professional way in which they've dealt with this. And this bodes well for these Islands if we can keep on this track. Thank you.

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

I recognise the Honourable Minister responsible for Education.

**Hon. Tara A. Rivers, Minister of Education, Employment and Gender Affairs:** Madam Speaker, thank you very much.

And I also just want to echo the thanks that have been expressed here today. As you recall, Madam Speaker, in my contribution, my brief contribution earlier today, I did allude to concerns being expressed as recent as today. And so I want to publicly thank Members of the Government, whom I expressed those concerns to, as well as the Premier for bringing the proposed compromise from the Government's perspective. I want to thank the Leader of the Opposition and the seconder of the Motion, the Honourable Deputy Speaker, for accepting the amendment as proposed.

Again, Madam Speaker, I think that it does speak volumes that this Government as a whole, this Legislative Assembly as a whole, can recognise the importance of having the kinds of—of getting the answers in a manner that would be acceptable and for justice not only to be done, but to be seen to be done, as I think one Member mentioned earlier in their contribution, as well.

Certainly, we all recognise, and as I pointed out, the constitutional issues that are at play. We can only request. But I think this certainly has sent a very strong message to the powers that be and to the country as a whole that, as elected representatives, each and every one of us truly cares about the outcome in this instance. And we are working as best as possible to ensure that we get the answers to the many questions that still exist.

So with that, I would just like to lend my words of thanks and appreciation for what we have achieved here today.

**The Speaker:** Does any other Member wish to speak? Does any other Member wish to speak? Final call: Does any other Member wish to speak?

If not, I'll recognise the Honourable Leader of the Opposition, should he wish to exercise his right of reply on the amendment.

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

Madam Speaker, just let me thank everyone for coming to this after it has gone for so long. The truth is if we had been reasonable and dealt with this on the 13<sup>th</sup>, we would not be here dealing with it today. So, while we congratulate the Government, we certainly let them know that they have been unreasonable. And that the truth is also that they understand the public outrage against them. And so, they had to come to this point.

It's not what I want in its entirety. But as I said, bearing in mind the immensity of the task, Madam Speaker, let's see where they head with this so-called inquiry.

I want to thank my seconder, the Honourable Deputy Speaker and the First Member for Bodden Town, for working with me on this. And I certainly want to thank the Government for being dipped in the Jordan.

*[Laughter]*

**Mr. V. Arden McLean:** Washed in the blood of the Lamb.

**The Speaker:** I put the question that the amendment stands part of the Motion.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed: Amendment to Private Member's Motion No. 19/2015-16 passed.**

**The Speaker:** I recognise the Honourable Leader of the Opposition, as the amendment is passed, to speak to the Motion, as amended, if he so wishes.

**Hon. W. McKeever Bush, Leader of the Opposition:** Madam Speaker, as I said, we have been long at this now. And so I don't need to, unless somebody raises any matters, add to it at this point in time.

**The Speaker:** Does any other Member wish to add? Does any other Member wish to add? Does any other Member wish to add?

If not, does the mover wish to exercise his right of reply?

**Hon. W. McKeeva Bush, Leader of the Opposition:** Madam Speaker, if I didn't, I certainly want to thank all the Members who spoke, and those who didn't for their tacit support in this matter.

**The Speaker:** I put the question that the Motion as amended, which reads as follows:

BE IT RESOLVED that the Legislative Assembly requests Her Excellency the Governor to appoint an independent inquiry with a Chairman appointed by Her Excellency the Governor and two (2) members (Justice of the Peace), one to be appointed after consultation with the Premier and one to be appointed after consultation with the Leader of the Opposition; to determine the facts of what ensued on Sunday, March 6<sup>th</sup>, 2016, and surrounding matters connected to the disappearance of the five (5) individuals, including an eleven (11) year old and a nine (9) year old child.

AND BE IT FURTHER RESOLVED that a report be prepared and tabled in the Legislative Assembly.

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

**AYES.**

**The Speaker:** The Ayes have it.

**Agreed: Private Member's Motion No. 19/2015-16, as amended, passed.**

## PRIVATE MEMBERS' MOTIONS

### Private Member's Motion No. 20/ 2015-16—Lack of Confidence in the Governance and Administration of the Royal Cayman Islands Police Service (RCIPS)

**The Speaker:** I recognise the Honourable Member for the district of East End.

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

Madam Speaker, I beg to move Private Member's Motion No. 20/2015-16, which is entitled "Lack of Confidence in the Governance and Administration of the Royal Cayman Islands Police Service (RCIPS)."

**WHEREAS the Commission of Police has been in the post since 2009;**

**AND WHEREAS the RCIPS of the Cayman Islands provides the only means of security for the population;**

**AND WHEREAS residents have expressed a lack of confidence in the RCIPS to respond and investigate crimes;**

**AND WHEREAS there are many instances of police not responding when called to attend crime scenes;**

**AND WHEREAS residents are refusing to report crimes out of frustration that nothing will be done;**

**AND WHEREAS in recent times there has been allegation of discrimination within the services by police officers;**

**AND WHEREAS we have witnessed a mass departure of police officers from the RCIPS alleging claims of unfair treatment and lack of promotional opportunities;**

**AND WHEREAS in recent times Central Police Station has been broken into three times and drugs and motorbikes stolen while the security cameras were not working;**

**AND WHEREAS there have been many instances where the courts have admonished the police services on the collection of evidence with cases being dismissed as a result;**

**AND WHEREAS we have witnessed petty crimes being committed daily and the lack of police patrols throughout the country;**

**AND WHEREAS the leadership including governance and oversight of the RCIPS has failed to engender confidence in the police membership or the populace in general;**

**BE IT THEREFORE RESOLVED THAT the Legislative Assembly declares a lack of confidence in the RCIPS and the governance of the RCIPS and asks the Governor to appoint an independent team to review the police methodology of administration and to identify a Caymanian to lead the RCIPS.**

**The Speaker:** Is there a seconder?  
Honourable Premier.

**The Premier, Hon. Alden McLaughlin:** Madam Speaker, if I might ask before you proceed. I was following very carefully as the Member read the Motion, and I wonder if he has made an amendment to it. Because he said, when he was reading the *resolved* section, ". . . the governance of the Royal Cayman Islands Police Service and ask her Excellency the Governor to appoint an independent team . . ."

The Motion that I have, which I believe is a copy of that which was filed, says, ". . . and consider asking." And I'm sure, Madam Speaker, you know very well in the context of the parliamentary procedure, there's a significant difference between the two.

**The Speaker:** Member for East End, out of an abundance of caution, could you just reread into the record the *resolved* [section] as approved?

[Pause]

**Mr. V. Arden McLean:** Madam Speaker—

**The Speaker:** Honourable Member for East End.

**Mr. V. Arden McLean:** I certainly have two and don't know how I got two. The one I submitted, I was never informed that it required changing.

**The Speaker:** One minute, Member for East End.

Madam Clerk, can I have sight of the original Motion that I signed off and approved?

[Pause]

**The Speaker:** Honourable Premier, while we've waiting on the Clerk, we've reached our hour of interruption. Could you move the suspension of Standing Order 10(2)?

**Moment of Interruption—4:30 pm**

#### **SUSPENSION OF STANDING ORDER 10(2)**

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

Madam Speaker, I beg to move the suspension of Standing Order 10(2) in order that the business of the House may continue until the conclusion of the Motion now before the House.

**The Speaker:** The question is that Standing Order 10(2) be hereby suspended to allow the business which is currently before the House to continue tonight and be concluded.

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

**AYES and one audible NO.**

**The Speaker:** I believe the Ayes have it. Standing Order 10(2) is hereby suspended.

**Agreed: Standing Order 10(2) suspended.**

[Pause]

**The Speaker:** Might I remind Members that the House is not suspended? So what you say, you are at risk of it going to the public.

[Pause]

**The Speaker:** Honourable Member for East End, I now have in my possession the original copy which was submitted by your good self and the honourable Member for the district of North Side. And the word "consider" was not in. But as is customarily done by

staff when it's written to the Government, "considers" is added in. If you are in agreement of this, we can continue on. If you're not, then, we'll have to deal with that.

I understand discussions to this effect have been had with you prior to this, not on this Motion but on other motions, about the procedure and the necessity. If it's going to incur revenue and the Government are charged against the revenue, then, the word "consider" is added in.

I'll now entertain your objections and/or interventions.

Member for East End.

**Mr. V. Arden McLean:** Madam Speaker, whilst I respect that you may have directed that it be changed, it is customary that the Member be called. And, Madam Speaker, too much of that is going on in this now, when things are submitted here, to be brought to Parliament, wherein it is changed without anyone's knowledge. Madam Speaker, staff I respect may be trying to be helpful. But the staff must also respect that the Members of this Parliament were sent here by people of this country, duly elected. And this Parliament and its staff must attend to the wishes of the Members who do such on behalf of the people they represent.

If there is a need for something different from the request of the membership, then, that must be communicated. Omissions, corrections or whatever must be communicated to the Members. And if they do not wish to do so, then, it is not the part of the staff to make any corrections to anything.

**The Speaker:** Honourable Member from the district of East End, your concern has been duly noted. And on behalf of the staff, I apologise. But as you would fully appreciate, since we're dealing with the very fine line of constitutional responsibilities, the Honourable Deputy Governor is here, and I'm sure he heard your comments as it related to the administration, which the Speaker has no ambit to deal with.

Please proceed.

**Mr. V. Arden McLean:** All right, Madam Speaker, and I thank the Premier for bringing it to my attention. So I guess it's the one that was corrected without my knowledge.

[Pause]

**Mr. V. Arden McLean:** But I need to read that resolve, right, Madam Speaker? Yes.

So, Madam Speaker, if I may, the resolve that I didn't make—

**BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly does declare a lack of confidence in the Royal Cayman Islands Police Service and the governance of the [Royal] Cayman**

**Islands Police Service and consider asking HE The Governor to appoint an independent team to review the police methodology of administration and to identify a Caymanian to lead the Royal Cayman Islands Police Service.**

**The Speaker:** Member for East End, just out of an abundance of caution, I know you put a condition to your resolve that you didn't make. You are now making it. So, can I take it as your tacit support that this is the resolution we wish to discuss?

**Mr. Arden McLean:** Madam Speaker, that is the one we will go into now and discuss.

**The Speaker:** Thank you.

Can I have a seconder from the Member for North Side, please?

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

**The Speaker:** Thank you.

I recognise the Honourable Member from the district of East End.

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

After all that, on second thoughts, I wonder if the *whereas*, the recitals have been changed.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** They were?

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Yes, Madam Speaker, that Ronald Reagan thing—"trust, but verify".

Madam Speaker, let me first of all congratulate the police officers in the celebration of their successes over the weekend. The question begs, though, how far could these officers have really gone and how proud could we have really been of them if there was proper governance and they had better tools to work with?

Madam Speaker, on my way here this morning, I heard a sound bite—I think it was Radio Cayman—heard Mr. Baines. They picked it up off of what the Commissioner was saying at the celebrations last night, saying, "How could—"

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Saturday night.

"How could anyone (I'm paraphrasing, Madam Speaker, but it is close) have no confidence in all of these nice officers?"

Madam Speaker, through all this, nothing has been said about Mr. Baines, at least not by me. I want

to make that very clear. Madam Speaker, this is not about those police officers. This is not about the rank-and-file. I want that to be made very, very clear. This has nothing to do with them. This has to do with—since he has now gone this far, it has to do with Mr. Baines and his handlers. Madam Speaker, I noticed one is going to bring out a lot of people out of their seats. But we're going to be here for a while.

Madam Speaker, I did not bring this Motion to embarrass the Government or any other entity, including the Office of the Governor. But rather, Madam Speaker, this country, has reached a point where the people are concerned about the direction it is heading into. And the public demands that something be done to ensure their safety.

Madam Speaker, in fairness to this Government, this did not start on their watch. However, in recent times, we have witnessed an increase in this deviant behaviour here in Cayman, the Cayman Islands, Cayman Brac, too, and Little Cayman, too. Madam Speaker, however, we love to say at the end of our political campaign, *To the victor goes the spoils*. Well, to the victor goes the spoils; there's only one victor in this one, and I'm looking at them right over there, nine of them. So they must take full responsibility for the shortcomings, omissions or whatever needs to be done.

Again, Madam Speaker, I want to make it clear, this is not about the rank-and-file. And I will demonstrate that. Madam Speaker, rather it is to the contrary.

**The Premier, Hon. Alden McLaughlin:** Madam Speaker—

**The Speaker:** Honourable Premier.

**The Premier, Hon. Alden McLaughlin:** A point of clarification if the Member will yield.

**The Speaker:** Member, will you give way to the Honourable Premier?

#### POINT OF CLARIFICATION

**The Premier, Hon. Alden McLaughlin:** I think it's important to those of who are debating that we understand what we are being asked to debate. The Honourable Member for East End has said twice now that this does not involve the rank-and-file of the Royal Cayman Islands Police Service. And I've been struggling with the interpretation, therefore, of the Resolution that we're being asked to make, because it says, "BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly does declare a lack of confidence in the Royal Cayman Islands Police Service . . ." And then it goes on to say "and the governance of the Royal Cayman Islands Police Service . . ."

So, on just ordinary interpretation of the English language, that first provision seeks a declaration by this House of a lack of confidence in the entire Royal Cayman Islands Police Service, not just its governance, because that's quite separate. So, if the Member could help the House, I would appreciate it. Or if he wishes to amend the Resolution, then that is something perhaps we can discuss as well.

**The Speaker:** Honourable Member for East End.

Members, please allow the Member to have his chance.

**Mr. V. Arden McLean:** Madam Speaker, what would you like of me?

**The Speaker:** He was asking for elucidation on the construction of your reference to lack of confidence in the Royal Cayman Islands Police Service and your inference that you were not referring to rank-and-file, whether they are synonymous or whether you can show the distinction thereof.

**Mr. V. Arden McLean:** Ezzard, try to find that one from the Governor, one day in confidence, the next day, regret and resignation and got to leave. If we're talking about the English language, then, we should have first determined who and how we were going to explain to the public the exit of the Commissioner of Police. That's number one.

The rank-and-file in any organisation follows orders. It has nothing to do with them. And I said I will demonstrate that. They follow orders. That's what they do. Madam Speaker, as a matter of fact, I have it in my notes. Madam Speaker, we all believe the rank-and-file of the police service follows instructions. That's their job—instructions and policies. Like any security institution in any country, the same thing happens here with our police force, service, whatever we want to call it. If we're going to have a different English interpretation for *force* and *services*, that's why we changed it, let's hear that one then, too. But I know that anyone below the higher echelons of the police service is the rank-and-file. And the conditions under which they are working are a direct result of those above and their handlers, who give instructions, who create policies. That's where we're going this evening.

I know, Madam Speaker, that that is going to be their tack; that they're going to come at me to say that it's the ordinary little police I'm trying to attack. They ain't going to get that benefit this evening though. They ain't going to get that benefit. Madam Speaker, that's not to say that all of us, that anyone does not believe that in any rank-and-file there are staff who don't need improvement. Of course! But in those circumstances, Madam Speaker, we in that organisation depend on the disciplinary process. And that process will weed out those who would otherwise not be worthy.

This is about the methodology used under which those staff [members]; that rank-and-file, are required to carry out their jobs to secure our people. But everybody is running from it. They want to put blame on the police, on the little police, men and women. That's what they want. They want to be able to point the finger at me so they can go out and tell the police, those who are doing traffic, doing patrol, that I don't like them. That's what they want.

Madam Speaker, I've got some challenges for all of them. I see them writing. Don't worry, they are going to need to write. They ga need to write.

Madam Speaker, I will demonstrate that this is not a problem that has just begun. We in this country have wrestled with the provisions of proper policing and crime intervention for many, many years—many years, Madam Speaker. Of course, in the early days (the only thing we can compare it to is the early days), policemen were all Caymanians. Well, Madam Speaker, I agree that was not a prerequisite to prevent criminality, and the fact that the population was, I don't know, 10–20 per cent of what it is today. We nevertheless managed crime a little better than we're doing today.

I will admit, Madam Speaker, that in my view, crime was less prevalent because of the respect that people had for authority and the condemnation of such acts by the community. Because everyone knew who everyone else was, it was extremely difficult to avoid detection. I understand that because of the small population and the likes. But, Madam Speaker, it is more than I can say for today, nevertheless. This community has a responsibility, too. Unfortunately, as a result of methods employed, our people have lost faith in our police force. That's very, very, very unfortunate. Madam Speaker, I haven't lost faith in them. I haven't lost faith in them, Madam Speaker. I still believe—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** *Confidence*—whichever one you want. Which one do you need?

*[Inaudible interjection]*

**Mr. V. Arden McLean:** I haven't lost confidence (if that's what he would like me to say), in the police, the rank-and-file. I really have not. And if you were to talk to any one of them, Madam Speaker, you would learn real quickly that I have a healthy respect for all of them, besides fearing them that they're going to catch me driving fast or something.

Madam Speaker, I know the Government is going to point to statistics that are produced by the police services and say that crime is not what we are making it out to be. Madam Speaker, I submit that there is more unreported crime because of that lack of trust. And, Madam Speaker, I am going to show that

this is not about the police officer who is on patrol that has caused that lack of trust between our people and the police.

Madam Speaker, we have seen an unprecedented evolution of this country in a relatively short period of time, which leaves much to be desired. In this particular case, Madam Speaker, the ability or willingness to change the way we police to match the new wave of criminality which started creeping into our society over 30 years ago has caught us flatfooted. Madam Speaker, we are like deer in the headlights. Our response to fighting and prevention of this devious behaviour can only be described as dismal, mediocre, incompetent, unresponsive, lack of care, dismissive. I could go on and on, Madam Speaker, but to what end?

We are where we are now, and it is time to correct the mistakes of our past and ensure the future is more secured than the last 30 years. I have always, Mr. Speaker, always contended that no one or entity must be allowed to become bigger than the state. The day that happens, we will experience anarchy. To that end, Madam Speaker, there are many, including the Members of this Honourable House from this side who believe that the methodology of policing in this country must change to match the ever-increasing behaviour of criminality that has invaded us.

Do we understand where I'm going now? This has nothing to do with the police officers. This has to do with our methodologies!

Madam Speaker, before I go on any further than that, I want to turn to this response by the Government to this Motion. Firstly, I was disappointed in the Governor's response on Thursday, 24<sup>th</sup> of March, and then her reasons on the departure of the Commissioner on Tuesday, the 29<sup>th</sup> of March. The latter indicated that his continuing office was untenable. Let me quote her: "**The recent barrage of unfair criticism and defamatory comments has undermined the Commissioner's authority to the extent that his leadership of the RCIPS is no longer tenable.**

**"The Commissioner continues to have my support and will do so until he leaves his post."**

Madam Speaker, I wish to categorically deny being part of any such comments. Madam Speaker, the record will reflect that my comments have been more inclusive and less personalised. I recognise that the responsibility to ensure the safety of my people lies with others as well.

The Governor has overall responsibility; the political directorate, and more specifically, the Premier, this Legislature; the National Security Council; and lastly, the Commissioner of Police for direct management. Thus, the reason the resolve asked to appoint an independent team to review the police *methodology of administration!*

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Yes.

Madam Speaker, the Premier was very pointed in his remarks, claiming (and I quote), "**It is unfortunate that the recent motions filed by members of the opposition in the House concerning policing have put us in this predicament . . . Essentially, government is going to have to pay Mr. Baines for the remainder of his contract while the Cayman Islands has no commissioner of police in place and, given the reaction of the opposition to Mr. Baines, we may find ourselves in difficulty in filling the role quickly.**"

Madam Speaker, I wish to disagree with the Premier.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Yes, this is one of the few times I disagree with you.

The Motion does not call for the head of anyone. Despite the mix-up, it still didn't call for the head of anyone. It calls for a review. Madam Speaker, I wonder if the Premier is using the fact that we brought this Motion to justify his own desires to rid the country of the Chief Commissioner.

*[Laughter]*

**Mr. V. Arden McLean:** He has said so to others in this Chamber, including myself, that it would cost too much to get rid of him and he was not prepared to pay another hefty sum for termination of yet another contract. I wonder if he now finds refuge in our Motion.

Madam Speaker, he wants to know who wrote it for me. He knows that he and I have, for 12 years . . . for 12 long years we fought back to back. We dealt with everybody. So I should remind him of an old country song—*Life turned me this way, my friend. And the last footprints on me are yours. Life turned me this way, my friend.* Madam Speaker, if that is the case, only if that's the case; that is called *hypocrisy* eh? And I am convinced that hypocrisy is the greatest threat to democracy.

Now, we're going to find plenty of it in here today. This place has been steaming with it today. Recalling the last three weeks, Madam Speaker, you and the people of this country know that if I wanted the head of the Commissioner of Police or any police officer in the police force, I would say that. And I would ask for the head. Nobody must figure that I wouldn't do it. Because, Madam Speaker, we all know that I'm straightforward. It's better to tell you today so you're not going to go home tonight and worry about what I was thinking. And I've going to tell some people some today, too.

Be that as it may, Madam Speaker, the Premier claims that this caused the Police Commissioner's departure. Well, if that's the case, why hasn't it caused the Premier's departure, because he's com-

licit in the causes of the lack of proper policing over the last three years? Not to worry, Madam Speaker, I will demonstrate such.

Madam Speaker, the Premier said that this Motion *further destroys the morale of the members of the service!* It further . . . does it? In addition to where it was? That is the problem! That is the problem! You think a motion caused the low morale in the police force? Who is the low morale among? It's the rank-and-file! That is our problem! We need to find out the reason for the low morale in the police force. So, what do you think caused that? Many of you had big companies before you came in here. If your staff morale is low, what caused it but you? It's management that has caused it, or the lack thereof.

A motion caused that? Can't get any lower! Then, it was prior to this Motion! Madam Speaker, the question is then, what has the Government done to address the problem which the Premier identified? I want to know. Let's see. Here are the questions, Madam Speaker. What is the policy of the Government? No, first, what has the Government done to stem the exodus of officers from the service as a result of the low morale? What has the Government done? What has the Government done to stem the exodus of all these officers from the police force?

Madam Speaker, every week I meet a new one who couldn't take it any longer and left—good police officers, men and women. I recently met a lady where we have coffee, young woman, I don't know, in her 40s maybe; must have been at some middle rank. She just couldn't handle it anymore, had to leave. It's a motion did it? Oh, no, my friend. This Motion needs to correct it.

Madam Speaker, what is the policy of the Government on retirement of local officers versus foreign officers? What is it? What has the Government done to address the court's dismissing cases because of improper evidence-gathering? You know what needs to be done? They need to be given the tools to gather the information.

You remember when I was Cabinet Member, that we tried opening a lab for the police, that I fought for alongside the Attorney General? Nobody is doing anything to assist them.

**Mr. D. Ezzard Miller:** That was nine years ago—seven.

**Mr. V. Arden McLean:** Eight. What is it? Seven, eight, I don't know. Whatever!

Who is it who first suggested that we sell the police station on conditions and relocate it in front of where the Government Building is now? Who do you think it was? Do you think that is an original idea that this Government came up with? No, it's not. No, it's not, Madam Speaker. Every excuse in this world I got.

What has the Government done to properly resource the services with the required personnel to

keep our people secured? That is a responsibility mandated by law under this Government. I heard the Minister of Education talked this morning about how responsibility is the Governor's. Wait a little bit. I've got to disabuse her, too.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Madam Speaker, what is the Government's policy on recruitment to Caymanise the service? Years ago, they recruited straight out of the school; Scotland, Clifford, the boy from Cayman Brac . . . Dixon, this one, Walton. They recruited at 17 years of age. When was the last time we did that? What is this Government's policy on that? It is easier to blame the Governor and allow others to bring them from overseas, no intervention on our part. None, none!

There are many other questions, and the Government will need to answer here today, between today and tomorrow morning, now that this matter has reached this point.

**Mr. D. Ezzard Miller:** Or tomorrow evening.

**Mr. V. Arden McLean:** Madam Speaker, all those questions asked are matters—those are matters that are directly impacted by the methodology we apply. Mr. Deputy Governor, do you understand where we are coming from now? I'm sure the light bulb has gone off in your head, sir. I'm sure it has. Want me to look like a dunce, you see. See any dunce cap on me?

Madam Speaker, as far as I see, there seems to be a total of nine people in this country who believe we don't have a problem with the method of policing, and I see them all right there; that being the political Cabinet and their two backbenchers. If that is not the case . . . and the *Compass*. . . but that ain't nobody. If that is the case, then I invite them to make their positions known today. At least we on this side are providing the platform for them to let the people that they represent know where they stand now. All of you, all nine of you need to get up and do it. They will also have the opportunity, Madam Speaker, to tell the electorate why they believe that it was not important to attend to the Legislative Assembly summons to deal with this matter. Unna thought it was free? Nothing is for free. You like this dismissing me? Oh, yeah. I've got to deal with you a little bit later. Don't rush it. Everybody is going to get a piece.

Madam Speaker, this matter, now having been brought to the forefront through the Opposition's supposedly irresponsible behaviour has even been weighed in on by the Chamber of Commerce. As conservative as they are, even they are calling for changes. Anything that can move is being robbed.

Let me quote from the 21<sup>st</sup> of April 2016, *Cayman News Service*. “**The recent trends of violent crime, particularly with the use of firearms and selected enforcement of our laws, cannot and**

**should not be tolerated in the Cayman Islands. We believe the time has come for decisive action to address this and other criminal activity. The Chamber confirms that it will continue to provide any and all assistance to the police when required . . .” I confirm the same thing. Whatever is necessary for me, sacrifices for me to make to provide to the rank-and-file, I am going to do that. Trust me.**

**“The Chamber still supports and has confidence in the police service but is calling for Baines to review and address any issues impacting the RCIPS’ ability to perform its functions before he leaves, the release stated. The Council also wants his replacement to conduct his or her own review of the police service.”** They’re not asking for one, they’re asking for two. I’m only asking for one, unless we want to double this Motion up now so I don’t be behind them.

Madam Speaker, no one—no one in these Chambers can claim they have supported or done more for policing in this country than myself—no one, not one person. Stand and hold your hand up. Madam Speaker, I have also pointed out in short comments and made recommendations as I see fit to ensure that they are given the resources and assets to get the job done. That is when I was in the position to do so, Madam Speaker.

Let me go on to show, Madam Speaker, that this is not a headhunting exercise, contrary to the assertions of the Governor, the Premier and the Minister of Financial Services, who just happens to be a pivotal player in this failure, by virtue of being a member of the current Cabinet.

You thought you would get away.

Madam Speaker, in the late 1980s, a group of people, including myself, in the district of East End, became concerned with certain behaviour that had started to creep into the community. I along with others, like the late Will Jackson, the late Johnny McLean, who was my uncle, and Darryl Rankin, went to see the then-Governor Scott. There began my campaign for better policing in that district. No one listened to us then, and no one listens to us now.

Madam Speaker, the cries for more and better policing have been unrelenting, unfortunately to no avail. Time passed on, and I became the representative for that district. From my very first finance committee here, I requested provisions for additional policing. I became a minister in 2005. It was during my tenure that the Government that I was a part of bought a helicopter and boats for coastal patrol. It was I who took money from my Ministry and repaired the police stations. Remember the colourful pink top? Oh, you weren’t anywhere around then, Mr. Deputy Governor. I personally supervised it. Okay? I personally supervised the shoring up of the police station and headquarters in George Town. Me.

It was I who took money from the repairs for East End roads and went and repaired East End and North Side police stations, with the hopes of encouraging 24-hour-a-day policing in that district. Me. I did that. Madam Speaker, it was I who requested of the then-leader of government business through the then-commissioner, Kernohan, to ensure we had 24-hour policing up there. They requested funding for nine officers per district. We increased the budget to do it, and we are yet to receive them!

Unna remember . . . my mind is like an elephant. Unna know that. And if you can contradict me, go ahead. You have no room to contradict me. See the leader of government business right there? Ask him—former, former, former, former.

Madam Speaker, nothing, nothing. It was Mr. Miller and I who recently went on a soliciting campaign to increase the assets of the North Side and East End police, in particular the intervention team, Madam Speaker. I think it may be appropriate to touch on that here now. Some time ago, the Commissioner of Police informed us that they were going to create a team of four officers to be termed the *intervention team*, that this Cabinet had given approval for it. That team would work in East End and North Side exclusively. They even rehired a then-recently retired police officer, local from East End, to lead that team. This team was to identify criminal activity and would be supported by additional resources from headquarters.

Within months of the team’s creation, two of the officers were redeployed, leaving the team and its original objective impotent. Madam Speaker, Mr. Miller and I managed to raise sufficient funds to purchase a wave-runner for the North Side and East End officers. The accessories for that were paid for out of our pockets. You tell me I’m bringing a motion of no-confidence of our police officers? See um all about there. You really think that? If that’s what it says, you get up and say it. Say so! You think . . . you’re afraid to or what?

Madam Speaker, the later reports are that the higher-ups are taking this away to include it in the regular assets of the marine unit. Madam Speaker, this is very specific. Neither the Premier nor any of his Ministers need to lecture me about my responsibilities to the service. I have done my part. Have they fulfilled theirs to this country and in keeping it safe? That’s the question they need to ask themselves.

Madam Speaker, I grew up in a family of policemen and women. Or should I say police officers? I know the importance of supporting our rank-and-file. That’s the reason I’m standing here today, because it’s for them that I fight, and for the public that I fight. Madam Speaker, we passed on all kinds of policies and stuff to our police officers who are on the front line! And they are failed policies and procedures. Madam Speaker, the lack of policing does not stop here.

I and other Members on this side have fought long and hard. I have been a staunch advocate of the police services. I have attended every police meeting in East End ever held in my constituency. How many of you can say that? It was always me to intervene when the constituents became agitated because of the lack of police response when called. It was me. I have held regular meetings with the area commanders and the commissioners of police—Scotland, Brad—

**Mr. D. Ezzard Miller:** Five.

**Mr. V. Arden McLean:** About four or five.

Madam Speaker, despite all this, nothing has changed. Enough is enough! I must admit the area commanders, they have tried. They have really tried Ezzard.

**Mr. D. Ezzard Miller:** Oh, I know, you're not telling me.

**Mr. V. Arden McLean:** They have tried. Unfortunately—

**Mr. D. Ezzard Miller:** No support from the—

**Mr. V. Arden McLean:** —each time they came up short. We cannot afford to let our relationships with one or more individuals blind us and do nothing to secure a country and its people. We need to separate the two and let the chips fall where they may.

Now, I see the Minister of Financial Services writing. Tell him to get his pen over the paper again, because it's his time now.

Madam Speaker, it is going to be interesting to hear which of the Government will stand here today and tell my constituents, the constituents of North Side, and last but by no means least, the constituents of Bodden Town, which boasts of having two Ministers out of seven, that one police officer on at night is sufficient to police those three districts. Which one of you is going to tell that? Who will do it today? Will it be the Minister of Financial Services? Will it be the Minister of Community Services? Will it be the Premier? Who is going to stand here today and tell one-half of this country that one officer patrolling at night is sufficient to police those districts? Tell me!

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Where one comes from? Unna need to be out there. You're not.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** You were with three? You were fortunate.

Ask the officers! Ask the people in East End! Ask the people in North Side! Unna talking about me, bringing a vote of no-confidence in regards to the officers? Listen to this. Madam Speaker, you know what has caused the bad relationship between the police officers and our people? That police officer or maybe two, sometimes, are in Bodden Town attending to a call. If he gets one in North Side, and one in East End he cannot get there! His watch is finished before he finishes attending to the one he's at! That's his fault? No, he gets the blame. He gets the blame.

We then beat up on them and go and tell our constituents they're lazy. They're this. They're that. No, they're not. We are asking them to do a job without providing the tools for them. That is the problem! We have failed! So stop blaming me. Unna got to find a scapegoat. Unna ain't finding any here today, though. I promise unna that.

Madam Speaker, whichever brave soul gets up here and tells the constituents of East End, North Side and Bodden Town that one or two policemen on duty patrolling all night is sufficient, at the same time tell those same people what efforts you have expended to get a change, because in the Finance Committee nobody did anything when we asked. Ezzard asked.

Madam Speaker, who was it? That same Government that I was a part of, led by the then-Leader of Government Business, Kurt Tibbetts (the Minister for Works now), moved mountains to try and build a police station in Bodden Town. We got criticised by the incoming Government for putting too much fill up there. The recession hit us. That's the only reason it wasn't put there.

Gun range, everything to facilitate the police—you remember that, old boy? A helicopter pad, everything—yeah, yeah, yeah, yeah, yeah. Those were the days that we were trying to develop it. The financial downturn hit us.

**Mr. D. Ezzard Miler:** The Governor was responsible then too under the Constitution.

**Mr. V. Arden McLean:** Yeah, the Governor was responsible then. But you know what we did? We took the bull by the horns, including the now Premier; took the bull by the horns and tripped him up. We didn't have to reach up high to get the horns.

*[Laughter]*

**Mr. V. Arden McLean:** Madam Speaker, you may say, why I'm so agitated? Madam Speaker, I'm angry. I am angry that my people and the police officers we put on the line must go out there with a tamarind switch in their hand. They might as well be in Vietnam with a tamarind switch in their hand in the height of the Vietnam War than to be out there now in the street. Most times, it's young ladies who are married,

and have families that are on patrol in these districts, with all of those little punks. Honestly? They spit in their face! And we say there's nothing wrong with it? And I'm to blame? Your time is coming now, too, soon. Yes, I'm angry because it's wrong what we do. Again, we come up with these statistics that are flawed!

Madam Speaker, there's more than one time. My aunt, right next door to the bar, called the police. They cannot come. They're overwhelmed with work elsewhere. They break into Ms. Carmen's house up there. She has done more for the community than most of us will ever live long enough to do. She called. Nobody comes. Out of courtesy the police officers may come back tomorrow because there are so many things going on, they cannot do it!

**Mr. D. Ezzard Miller:** They tell us we don't have any crime, you know, Arden. We don't deserve it.

**Mr. V. Arden McLean:** We expect too much out of our police officers. And, Madam Speaker, I understand. Oh, God knows I understand, Madam Speaker, the Members think I'm speaking French. Because they are not there, they don't hear the complaints that Mr. Miller and I hear. They don't, Madam Speaker. And I understand that. But, Madam Speaker, I would not come in here and lie on anyone.

Madam Speaker, I wonder, I just wonder if anyone has ever thought of doing exit interviews with police officers who have left the force, especially the local ones. But you see, we dismiss them—*blah-blah-blah*. They think that they can find work elsewhere. That's what we do. The Premier says that three more are leaving now because of this Motion—Scotland—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** I never said that you said Scotland. I just said that he's one of those leaving, okay? The Premier has said that there are other people who are leaving the force now as a result of what we're doing.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** You didn't? Please let me apologise. Okay. Okay.

But I hear that Ron's [PHONETIC] leaving. His contract is up, and the other one is leaving. I shall wish them the same farewell I wished Stuart Jack.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Okay. I'm sorry. I apologise.

I know, Madam Speaker, it is widely rumoured that the young man Scotland is leaving. But I believe that was arranged before now or something. Interview him! One of the smartest policemen we will ever see

in this country—but nobody is interested. The more of them we get rid of, the more we can bring in. That's how we do it! We do not encourage them! We throw them these little bones to go on a course here and there. And nobody pays close enough attention to those Caymanian young men.

Madam Speaker, these young men must be, what, in their late 30s, early 40s, maybe? You're talking 20–25 more years we can get out of them. And I'm going to come to that. Unna think I was just coming here with some fah, fah, fah, fah, fah, fah thing. Madam Speaker, I daresay if I were a betting man I would bet lots and win lots; that the reason, one of the primary reasons, these police officers are leaving our police force is because of the lack of tools, and they're frustrated. It has to be it! I talk to them after the fact, of course, maybe months, months after. I want to hear the Deputy Governor and the Premier get up here and tell this country how many exit interviews you've had prior to their leaving after they have resigned.

**The Speaker:** Member for East End, you have one hour remaining.

**Mr. V. Arden McLean:** That's all? Thank you, Madam Speaker.

Madam Speaker, I promised earlier that I would demonstrate that the Government which represents the people is complicit in this problem that we are experiencing. Madam Speaker, as I have indicated, I have been relentless in my pursuit of getting changes in the way policing is conducted in this country, and also in my constituency.

The Minister for Financial Services and the Sixth Elected Member for George Town, and the Premier—don't tell me he didn't say this—have all said that this action here today is irresponsible and reckless! They suggested that we should have taken another course of action. We should have gone with our concerns to the Commissioner of Police . . . to the Governor!

**Mr. D. Ezzard Miller:** Did all that.

**Mr. V. Arden McLean:** I say to him, I heard him on the radio, Minister of Financial Services. He even went so far as to say that we were quick to write the Governor when there was talk of early election.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** When delegation too, down by the Governor's house, yeah. And we should have done the same now. You said so.

Madam Speaker, it appears like the Minister for Financial Services doesn't consider anything from the Opposition. We are like fleas on an elephant to him. So, I guess I should not have expected him to pay much attention to my and Mr. Miller's calls for ad-

ditional and proper policing, especially since he's been a Minister. Now that I have his and other Cabinet Members' attention, undivided attention, I should say, let me enlighten him and others of my request not only to him, but to the Governor and all his colleagues, which has fallen on deaf ears with the exception of one intervention team.

Madam Speaker, the advent of a new Constitution in 2009 saw the provisions for the Members of this Honourable House to make representation to Cabinet on behalf of one's constituency if that constituency is not represented in Cabinet. Since 2010, I have visited Cabinet a total of six times—one, two, three, four, five, six—*half-a-dozen*—to make such representation. That is one with the previous Government in 2010 and five with this Government. Madam Speaker, with your permission, I would like to read the sections relating to policing on each and every occasion.

**The Speaker:** Please proceed.

**Mr. V. Arden McLean:** Madam Speaker, we all know, the Premier knows that I keep paper. He knows that. On May 18<sup>th</sup>, 2010, and I usually start it off by saying, "Madam Speaker, Mr. President, Mr. Premier, and Members of Cabinet, it is with pleasure that I make this presentation to Cabinet on behalf of the people of East End in accordance with section 47(3) of the Cayman Islands Constitution Order 2009." In this case, I say that "I am painfully aware of the financial challenges that the Government is currently experiencing, and I have therefore limited my requests to the priority needs of the people of East End. I'm nevertheless grateful for the opportunity to have audience with Cabinet." [UNVERIFIED QUOTE] So I was graceful in accepting my invitation.

Madam Speaker, on that occasion, I read from that presentation under the caption "*Policing*—While this item is not a direct request for expenditure, I believe it is important enough to earn its place among the priority items. Policing in the district has suffered from 'staff shortage.' I enjoy an amicable relationship with the Police Commissioner to the Chief Inspector in charge of the eastern districts. And I have no concerns with respect to their responses to my requests for meetings and listening to my concerns.

"However, the lack of police presence is less than desirable. Many residents believe that the presence of police will result in the reduction of criminal activity in the community. It is also believed, and I concur, that increased presence or the availability of an armed response team will address the proliferation of drugs and firearms by gang members. It is therefore my request that policing in the communities addressed by a more proactive approach, which will reassure the residents of their safety." That was May the 18<sup>th</sup>, 2010. [UNVERIFIED QUOTE]

My first meeting with this beloved Government was Tuesday, August the 27<sup>th</sup>, 2013. "*Policing*—I continue to witness and receive complaints about the lack of policing in the district. The response from the organisation is always 'staff shortage.' While the Commissioner and the Chief Inspector in charge of the eastern districts are receptive to my concerns and complaints, the lack of police presence continues to be less than desirable. Many residents believe that the presence of police will result in the reduction of criminal activity in the community, especially during and after closing of the local bars when the deviant behaviour is more pronounced.

"The recent fatality which occurred following the said vehicle 'burning tires' and speeding just prior to the accident, enforces the need for police presence in and around closing hours, especially on weekends." That was Tuesday, the 27<sup>th</sup> of August 2013. [UNVERIFIED QUOTE]

December the 3<sup>rd</sup>, 2013. "*Policing*—Policing continues to be a matter of grave concern for residents and myself. I have personally been inundated with complaints from residents. Upon passing these on to the police, I am told that they only have one officer patrolling East End and North Side. I wish to reiterate my position of the need for a permanent police presence in the district. The lack of proper policing continues to embolden the criminal element. This is further exacerbated by the police officers expressing their fears of responding to incidents.

"One example is that of the community to being terrorised by a set of young men on unlicensed and uninsured motorbikes. On one occasion when the police were called and confronted, the group of eight to ten were riding and destroying the football field. Their response was that they could not confiscate the bikes because they were not being ridden on the main road.

"Another example is when parties continue into the wee hours of the morning, and the complainants are told nothing is wrong with the playing of a little music." [UNVERIFIED QUOTE]

Tuesday, April the 15<sup>th</sup>, 2014. "*Policing*—I continue to witness and receive complaints about the lack of policing in the district. The Premier requested"—we should pay close attention to this section—"The Premier requested that I exercise some patience some four months ago, as the Government was addressing the issue of police shortage in the eastern districts. Unfortunately, the deviant behaviour has only gotten worse over time." [UNVERIFIED QUOTE]

Tuesday, 21<sup>st</sup> of October 2014. "*Policing*—I am sure you can appreciate how disappointed I was to learn that one of the police attached to the recently created group to assist with the problems in East End and North Side has been moved to another area of the force. I should say that after so much agitating, begging and the likes, the three that are left is doing a good job, but can do better with the additional mem-

ber and better support from the Arms Support Unit. Let me at this stage thank the Minister of Finance for agreeing to waive the duties on the truck. We are soliciting funds to secure for the police.” [UNVERIFIED QUOTE]

[Inaudible interjection]

**Mr. V. Arden McLean:** Why read that again, that one little good thing for you?

[Inaudible interjection]

**Mr. V. Arden McLean:** “Let me at this stage thank the Minister of Finance for agreeing to waive the duties on the truck that we are soliciting funds to secure for the police.

“Lest the Premier feels left out, I wish to register my appreciation for the work done in my constituency on the family support front. They have responded very efficiently, especially Ms. Tamara Hurlston.”

Madam Speaker, I’m fair when I need be. I am fair when I need to be. Madam Speaker, my last one. It looks like they don’t want me to come back.

Tuesday, March 24<sup>th</sup>, 2015. “*Policing*—It has been some success in curbing major crime, in particular drug trafficking, in the district, since the commitment of Cabinet to fund a four-man intervention team for East End and North Side, led by the reinstated officer, Mr. Scott. Unfortunately, just when this intervention was beginning to pay dividends, one of the officers was redeployed and have not been replaced. There is still a need for regular policing during peak hours, especially on weekends around closing hours of the bar.” [UNVERIFIED QUOTE]

Madam Speaker, I read all of those to show that this is not about the rank-and-file. It is the method we employ in policing. It cannot be right for the top brass in the Service to have one or two people working patrolling East End, North Side and Bodden Town. It cannot be right. And the reason is that the crime up that way is not as bad as it is in George Town, West Bay. Well, Madam Speaker, I keep telling people, *You see our glory, you don’t know our story*. Well, the story behind what they said about that is that at one time there wasn’t any in George Town and West Bay, either. Why do you think it came there? Why do you think it got that bad? Lack of attention to detail!

Madam Speaker, if what I just read is not enough to get the attention of the Government, the Minister of Community Affairs, before he became a Minister sometime in 2012, along with other members of the business community, solicited my and Mr. Miller’s help to get the Commissioner of Police to increase policing for the eastern districts.

Madam Speaker, I have all the emails here from that Member to us at that time. Let me read one little bit of them for the benefit of those who believe that I would lie on that goodly man. On June the 8<sup>th</sup>,

2012, Osbourne Bodden wrote Tony Powell, Albert Hislop, Arthur Ebanks, Sheffron, Chester’s, Water Boyz, my nephew, Daniel in East End, David Frederick, Errol Watler, Harvey, Fred Whittaker, Ray Whittaker, Karen Forbes at another restaurant.

He says, “Evening, guys. Could each of you respond when you are replying to all to let the Chief know what sort of police presence you have been seeing in your respective businesses, and especially at closing time? We were seeing it after our last meetings for a few months, but it’s all disappeared now, again on my end. I need the support of the RCIP Chief, plus, if it means we have to go to the Commissioner for this, we will. Let us know. We all know what’s been happening lately again, and this is the reason why a lack of presence is in critical areas. We also need armed units in the eastern districts, Chief. I hope you can push for this for us.” [UNVERIFIED QUOTE] That was sent to the Chief in Bodden Town. That was Scotland. Yes.

Then, Tony responded. “Oz, the police visit has reduced significantly. I am once again concerned about the concentrated efforts. The police seem to be relaxed in operating in reactive mode, rather than proactive.” [UNVERIFIED QUOTE]

And then, we went on and a number of them responded to Ozzie saying that it wasn’t anything. And then he says, “Thanks Chester. . .” Because Chester had said, “Guys, I will agree there have been less patrols, and we really can’t have that. I patrol this town a lot, and there are some strange-looking guys around.” And Ozzie responds and says, “Thanks, Ches. This is what we see in this town. As A. J. Miller once said, *Bodden Town was the receiver of Rex*. And if we didn’t have many back then, now they all come here, it looks like, and we need protection.” [UNVERIFIED QUOTE] And then, he went through a long email on it.

So, Madam Speaker, I did all that to say this fight hasn’t been started this week. We met at Light-house Club at the expense of the businesses, Mr. Miller and I. We have lunch with them. We fought with them for that same thing. The police officers are there. When there is a problem now with districts up there, all of a sudden there is an influx of police. And then within weeks, they disappear because they have to take them out and put them elsewhere. You are going to tell me it’s wrong with the rank-and-file? It has nothing to do with the rank-and-file.

Madam Speaker, if we think the Premier hasn’t been part of it, stand by. Madam Speaker, on December the 8<sup>th</sup>, 2014, the Premier came here with a Statement on the Royal Cayman Islands Police Service about the circumstances around Immigration, Department of Royal Cayman Islands Police Service, as well as Cayman Islands Prison Service. And, Madam Speaker, at the end of that Statement, he says, “**This Government will continue to take seriously and investigate any and all reports of maladministration and misconduct. If we cannot re-**

**store the faith of all in the Cayman Islands, then we have failed to do what was mandated of us in the polls on May 2013.”** [Official Hansard Report, 8 December 2014, page 753]

Madam Speaker, the Leader of the Opposition and I, started questioning the Premier about the possibility of the Commissioner of Police coming to these Chambers to meet with us in camera. And when I questioned him, he said . . . I asked if we could meet, he would ensure that we meet and that it be done on a number of occasions. He said: **“Madam Speaker, I thought I had addressed the question comprehensively. I said, not in the first instance. My first meeting with Her Excellency is one that she and I will have. I will then put to her the desire of all Members on the other side (I don’t know about “all,” certainly the Member for East End) to engage in discussion with her about the matter. Whether or not she is willing to entertain that is not something I can control. So, I am not going to try and stand here and commit Her Excellency to a particular course of action.”** [Ibid, page 755]

And I said, **“Madam Speaker, I am not asking the Premier to “express” our desire to meet with the Governor. I am asking the Premier, as the political leader of this country, if he will “insist” that we meet with the Governor, or someone, to address this matter—all 18 Members of this honourable House.”**

The Premier responded, **“I can only speak to Her Excellency about the matter and express to her the desire—the very strong desire—of Members on the other side to meet with her regarding this matter. And I will do that. And as soon as I have something to report, I will do so.”** [Ibid. page 755]

I guess he’s still discussing it with the Governor, because there has been no response. December the 8<sup>th</sup>, 2014. That tells us how important it is to this Government. That tells us why they didn’t come down here on the 13<sup>th</sup>.

Madam Speaker, I want to turn now . . . First of all, let me say this Government is saying we’re playing politics. So, Madam Speaker, we love to say that as an excuse not to live up to our responsibilities. Why do they think we were elected? You think the people elected preachers? They elected representatives to represent them politically? That’s what we do here! When all else fails, we come in here. We come right in here. This is the house of politics. Like it or lump it. And until the people of East End say they want me no longer, it is politics for me through which I will represent them.

Madam Speaker, the Government now responsible, the Education Minister says it’s the Governor. I need to dispel that right now, that myth, because we love to throw that one around. Let me show the failures of the previous Government and now this one. Madam Speaker, in 2010, we repealed the then Police

Law, and we made a brand-new Police Law. And I would invite someone on that side to get a copy so they can follow, because they need to. I would draw their attention to section 146, which says:

**“The [Governor in] Cabinet may make regulations for the good order and government of the Service and for carrying into effect any of the purposes or provisions of this Law including the following—**

- “(a)the numerical establishment of the Service, the conditions of service and the various grades, ranks and appointments therein;**
- “(b)the duties to be performed by police officers and for their guidance in the discharge of such duties;**
- “(c)pay, retirement benefits and allowances;**
- “(d)the description and issue of arms, accoutrements, uniforms and necessaries to be supplied;**
- “(e)the control, administration and application of the Welfare Fund;**
- “(f) the control, administration and application of the Police Legal Protection Fund;**
- “(g)discipline and disciplinary procedure;**
- “(h)police identification including measurements, fingerprints, palm prints, photographs and the records thereof;**
- “(i) court procedure;**
- “(j) the interrogation of suspects and witnesses;**
- “(k)the establishment and management of criminal investigation, traffic, drug detection and special branch duties;**
- “(l) the establishment and maintenance of police books and records;**
- “(m)the care of arms, stores, furniture and equipment;**
- “(n)the wearing of uniform and badges of rank;**
- “(o)ceremonial drill and parades;**
- “(p)the care and sale of police property;**
- “(q)the role of the police in assisting the fire service;**
- “(r) the control of processions, riots and disorders;**
- “(s)the general control of the Special Constabulary;**
- “(t) prescribing the fees chargeable for administrative services provided to the public; and**
- “(u)anything required by this Law to be prescribed.”**

Cabinet is not responsible? Please stop blaming the Governor of the Cayman Islands. I draw your attention in particular to section 146(a), **“the numerical establishment of the Service, the conditions of**

**service and the various grades, ranks and appointments therein.”**

What has the Government done? Where are the Regulations since it's the Governor's responsibility? Are we leaving it up to her alone to decide how many police are in the police force? And we talk about we're not responsible for the operation? Oh? Not the day-to-day operation and say who gets prosecuted, but the policy with regards to how policing is done in this country and how many police are on patrol per shift is the responsibility of Cabinet!

Under the Regulations, if the Regulations are made, that is where you must put it in.

Madam Speaker, I see all the lawyers over there saying, *No*.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** I'm living in a fantasy world? And you're living in a denial one. See what I did? I did the same thing you did, but more than you.

Madam Speaker, I daresay no one in here has the knowledge on how to police. But what we do have is the ability to know when we do not feel safe. We do know, we do hear a constituent's cries and see the lack of sense of security in how they conduct their lives.

Madam Speaker, if we do nothing now, I submit that we will turn this country into (1) a country of burglar bars and security systems where we will only feel safe behind those systems at home; (2) a country of vigilantes where people will take justice into their own hands; or (3) a country of militia, where the people turn against the very Government they expect to protect them. And, Madam Speaker, none of those three options are good choices for my country, or our country.

Madam Speaker, from March the 16<sup>th</sup> when the newspapers reported that the police station had been broken into again, until the 30<sup>th</sup> of that month, there were some 30-odd incidents, police incidents. Madam Speaker, this country can't sustain this. It cannot sustain it. I know we have heard over and over the police are not here to prevent crimes. They are here to investigate crimes. Madam Speaker, there is some truth in that. But I do believe that if proper provisions are made, criminals would think twice about committing crimes. They are opportunists, especially burglars.

Madam Speaker, look at what recently happened. In recent history, I have never heard of people standing up face-to-face facing police down with firearms. It looks like congratulations are in order that they didn't respond the way they should have. But that person—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Yeah, the way they should have! You pull a gun on the police, you should die! But because of their concern for the public safety, they didn't respond in that manner.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Great training.

Madam Speaker, let me go on because the Deputy Governor has his way of . . .

Madam Speaker, when I talk . . .

About half hour, Madam Speaker?

*[Inaudible interjection]*

**The Speaker:** *[Not speaking into the microphone]*

**Mr. V. Arden McLean:** Ozzie keeping track of me boy.

*[Laughter]*

**Mr. V. Arden McLean:** All those licks you're taking?

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Madam Speaker, I dare not leave here without some of the suggestions that I've had all along. Madam Speaker, I know everybody is waiting with baited breath about the Caymanian thing. I want the people to forget about Legge for a minute, 'cause he's not . . . anyway, he's not worthy of mention. He needs to suck up to the Government because of Government giving him all the advertisements now. But, be that as it may.

Madam Speaker, on the issue of a Caymanian being identified, let me explain to the people of this country what I meant with that. There are at least four young men in the police force now, three or four young men, I believe, that are capable of being the Commissioner of Police. They are Caymanian. Some of them a little more advanced in police training than the others. Madam Speaker, anywhere else in the world, in the Caribbean, we prepare our people for that eventual post.

What I want to see, Madam Speaker, is these three people, take them and send them around the world for three–four years. They are in their 30s. We've still got 25 years out of them, you know. Send them around, Quantico, FBI. Make them do their MBA's. Let them go to the Pentagon. Madam Speaker, we are a country. And we can have bilateral talks with other countries to get officers in, to get the training

Madam Speaker, every one of them, I believe, is capable. Some have got law degrees and all kinds of stuff. But they're not ready for the job. And that's not being disrespectful to them. We are going to put them there to fail. And we cannot afford to do it. Bring

someone in for three–four years—I don’t know—whatever it takes to properly train these young Caymanians, and you’ll have three–four to pick from. And others will be there to support the one at the top.

Madam Speaker, this wasn’t about just going willy-nilly, pick somebody to be the Commissioner of Police; absolutely not. We are now losing one of those great opportunities in the form of Scotland walking away. I hope he does not shut the possibility out of returning. Someone needs to do it. We have not done it, Madam Speaker. All other Caribbean Islands, they send their people all over the place to be trained properly for the Commissioner of Police. Yes, it’s going to cost us \$3–4 million, \$2–3 million; I don’t know, because you have to uproot their families and send them and what-have-you with them. But what is \$2–3 million, Madam Speaker, of investment into a 30-year future for our country?

We cannot afford to just drop our people in there without the proper training. Madam Speaker, one of the greatest areas that need to be trained right now is anti-terrorism. These are serious matters. That is not too far removed from us as a people, from us as a country. Is it wrong to try and get our young policemen up to scratch? There’s a young one that just won the Policeman of the Year, I believe, of the Caribbean or something. What’s wrong with putting him on this track of four or five years to go back to school? Master’s degree and master’s in terrorism or whatever the case may be? Why not?

**The Speaker:** Member from East End, is this an appropriate time for the afternoon break?

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

**The Speaker:** We will reconvene at a quarter to seven.

**Proceedings suspended at 6:22 pm**

**Proceedings resumed at 7:15 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

I recognise the Honourable Member for the district of East End. You have 20 minutes remaining.

**Private Members’ Motion No. 20/2015-2016—Lack of Confidence in the Governance and Administration of the Royal Cayman Islands Police Service (RCIPS)**

*[Continuation of debate thereon]*

**Mr. V. Arden McLean:** Thank you, Madam Speaker. I am going to show two instances how reasonable we in the Opposition are. We are outnumbering the Government right now again. No quorum, but we don’t

have to call that. So . . . No, Madam Speaker, I ain’t bringing it to your attention. I just want to show how reasonable we are, you know?

**The Speaker:** Member for East End, if the hour wasn’t so late, I would take you on, but please proceed.

*[Inaudible interjections and laughter]*

**Mr. V. Arden McLean:** I know. I know, Madam Speaker. A bit of levity at this time is good, Madam Speaker.

Madam Speaker, the other instance in which I will show how reasonable I am, is that at some stage in my debate I mistakenly mentioned that the Premier might have said or commented that this Motion had brought an exodus of officers from the police force. It wasn’t him, Madam Speaker. But I knew I had seen it someplace. My eyes aren’t bad and my memory is good.

Madam Speaker, it was his backbench supporter, Mr. Hew, who made such pronouncements and he said that this has also been compounded by an exodus of senior police officers and a call from the Opposition for the Governor and other leaders to be removed. Huh? The Governor too?

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Yes, he said so on Facebook.

And, Madam Speaker, you really should not . . . you really need to get your—

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Yes, I read it right.

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Oh, yes?

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Well, you get up and read it off.

But, Madam Speaker, he also said, “So . . .” No, he says, “As most of the Opposition have, at some point, been a Member of a sitting Government in the past, they would know that is difficult to sit on the outside and assume what is being done, or what strategy is being employed by those given that responsibility; the Government of the day.” [UNVERIFIED QUOTE]

Thank you!

He is right with that! Well, they got to hold on to their responsibility. Don’t blame me then! And then he says, “So, on what grounds does the Opposition decide to take over governance and summons the

Government to the Legislative Assembly?" [UNVERIFIED QUOTE]

What?

You got a summons from me? I don't think so. That comes from the Speaker. Learn this thing before you open up—

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Madam Speaker, he must learn that it is not going to go unresponsive.

Madam Speaker, just quickly before I wind up, Tuesday, 29<sup>th</sup> of March, 2016, [Cayman Reporter](#), issue 262, "**Premier: Emergency meeting of LA unnecessary.**" It wasn't an emergency meeting; it was a special meeting. Halfway down the article he says, and I quote, "**Mr McLaughlin said, 'The Government is concerned about the recent failures of the RCIPS with respect to a range of matters and has consistently talked with the Governor about these concerns. We believe a review of the services is necessary to address these issues.'**"

**Hon. W. McKeeva Bush, Leader of the Opposition:** Who said that?

**Mr. V. Arden McLean:** The Premier.  
Hello! Hello!

**Hon. W. McKeeva Bush, Leader of the Opposition:** That's what he said?

**Mr. V. Arden McLean:** Can't rely on it nah? So why didn't they retract that statement?

So, he is of the same view as we are. So, I don't know what the Deputy Governor is going to get up here and say here today. Madam Speaker, let me leave that as it is because we will get back to all of that. The Government will say what they have to say. But it is not us who govern. The same way the Government negotiated with the Leader of the Opposition and changed that Motion before, that is what could have been done on the 13<sup>th</sup>. That's all. It's the Government in charge, not us. You're trying now to throw it on us and make your rookies say that?

No. Come on! Something wrong with that!

Madam Speaker, one of the suggestions I have always had for policing in this country was each police officer having their own car. And if Members of Cabinet during my time will remember, when we got there, that was one of Mr. Braggs' proposals. The problem with it was the recurrent expenditure, fuel and the likes. But, Madam Speaker, it would do well for us to do it. Those people who are on patrol . . . like they do elsewhere. In America they do it as well. So, I would dare say, that every neighbourhood in this country would at least have one car in it at all times. And it would be personal to the driver. The vehicles would last us longer; they would last us eight or nine

years. As opposed to every time we buy a group of vehicles, within two years they have 100,000 miles on them because they are being driven 24 hours a day. These cars would only be driven, well, five or six hours out of the day, maybe, maximum. If we bought cars for each police officer who is on the beat—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** They do not need to be Lincoln Continentals, and you could get the cost on them reduced. But they would be responsible for everything on that vehicle. If it gets a scratch on it, they would have to explain how the scratch got on it. That's what I would like to see.

The other thing I have always advocated for is the methodology that every police officer in this country must be proficient in firearm use, Madam Speaker. I am not saying, hang it on their side or they have got to use it, but they must have continuing education, practice, whatever we call it. We need to ensure people understand that the state is capable of flexing its muscles through our police officers. We don't have an army. We have none of that. It is our police department. And when a burglar, in particular, is invading people's homes and comes into that neighbourhood, he does not know whether that police officer is in his house. He doesn't know whether he has a firearm. But he knows there is a police car in the driveway! The chances of him doing it, drop significantly. But if he doesn't see any police officer in the neighbourhood, what is he going to do? He's going to rob the first place that is empty.

Madam Speaker, those are the types of things we need to start looking at. And I know, Madam Speaker, I am going to hear, *That's going to cost the country too much*. Too much? What is the price of safety? What is the price of a sense of safety in your country? What is the price we have to pay for women not to be afraid? Womenfolk or menfolk who are at home? A man or his wife goes down to shop, [but] can't leave their 15-year-olds home for five minutes because they fear someone is . . . that is where we are going! That is where we are at in many instances.

*[Inaudible interjections]*

**Mr. V. Arden McLean:** We are here tonight and there is not one in here tonight who is not concerned about their better half at home, or their families at home, Madam Speaker. They are concerned.

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Or their businesses. I know the Minister of Community [Affairs] have a business, and the backbench (what is his name?) . . . the Sixth Elected Member for George Town.

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Yes. And so does the Deputy Premier.

We are all concerned about it. Why are we concerned about it? Because, of the increased invasion of our homes. We need to stem it, and don't tell me that we cannot stem it. Look at the motorbikes on the road. You are going to tell me. . . last night at seven o'clock, dark night [at] seven-thirty . . . you see these motorbikes flying through. You don't see them until they are right on your bumper, but we have policies that prevent the policeman from chasing them. That is how it works? So, my insurance which I have to save for every year, from one year to the next, should I stop doing that too? No. But why? Because I am going to stop when the police try to stop me.

Madam Speaker, we need to draw in now. We need to stop now—we, us—the 18 of us. I ain't overly concerned about the Official Members. We don't come in here as civil servants. We need to stop. We need to put some brakes on and decide what we are going to do to stem this. I don't want to hear nothing about the Governor. I see that she got an extension of one year. One year? She gone next year, and leave me in the pucker? It is us! Us! And only us that those people who use that pencil . . . not Legge, he not in this, keep him out of it. It is only those who go to the polls once every four years on a regular basis that hold us responsible. And are we prepared to face them 10 years from now or three years from now when we are all gone, and they point their finger at us and say, *You are responsible for my child getting damaged in my house because you did nothing to have proper policing?* Are we prepared to do that? That is what it comes down to.

This Government needs to step up. I am prepared to do whatever I can, wherever I can. But I can't do it alone. I am being accused of trying to run the country. The Government will have its way, must have its way, but you are not going. . . tell that Sixth Elected Member for George Town [that] he is not going to stop me from having my say. That is not going to happen. No one is going to stop that. This is where we part company and we dismiss each other. We need to stop dismissing each other. And we talk about politics. That is what this is. You think we were running a fish shop? You think we got a supermarket? You think we got a lumber yard? This is politics. This is where the people want us to represent them. And if we don't do it, we will pay the price. Forget about at the polls. We are going back out into those communities too. But you know what? We don't like to think about it happening to us. We are too sympathetic with murder in this country until it is on our own doorstep. I like saying that analogy of it. We need to understand that it is not too farfetched.

The Minister of the Community Affairs knows. He had his place broken in one million times! He knows how it feels.

*[Inaudible interjections]*

**Mr. V. Arden McLean:** He knows how it feels. We know how it feels. Our people call us. We go and visit their homes. There are insufficient resources in the police department. And that spans tools, personnel. That is the problem. We need to decide whether we want to balance the books and have a surplus, or we want our people to feel secure. You don't have to have money to live in any country. You can get along without it. It is a good thing to have it. But when you feel secure, it feels much better.

Madam Speaker, I have deliberately avoided the Attorney General, but he knows how it feels too. He knows how it feels to get home and find that his next door neighbour has been invaded and threatened because they thought it was him. But, you know what? Mr. Benson used to say it was a seven-day wonder. After seven days, we forget it. We don't worry about it again until it touches us again. That is not what our job is. Our job is to look into the future, as far as humanly possible, and plan for it for our people. I am not saying break the country. I am saying let's get our priorities right. All of us! And our priorities are wrong, Madam Speaker. We couldn't care less about our people out there. Oh, we say that we do. Of course! But in reality, all we are talking about is, *Arden want to have a vote of no confidence in the members of the police force.* No such thing! The problem is, it is a vote of no confidence in us, as legislators. You think they aren't going to punish us at the polls? I always tell *unna* that my brothers used to tell me when I went down the road and caused a little problem. They would run home first and come back down the road and tell me, *Tighten up!* Because I was getting it! And I can feel the tightening coming. Don't think *unna* going to campaign against me alone. You all are going to feel it too.

You try to move me? You will get it too. Because my memory is long too, and I can go the length and breadth of this country and tell them, *You all were responsible. Your backbencher Member said so.* He said, "By those given that responsibility, the Government of the day." [UNVERIFIED QUOTE] It is easier for me. It is you that need to step up. You hold the purse strings. I agree with the Sixth Elected Member for George Town. I am on the outside. I don't know how the monies work. But you have been given the responsibilities for the distribution of the resources of this country. And if you don't use it wisely, I am going to campaign too.

You do nothing at your own peril. I'm going to see to that. And I know, *unna* coming on me. And I know you all aren't afraid of me. But rest assured that I am not afraid of you all either. Understand that.

Madam Speaker, thank you.

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

I recognise the Honourable Deputy Governor.

**The Deputy Governor, Hon. Franz I. Manderson:** Thank you, Madam Speaker.

Madam Speaker, while the Serjeant is helping out, I think that it is fitting that I read out one of my favourite quotes about public service which will guide my contribution here this evening.

The quote, Madam Speaker, is: **“My creed is that the public service must be more than doing a job efficiently and honestly. It must be a complete dedication to the people and to the nation with full recognition that every human being is entitled to courtesy and consideration, that constructive criticism is not only to be expected but sought, that smears are not only to be expected but fought, that honor is to be earned but not bought.”**

Madam Speaker, this Motion, despite what the mover says, is quite clear to me that it says this House should register ‘no confidence’ in the entire RCIPS. And that means, Madam Speaker, all of the brave men and women who serve in the RCIPS. I don’t know what else it can possibly mean.

Madam Speaker, when I think back, many, many years ago when I was a teenager and I had my first encounter with the police. As any young teenage boy in West Bay, I went out and bought a bicycle and my mother said to me, *Franz, make sure you get your bicycle registered*. At that time we had to licence our bicycles. So, of course, I went and I got my bicycle licensed. I felt safe that I was compliant with the rules.

*[Inaudible interjection]*

**The Deputy Governor, Hon. Franz I. Manderson:** You remember?

I would ride my bicycle, having a good time, and one night I went to the movie theatre, Mr. Henry’s Theatre, and I was riding back home and when I got about a hundred yards from my home, the police car was coming from the opposite direction, it stopped. The officer got out and told me to stop. And I stopped, and I said, *Officer, I have my bicycle registered*. And he said, *Yes, but you don’t have a light*. And I said, *Yes, sir. I don’t*. And he said, *You are putting yourself at danger and you are putting others at danger. You need to get off your bicycle now*. He said, *Where do you live?* I pointed to my house down the road. He said, *I want you to walk the bicycle home and tomorrow you go and you get a light for your bicycle. I don’t want to ever to see you riding this bicycle again without a light*.

Madam Speaker, I complied. I went home; I walked my bicycle home. And that evening, I was, maybe 14 years old, I went over the entire incidence

in my head. I will never forget it, Madam Speaker. I thought about the professionalism of the policeman, the care that he had for me, the exercise in discretion that he had. He could have given me a ticket, I am sure, or took me in. He didn’t. I decided then, Madam Speaker, that, you know, *I think maybe a life in law enforcement would be something that I would want to pursue*. And the rest is history, Madam Speaker. I joined the Immigration Department. Worked in the law enforcement capacity for many, many years and actually was the head of the Immigration Department for five years.

So I understand, Madam Speaker, when the mover of the Motion talks about the governance of the RCIPS. I was in charge of the governance of the Immigration Department. But I am also very familiar with enforcing our laws and the challenges that that brings; the danger that it brings. I have great respect, Madam Speaker, great, great respect and admiration for all of our law enforcement officers. So I stand here today, Madam Speaker, to defend our law enforcement officers, especially those in the RCIPS, and let them know that we do have confidence in them.

Madam Speaker, in doing my research for this Motion, I read an article that really brought back my first memory of the RCIPS, my first encounter with the RCIPS. And it is an article from back in 2013, it says, **“Students experience a day in the life of a police officer.”** It is a programme that the police put in place that basically has three aims. **“To fully develop and enhance relationships between our young people of the Cayman Islands and the RCIPS; create a better understanding, particularly with Cayman youth, about the role of the police; and finally, encourage the young people to think about future employment opportunities within the RCIPS.”**

There is a picture here of some of our young people dressed in police uniforms being inspected by Commissioner [David] Baines. And one of the young men said, when he was interviewed, **“I was very pleased to be chosen [to visit the RCIPS]. I think it’s pretty cool,”** he said. It is a 10-year-old boy, Madam Speaker. **“I would consider becoming a police officer because they help the community and keep the Cayman Islands safe. If I did that I would be following in my father’s footsteps [because] he is a prison officer.”** So, there we have, Madam Speaker, the police interacting with our young people, giving them an opportunity to join the RCIPS and doing what it did for me; encouraging them to become a law enforcement officer.

So, Madam Speaker, I am saying this because I want Members to think about what is being said here today in terms of no confidence in the RCIPS. And what messages we are sending to our young people who want to join the RCIPS, and who one day want to become the Commissioner of Police.

Madam Speaker, let’s go directly to the Motion when it talks about, **“WHEREAS the Royal**

**Cayman Islands Police Service (RCIPS) of the Cayman Islands provides the only means of security for the population.”** Madam Speaker, I do not agree with that.

The RCIPS does not provide the only means of security for the population. The RCIPS is, by far, our superior law enforcement agency. But Immigration, Customs, Prison, are all part of our national security apparatus. They all work together. Madam Speaker, when I was head of Immigration, I told my staff, *If we do our jobs right at the border, it means that our police do not have to deal with non-Caymanians. That has to be our desire, our goal, to keep the unscrupulous persons out of our country so that our police do not have to focus on those persons.*

Madam Speaker, we have seen where that is working. Our Customs Department has a responsibility to keep drugs and guns out of the country to make it easier for the RCIPS, so that they do not have to clean up the problem after the drugs come in. We have a new collector at Customs. I think he is doing a fantastic job. We give him some more time and he is going to be even more effective.

Our Prison Director is making a difference at the prison. He is keeping those people behind bars, so that our RCIPS does not have to focus on those persons. Madam Speaker, the prison is full. The bad news is it is filled with our people—75 per cent of every one in Northward Prison, is one of us. But that tells me that by and large, the other key agencies are doing their jobs. They are keeping the unscrupulous persons out of the country. But, Madam Speaker, it is not, in my opinion, fair to say that the Royal Cayman Islands Police Service is the only means of security for our population. I do not believe that that is accurate.

Madam Speaker, the Motion goes on to say that, “. . . **residents have expressed a lack of confidence in the RCIPS to respond and investigate crimes;** [and that] “. . . **residents are refusing to report crimes out of frustration that nothing will be done;**”

Madam Speaker, the RCIPS received 34,743 calls for service between January 2015 and March 2016—34,743! So, Madam Speaker, that tells me that a lot of persons are calling the RCIPS for assistance. Between 2010 and 2016, the police have recorded some 20,000 crimes. Between 2012 and this year, they have arrested some 8,000, almost 9,000 persons. So, Madam Speaker, they are not just receiving the calls, but they are responding and making arrests. That is what we expect from our RCIPS.

It goes further, Madam Speaker. Between 2009 and 2015, 9,890 cases were filed in our Summary Court, and that is not including Traffic [Court]. In Traffic [Court], there was another 48,000.

So, Madam Speaker, we talk about the governance, talk about the confidence, those are fairly staggering numbers, Madam Speaker.

**Mr. V. Arden McLean:** That’s the problem.

**The Deputy Governor, Hon. Franz I. Manderson:** That is the problem! I agree with you. The police are actually doing their jobs. They are locking up the criminals.

*[Inaudible interjection]*

**The Deputy Governor, Hon. Franz I. Manderson:** They are locking up criminals.

I will come to that, sir.

Madam Speaker, in 2009, there were 1,228 cases filed in the court. In 2015, we were up to 1,600. It’s a worrying trend, but it shows that the RCIPS is responding and arresting persons for crimes.

Madam Speaker, the Motion goes on to say, “. . . **we have witnessed a mass departure of police officers from the RCIPS alleging claims of unfair treatment and lack of promotional opportunities;**”

Madam Speaker, I am not here to defend the indefensible. I have heard the same thing. I have heard that RCIPS officers are leaving. I actually have not heard of unfair treatment. I am aware that some officers have filed an action in court alleging unfair treatment, and that is to do with the retirement age in relation to a law that was passed. I just want to speak to that a bit, Madam Speaker, in that it has been the policy of the police, when Caymanians reach retirement age, whether it is 55 or 60, to say that if you want to stay in the RCIPS, you can do it; but you are going to have to take a job at a lower rank. And most times it is fine because they are getting their pension, so the reduction in pay doesn’t affect them financially. But they are losing their rank.

Madam Speaker, I did the same thing when I was over at Immigration. I had officers who came to me and said, *Mr. Manderson, I am reaching my retirement age. I would like to work another year.* I said, *Okay, but I don’t really want you to . . . I would love to keep you, but, you know, there is somebody now ready to take your role.* And they would say, *Well, okay, I will come back as an immigration officer. I am getting my pension.* And everybody is happy.

The issue that the officers had here in the RCIPS is that foreign nationals were being recruited into the RCIPS, but at higher ranks. So, here we had a situation where Caymanians who reached Inspector at 55, were told they could come back as a Constable. But a foreign national coming in was [told], *We are going to bring you in at an Inspector level.* The rationale for that being was that we needed persons with particular skills that were not readily found in the Cayman Islands, and they brought the persons in.

Madam Speaker, we have discussed this with the Commissioner. We have made it very clear that this is a matter that we need to review. And through dialogue, which is key, Madam Speaker, sitting down,

discussing the issues, working through them, we believe that we have now settled the matter.

Madam Speaker, in my opinion, that is how we get things done. That is how we go about achieving real change, by dialogue, by having the tough conversations, putting the cards on the table, letting people know exactly how you feel. That is what works. That is actually good governance.

Madam Speaker, the RCIPS is actually doing some really good work in employing Caymanians. In 2014 and 2015 they had Caymanian-only recruit classes. I am told this is the first time it has happened in 30 years. Madam Speaker, it is great news. But again, I am asking, *What message are we sending to these officers who just joined the RCIPS only to hear that we are going to be debating a no confidence motion on them?*

Madam Speaker, the Royal Cayman Islands Police Service is also giving Caymanians opportunities in areas that we have never seen before. We now have a Caymanian Scenes of Crime Officer; a young Caymanian. This was her dream from the time she was a teenager. She has now fulfilled her dream.

*[Crosstalk]*

**The Deputy Governor, Hon. Franz I. Manderson:** Madam Speaker, the development of an accelerated promotion programme for Caymanians was initiated in 2011. That speaks to governance. A good governance model puts in promotional opportunities for its people, its high-flyers. That is exactly what we have seen happen.

We have an officer who joined in 2009 and within five years he is an Inspector of Police. That, Madam Speaker, is commendable, and I thank the Commissioner and his team for putting that programme in. Two further Caymanian officers, Madam Speaker, have now joined that programme in 2014 and they are now going to be, hopefully, moving up the ranks very soon. Madam Speaker, that is good governance.

Madam Speaker, the RCIPS has also created a scholarship fund, funded from sponsorship without any Government input. It has \$30,000 made available annually to officers so that they can further their education. Governance!

Madam Speaker, the mover of the Motion talked about training and moving people around, giving Caymanians opportunities, and he is absolutely right. I benefited from moving around the Immigration Department. I worked in almost . . . well, every section, and it benefited me. That is now what is going on in the RCIPS. The officers are moving around through the various section gaining opportunities, and the mover is right. We now need to look at sending these officers overseas so that they will get international experience. That, Madam Speaker, is good governance as well.

We have seen these officers being awarded, internationally, where Inspector Leo Anglin, won an award for the top Caribbean career move from the Association of Caribbean Commissioners of Police. So the RCIPS's work in training our people is being recognised overseas. We should recognise it here as well, Madam Speaker.

Madam Speaker, I attended the Police Ball on Saturday evening. Every time I go there I must say that I am overwhelmed with admiration for what I see there in terms of our officers being awarded and recognised for their outstanding performance. Again, Madam Speaker, a good organisation awards and recognises its employees. That is one of the key things. It is a great morale builder to know that if you go above and beyond your duty, your boss is going to say thank you.

Madam Speaker, an officer won the Welfare Award. Over in Cayman Brac, in our Sister Island, the officer was working, a new member of the Cayman Brac police arrived, but immediately coming there and having to get new accommodations, the person fell ill and had to undergo surgery. The officer went above and beyond the call of duty by arranging domestic arrangements for this officer who was sick, collecting and transporting her colleague when they were unable to drive or attend the airport or hospital. This happened when they were off duty as well as when they were on duty. It shows tremendous care. She even took her injured colleague to her home after the surgery, provided nursing care and help, cooked meals, and looked after her colleague. Madam Speaker, this is a wonderful example of officers caring for each other. Madam Speaker, certainly, we have to have confidence in officers with that type of care and concern. How can we say that we have no confidence in an officer like that?

Madam Speaker, I come on to some of our officers as I move on. Madam Speaker, the Motion says, "**WHEREAS . . . the Central Police Station has been broken into . . . and drugs and motorbikes stolen . . .**" Madam Speaker, like I said, I am not going to stand here and defend the indefensible. That should not happen—

**Mr. V. Arden McLean:** What about the cameras that unna paid all of the money for?

**The Deputy Governor, Hon. I. Franz Manderson:** And those who are responsible should be held to account in the proper manner, going through the proper procedures. I understand that is happening, Madam Speaker. That is how we deal with incidents like this, which is unacceptable. It is unacceptable. We, the people of the Cayman Islands, deserve better. This should not be happening, Madam Speaker. Everyone accepts that.

*[Inaudible interjection]*

**The Deputy Governor, Hon. Franz I. Manderson:** Exactly.

It goes on, “. . . **the courts have admonished the police services on the collection of evidence with cases being dismissed as a result;**”

Madam Speaker, when you are dealing with 9,890 cases, unfortunately, one or two are going to go wrong. No excuse! No excuse, Madam Speaker. It happens. But we should also look at some of the remarks from our judges. In a recently concluded corruption case, the judge said that the work of the detectives was nothing short of spectacular. “*Spectacular*”, Madam Speaker!

*[Inaudible interjection]*

**The Deputy Governor, Hon. Franz I. Manderson:** That is correct.

*[Inaudible interjections]*

**The Deputy Governor, Hon. Franz I. Manderson:** Madam Speaker, in 2015, in a case involving credit card fraud and money laundering, the judge concluded by offering special commendation to the police officers who had worked the case. So, yes, Madam Speaker, one or two cases have not gone as expected, but the vast majority are dealt with professionally by our officers. Everyone accepts that the police are getting better and better in their work with collection of evidence and the presentation of the cases at court.

Madam Speaker, the Motion says that “. . . **we have witnessed petty crimes being committed daily and the lack of police patrols throughout the country;**” Madam Speaker, I will get to the lack of patrols and some of the arrests that were made during patrols in a few minutes. Our stats show that the RCIPS in 2014/15 recorded 270,000 patrol hours. We hear of arrests being made by officers who are on patrol. Madam Speaker, the police cannot be everywhere. We accept that. We would like them to be everywhere, but they can't be everywhere.

Madam Speaker, the Motion goes on to talk about “. . . **the leadership including governance and oversight of the RCIPS has failed to engender confidence in the police membership or the populace in general;**” So, let's talk about that Madam Speaker.

The mover said that we need to look at the methodology that is used. So, let's look, because he is right, Madam Speaker. The police need to be adaptive to spikes in crime, the new types of crime being committed, they have to respond. They have to do so efficiently, effectively, and deliberately. They have to get ahead of persons who seek to commit crimes. Madam Speaker,—

*[Pause]*

**The Deputy Governor, Hon. Franz I. Manderson:** — let's look at some of the things that the police have done in terms of methodology and governance.

- To respond to a rise in robberies, we have established a Serious Crime Task Force that is actually making a difference. To deal with this rising problem of burglaries, they have established a burglary squad that is also making a difference.
- Madam Speaker, the RCIPS developed a Cold Case Unit whose hard work recently resulted in a cold case murder being solved and the perpetrator being convicted.

That shows, Madam Speaker, in my humble opinion, great methodology and great governance. Not only are we being proactive in dealing with those persons in the here and now, but we are not forgetting the many, many unsolved murders that we have had dating back 20 years. That, Madam Speaker, is something that we should have confidence in, and that Unit we should applaud the work that they did.

Madam Speaker, we all know that community policing is key. We just read recently of an officer winning a prestigious award for community policing. Again, the methodology of the RCIPS is working and delivering great results. We have increased policing numbers in the eastern districts. The mover of the Motion actually agreed to that.

The accelerator promotion scheme for Caymanians, as I spoke about before, again, governance methodology, promoted and employed more Caymanians, a great step in the right direction, in recognising the brave men and women of the RCIPS.

Regular community meetings, because you have to engage with the public to know what they want, what is troubling them.

The drunk-driving campaigns, the methodology is changing. We are doing our best to cut down on the number of drunk-driving accidents, Madam Speaker.

The increase in the number of armed patrols, which is absolutely vital, Ma'am, we are seeing more and more people being arrested with guns.

Exposure of our school children into the work of the police officers, so that we can start getting them into the work of the RCIPS.

We are participating in [Youth] Crime Prevention Day in our schools with the support of the Ministry of Education.

Those are things that we need, Madam Speaker, in order to help reduce crime. And, Madam Speaker, with the support of the Government, we have increased the pay for our police officers. So, Madam Speaker, those are the 15 areas that the police administration, along with its brave men and women, have put together to deal with the rising issues of crime. Madam Speaker, I say that is impressive.

Madam Speaker, however, the Motion still says . . . despite all of this, we have no confidence in the RCIPS and the governance. Madam Speaker, I have to say, this is a huge disservice to our brave men and women of the RCIPS.

Let us spend another few minutes, Madam Speaker, and look at some of the superstar police officers that we have, who certainly do not deserve this. We have our officer who won the Support Staff of the Year. This was at the function on Saturday night. This officer is in charge of our exhibits. She has charge of 18,000 separate items. She gets an average of 6,000 new exhibits a year. The RCIPS is doing its work, Madam Speaker. Keeping track of these items can be a nightmare. But, yet, she does her job very efficiently and effectively. She is dependable, willing to work on her days off, and provides excellent service to her colleagues.

Madam Speaker, the Officer of the Year, who we read about today, is a member of the armed officers of the Uniform Support Group. While that role places the officer at considerable risk (as they are routinely at the heart of high-risk policing), this officer does so with calmness and professionalism, in high-tension incidents, and manage calmly and effectively. In the past six months, the officer has found himself face to face with armed gang members. And through his personal courage, he has restrained and recovered firearms on two separate incidences. That is commendable, Madam Speaker. That is highly, highly commendable.

Madam Speaker, it gets better. Just think about what happened just in the last few days. We recall where last Friday night an armed unit was on patrol—they were saying that they don't patrol, or not patrolled enough—when they arrested a male and female on suspicion of possession of a firearm. A loaded semiautomatic pistol was recovered. No shots were fired. No one was injured.

Madam Speaker, we need to understand and appreciate the courage that it takes for police officers to walk up to a car knowing full well that that person could be armed, walking up to front doors knowing that there is a person with a gun inside and doing their job. That takes tremendous courage. But then we are saying that we have no confidence? I have confidence, Madam Speaker. I have confidence in the brave men and women of the RCIPS.

Madam Speaker, on the 17<sup>th</sup> of April armed police officers were confronted by an armed man who pointed his gun at them. One of the officers drew his weapon, but did not fire because there were other people in the vicinity. Now, Madam Speaker, that shows incredible professionalism. It means the officer has been properly trained to do his job. In other countries, they would have had the officer involved shooting, Madam Speaker, or worse! But, Madam Speaker, the person did escape, but a few days later, again, our brave men and women of the RCIPS did a proactive

operation, went to this person's residence, where he was staying, and arrested him—without incident.

Madam Speaker, that action shows the police are not afraid of our gunmen. They are going at them. They are taking them on and they are doing so with great professionalism. We need to commend those officers, Madam Speaker. They are the bravest of the brave.

Madam Speaker, in my research I looked at the positive work that the RCIPS is doing. Madam Speaker, those are press clippings over the last few years of all the great work that the RCIPS has been doing for this country.

Madam Speaker, [I will] read you some highlights. April 2016, "Police seize gun and ammo in raid in George Town." In April 2016, "Drug dog and gun seized at local school." They are working hard to keep our children safe, Madam Speaker. "West Bay police tackle crime with proactive patrols." Patrols!

**Mr. V. Arden McLean:** That is after the Motion. Now, Franz, come on!

**The Deputy Governor, Hon. Franz I. Manderson:** You said you had no confidence in RCIPS.

"Five hundred pounds of ganja recovered from a drug bust." Madam Speaker—

*[Inaudible interjections]*

**The Deputy Governor, Hon. Franz I. Manderson:** "Suspected smuggler netted off North Side coast."

**An Hon. Member:** Keep going.

**The Deputy Governor, Hon. Franz I. Manderson:** I'm going sir.

"Cops net smugglers carrying gun and drugs."

"Cops net four more smugglers with drugs."

The Marine Unit, the Drugs Unit are working. They are going after every one. "Immigration workers busted on cocaine charge." Police!

"Cops nab drug smuggler in Frank Sound."

We are in the eastern districts!

"Cops seize drugs during traffic stop in Bodden Town." Eastern district!

"Local men face [trial] over drugs and gun charges." "Imitation firearm recovered, two in custody."

"Drug boat and motor vehicle seized, six charged, one released." "One arrested, gun recovered."

Madam Speaker, "Loaded gun recovered—Man due in court." Tremendous work done by the RCIPS officers, Madam Speaker.

"Guns and ammunition recovered, three in custody."

"Five in custody, hundreds of pounds of ganja recovered." "Guns, gloves and masks recovered; three in custody."

"Loaded gun recovered in North Side operation." "Drug canoe seized, four men in custody."

"Road blocks, drug bust made."

"Arrest made in bank robbery." "Police bust up hostage scheme."

Madam Speaker, our RCIPS is doing the job that we have asked them to do.

Now, Madam Speaker, the Motion also talks about the top brass. And the Commissioner can defend himself, Madam Speaker; I do not have to do that. But we seem to have forgotten the tremendous bravery that he exhibited on that fateful New Years' Day when he, leading by example, prevented an armed robbery, disabled the robbers and they have gone to court.

*[Inaudible interjections]*

**The Deputy Governor, Hon. Franz I. Manderson:** But, Madam Speaker, I think this letter that was sent to the Commissioner says it all.

"I hope this e-mail finds you well."

"I just want to touch base with you one final time as I am aware you are departing from the RCIPS. On behalf of myself and my family, I want to give you heartfelt thanks to you one last time. I know that some of the people of the Cayman Islands can be very difficult. And most times it is damned if you do, and damned if don't situation.

"For those of us who can see the big picture clearly, it is obvious that unless the people commit themselves to assist their fellowman and authorities when it comes to solving crime, things will never change. One person can't do it all. Perhaps there is a superhero ready to take over your position and he is going to swoop down and solve of Cayman's problems." [UNVERIFIED QUOTE]

**The Speaker:** Honourable Deputy Governor, are you reading from an article or a letter?

**The Deputy Governor, Hon. Franz I. Manderson:** I have an e-mail, Madam Speaker.

*[Inaudible interjections]*

**The Deputy Governor, Hon. Franz I. Manderson:** Yes, if that is what you need to do, Ma'am.

**The Speaker:** Well, I just wanted to make sure that you consider what you are reading, whether you wanted to table it or whether you just wanted to refer to it.

**The Deputy Governor, Hon. Franz I. Manderson:** Madam Speaker, I have taken out the person's name

because I didn't want them to be involved in it, so I can now table it.

"Commissioner Baines, on behalf of myself and my family, I just want to thank you for fighting for justice for us. At the time when you arrived, there were many unsolved crimes and crimes were escalating quickly. Although I will never get over what happened to my son, I have the comfort in knowing that justice was served. I can and never will be happy about his condition, and my family's current situation, but we are able to move forward, which would have been very difficult had we not had yourself and others in the RCIPS assisting us in our fight for justice.

"I will always remember your kind visit to us after the incident. We were all very traumatised and in a very dark place, but it comforted us to know that the authorities were doing what they could to get the responsible persons off the streets. My children still have the badge you gave them and it has helped them feel safe. They have taken very good care of it. Although we haven't had much contact with you over the years, it is remembered. It may be a small thing for you, but it was a great comfort to us when you visited." [UNVERIFIED QUOTE]

Madam Speaker, that says it all.

Now, Madam Speaker, the question is because the Members here are right, Madam Speaker. We have had a spike in robberies. We have had a robbery in the district where I live, which has, I think, really shaken up the district. When you feel a bit weird about going to a particular restaurant because of what had happened there, that is a problem, Madam Speaker. But how do we fix that? How do we solve that problem?

Madam Speaker, I asked the Members to think back to when . . . we have had these spikes before. This is not something new, unfortunately. There was a time a few years ago when my fellow West Bayers were killing each other, when we were afraid to go to a gas station because there were gas station robberies. But what happened, Madam Speaker? Why is it that we have gone from six murders a year, a few years ago, to (thank goodness) no murders this year and three last year, I believe? How did that happen?

Madam Speaker, engagement.

Madam Speaker, I remember when all of this was happening; the gun violence, the shooting, and the Members of this House and the Government of the day called the Commissioner in, sat down with him. *Commissioner, this is unacceptable to us. What is it that you need to put this right?* He said, *I need this, I need that. I need some legislation because we know who the shooters are. We know that there are witnesses, but they are afraid and won't come forward.* This House passed the Witness Anonymity Law. They passed witness protection legislation. And what happened, Madam Speaker? The crimes went down. The murders went down. We didn't come here and file a no confidence motion on the RCIPS. We

engaged with them and we found a solution. Madam Speaker, that has to be the way to get things done. By all means, hold the police to account. I'm not saying that we shouldn't. But there is a way of doing that, Madam Speaker, and I am saying right now, this Motion is not the way.

Madam Speaker, keeping our communities safe from violent criminals and those who seek to invade our privacy, should be the priority of our law enforcement agencies. We shouldn't be wasting their time having to respond to inaccurate attacks on their performance and integrity. Let them get on with solving crimes. They have had a proven track record of dealing with any upsurge in crime. The brave men and women of RCIPS have done that, Madam Speaker. And those persons who are doing these robberies right now, I have confidence that they will be caught and they will be held to account.

Madam Speaker, we must hold our law enforcement agencies to account. The public has a right to feel safe. And, Madam Speaker, it doesn't make sense to me to get up here and say, *Oh, crime was down by 5 per cent last year*. I can say that, but the question is, *Do our people feel safe?* And the answer is, *No, a lot of people do not*.

I move around, Madam Speaker, from the cocktail parties to the jerk chicken stands, and I talk to people. And they tell me, *I am in Cayman because it is safe*. And they have said to me, *But the recent robberies in the restaurants are causing me concern*. I go to the jerk stands in West Bay, I talk to the people there, and they say, *Boy, Franz, you guys need to get these robbers that robbed the place in West Bay—Alfresco [Restaurant]*. It is a concern, Madam Speaker, but our law enforcement agencies will tackle those.

Madam Speaker, we must take responsibility for our views and for our words, and to exercise restraint, for there are people out there who find inspiration in them, and will use those words as an excuse to commit crimes and disrespect our brave men and women of RCIPS.

Madam Speaker, when we are upset about crime, the natural tendency is for us to lash out at the police. But this will get us nowhere. We must engage in thoughtful discussion and understand that we will never arrest ourselves out of this problem. We have to find ways to stop feeding the criminal justice system. The police are actually doing their part, Madam Speaker. The courts are almost overwhelmed with criminal cases. Northward Prison is full. The good news is, Madam Speaker—I am a very positive person—the Education Ministry is doing good work with its Early Childhood Intervention programme. They are getting in with the young children, identifying what their needs are, and dealing with them. Having [Youth] Crime Prevention Day in our schools is having a great effect on our young people. They are seeing our police officers in different lights. They are seeing them as their friends. They are seeing them as people they

can confide in. That makes a difference. The Conditional Release Law that we just passed and put into force will soon have a positive effect on reducing recidivism.

The Community Affairs Ministry, working with the Governor's Office, is investing in training our social workers so that they can assist our children who are at risk. The Ministry is also doing its "Proud of Them" Campaign to highlight the goodness in our young people.

Madam Speaker, those are just a couple of things that the Government is doing to help be part of reducing crime. The police will never, Madam Speaker, do it by themselves.

Madam Speaker, working together—I have already demonstrated this—has paid huge dividends in the past, and I have no doubt we will do it again. Let us sit with the RCIPS, Madam Speaker, engage in constructive dialogue like we have done before. Determine any barriers to their effectiveness, and find solutions because Members are right. What we are seeing here right now must not continue. If the dialogue does not work, then, we will engage with her Excellency and seek the change that is required. Let's follow the proper process, Madam Speaker, and we will once again achieve outstanding results and make our country safer.

Madam Speaker, to wind up, I ask all Members of this House to support our RCIPS and to have confidence in our RCIPS; the very, very brave men and women in the RCIPS. Let us all work together and find meaningful solutions to our crime in the Cayman Islands.

Madam Speaker, I thank you.

**The Speaker:** I recognise the Member for North Side.

[Crosstalk]

**Mr. D. Ezzard Miller, Member for North Side:** Madam Speaker, I rise to support the Motion before this honourable House.

Madam Speaker, you know, I listened very attentively the Deputy Governor's presentation. And I agree with all the praise that he has heaped on those deserving officers in the police force. I was particularly tickled by his example of how he got into law enforcement. Impressed! A very good story!

Madam Speaker, he, the Governor, and the elected Members of Cabinet should be ashamed of themselves that no young man in my constituency will have such an opportunity because there are no police for them to talk to. Everything that he said about policing, I agree with. But there is one thing that is required. The police have to be present! And in my community, they are not!

Madam Speaker, they have reduced the Motion to us, saying that we have no confidence in the police. Madam Speaker, no Member of this Legislative

Assembly has worked closer with the departing Chief of Police for the whole tenure of his being here, than me. I agree with the Deputy Governor that we should be able to sit down with the Chief of Police and the Government and discuss these things. The problem is, Madam Speaker, that that avenue was denied us. What are we supposed to do? Sit back and wait another year for something to happen? In the meantime, the people that I represent are suffering.

What he is talking about, as to how it used to be in West Bay a couple of years ago, and it all has been sorted out by this Chief of Police and his good officers, is on today! Tonight in my community! I am standing here in fear because my wife and two young daughters are home alone. In a community, I said on the Floor of this Assembly two years ago, that the *modus operandi* of the burglars in North Side had changed. They were no longer concentrating on empty homes. They were going in to people's houses with people present.

Nobody listened. Nobody paid me any mind when it is happening to the people that I represent. We had two very more recent unfortunate instances in my community involving temporary visitors. All of a sudden we get headlines. I am glad that the people got the attention. I went to every one of them the next morning, before eight o'clock, when it was reported to me. It was me that the police for the eastern districts told 18 hours after the fact that no such thing had happened. I said, *Well, sir, you don't have to take my word for it. I just happened to be at the house right now. Here is the victim, please talk to him. Here is the other person who reported it, please talk to them.*

So, Madam Speaker, while there are good officers, there are some that are not so good. And, Madam Speaker, I am getting the same treatment tonight that I got for the last seven years. And my constituents, the poor people in my community, are getting. He talked about three instances in my community where the police succeeded.

Madam Speaker, I would hazard a guess to tell him that there are many more that the police are not even responding to. And at least one of those instances was reported at least over a year ago. You hear 34,000, 9,000, 8,000, 270,000 hours of patrol. All sounds good as long as it is happening to somebody else. When it happens to a family member, none of those statistics mean anything old boy. None!

I will accept, Madam Speaker, none of us can expect the police to be present 24/7 in a single location. But, Madam Speaker . . . and this may sound trivial to them with all of his praise. I have asked the Chief of Police, and I have witnesses on at least four occasions in his office, to tell his police officers, *When you turn into Frank Sound, roll down the windows.* I don't care if they leave the air conditioner running. We will pay for the extra gas because the people in my community say that when they try to stop them, they can't hear them because the windows are up. Easter

weekend the campers on at least three occasions that I am aware of, reported ganja smokers upwind of children! One person I know tried to wave down a crossing police car and they paid her no mind and the people who called for the police to come—still waiting.

Madam Speaker, the only thing I would say about statistics is we can use statistic to justify anything we want.

*[Pause]*

**Mr. D. Ezzard Miller:** The people that I represent in my community have been asking for one simple thing: Police presence in the district.

We have a wonderful police station. People in my community give up their time to go there and clean the place up because *unna* don't fund Government to maintain the building properly. Begged the police—we got police officers that rent. Give them the police station to live in free so that at least there is somebody there but can't do that.

Madam Speaker, you know, I am going to take the time of the House to talk about the things that my community has done to help the police with far [from] sufficient response by the police.

Madam Speaker, every Member in this House knows that every Finance Committee since 2009, when I was re-elected, I have asked for police for North Side. I am privileged, just like the Member for East End, to go to Cabinet. Every single time I went to Cabinet to request things for my district, and talk about the need for police . . . nothing, nothing, nothing, nothing has happened. Madam Speaker, they don't listen. Every time I go to there the Governor is justifying what they are doing. She has no interest in really listening to my request on behalf of the people. Every conversation I have engaged her in about police in my community, she has an argument as to why it cannot be done.

It's coming. When *unna* come to Finance Committee next month or the month after that, I am going to ask them again, you know.

When I got elected in 2009, I put together a district council within months of getting elected. The police were given a standard invitation to come to those district council meetings. I could count on one hand the number of times they came without us begging them to come, and I still have enough fingers left to hold my cigar without burning my finger. I arranged to meet with the area commander for the eastern districts every other Tuesday, Madam Speaker. That went on for years. All of a sudden, they couldn't come to meet with me; they had to come to George Town for a meeting.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** No, they had to come to George Town for a meeting.

Those accolades which the Deputy Governor spoke about, my office manager won one a couple of years ago. We have held security seminars with all the security companies. We went out in the community. We raised funds to buy cameras for the police. And you know, Madam Speaker, what I can't understand is: we spent for three cameras, all the recording equipment, somewhere around about \$12,000. We had an accident. We had three cameras. One at Rum Point on Rum Point Road, one by Chisholm's Shop, and one by Old Man Bay. We had an accident at night in front of Chisholm's Shop. And, you know, those little cheap cameras don't work at night. On the 31<sup>st</sup> of March the police told me that the problem regarding the cameras on North Side is that they can't see anything on them at night. And we spent millions of dollars! This year we are spending millions to upgrade the ones that we got.

We set up a very effective neighbourhood watch throughout the whole constituency. Every district was organised, every area had a person responsible for that area. It was working wonderfully until the police decided to expose the coordinator.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Exposed the coordinator. She had to leave the Island; death threats and everything else from the people. Destroyed the whole thing!

We have offered the police to man the police station nine to five with volunteers. They can't do that.

We asked them to let the coordinator from the neighbourhood watch operate from the police station; couldn't get that through either. We tried to set up a special constabulary for North Side. No cooperation. I sat down and filled out all the forms, Madam Speaker, and they were several pages long. I was disqualified because I am a Member of Parliament.

I don't know what else, me as a representative, can possibly do. I agree with the Deputy Governor. The Member for East End and I thought long and hard about this Motion. But we were left with no choice. When he and I were faced with the news that police station had been broken into a second time, we said, *Now, enough is enough is enough. We have to have a debate in the Legislative Assembly on this matter so the public will know what is going on.* And the only thing that he and I haven't been called since that, are *two good Christian boys from North Side.* I did not know that Ned and Mary had raised such a bad boy.

*[Pause]*

**Mr. D. Ezzard Miller:** Now, Madam Speaker, one of the things they blame us for, they say that this Motion made the Chief of Police resign. "Resign" is not the correct word. I really don't know what the word is because the Governor said he didn't resign. I have seen

a letter reporting to be from him to his employees (unfortunately, Madam Speaker, it wasn't signed, so I can't lay it on the table or anything else) where he had said that he had asked for the Governor to "conclude" his period. Now, Madam Speaker, I hear through the grapevine, that they are paying him a years' salary.

*[Inaudible interjections]*

**Mr. D. Ezzard Miller:** Oh, Madam Speaker, I want to see the clause in his contract that requires this Government to pay him a years' salary if he wants to leave a year early.

*[Inaudible interjections]*

**Mr. D. Ezzard Miller:** Now, Madam Speaker, the Governor in the press says that the reason he is leaving is because of all of this unnecessary criticism and some defamatory remarks. Madam Speaker, we have a judicial system. Somebody utters a defamatory remark about me, I take him to court. I don't leave the Island. Now, if he is such a good administrator, why doesn't he investigate it and prosecute the person for defaming his character?

I guess if I could get a years' salary, I wouldn't worry about the defamation suit either. I would take that. But all the things that we just heard that he has done since he has been here, you would think that with a track record like that you would want to stand up and defend it, at least for future employment, if for no other reason.

Now, Madam Speaker, you know, its . . . help me out here, Member for East End, but I think it was on at least three or four occasions that you and I went to visit with the Chief of Police to talk about policing in the eastern districts, and the lack thereof, that we spent a half an hour, forty-five minutes being told about this one officer, Mr. Anglin, that he had put on a fast-track—to detract, obviously, from the conversation of the need for policing in the eastern districts. And I congratulate the young man. The question I have, Madam Speaker, why only one in nine years? In the last five years? Now, I hear we are getting two more. Again, why only two? That is three out of 400?

Madam Speaker, so I don't forget this because I am getting old, I hear the Deputy Governor talking about the Conditional Release Law. Well, I hope now that you have the staff in the 2016/17 budget for it because there are none in the 2016 budget for it. And you are expecting the people who are there who are already overworked to carry the load.

*[Inaudible interjections]*

**Mr. D. Ezzard Miller:** Madam Speaker, every time . . . this Police Law, the Attorney General will recall, had plenty of difficulties with it and brought it down here

and presented it to me, in that little room inside there. First question I asked, which an hour later nobody would explain, was, *What is a "police service"?* I know what "police force" is. I grew up with a police force. I have no idea what police service is.

Many of the things in here, Madam Speaker, I disagreed with. To tell a Caymanian joining the police force that he has got to be on probation for two years is ludicrous. And the Chief of Police can dismiss him any time during those two years without any benefits. Why do we need two years? If the private sector can determine a person in three months, extended by agreement for six months, or Government can do it for a civil servant, why do we need two years for a police constable? Certainly, the ones that we bring in from anywhere else are not on probation at all.

Madam Speaker, the Government's criticism of this Motion and what they are hanging their hat on to be able to vote against it, is that we are . . . this Motion is a motion of no confidence on all the police. Now, Madam Speaker, I've had discussions with even the Area Commander of the eastern districts. Often-times he tells me, *Mr. Miller, I agree with you but, sir, I am following orders.*

The Minister of PLAHI, Works, has a business in North Side. We have had for the last what? (Four years, Kurt?) We have had for the last three years, four years, young men who gather there on private property across the street. We have asked the police . . . they are just loitering, causing trouble. One time that the police went there with their Canine Unit (K-9) they caught two. But what the Area Commander for the eastern districts tells me he has to go through to get the K-9 Unit there; they could burn down North Side by the time they get there.

First of all, they said they couldn't do nothing about it because the landowner didn't put up any "no trespassing" signs. I went to the landowner and said, *Can we put up some "no trespassing" signs here because we need to break this up. The people in the community are being harassed. Tourists are being harassed, coming into the community.* I drove across there and they knuckle their butts at me and tell me all kind of language, every time I drive across them. I said, *Okay.*

I went and paid for the two signs out of my pocket. I invited the Area Commander from the eastern districts to be there when they were putting the signs up. I said, *This is what you want. We are putting the sign up. Now, this landowner wants these people prosecuted for trespassing.* The garbage is littered. I took the primary school children there when we were in a competition for picking up garbage and we got, I think it was 23 big garbage bags of beer cans, beer bottles. It is worse now.

They took the signs down that night. The police drive across there at least four times a day, they don't stop and talk to them, they don't tell them that they are trespassing on the man's land. They don't do

anything. Last week I had to call the Department of Environment for help to move a house settee from the . . . you saw it, I'm sure, right? When I came out this morning, they got a domino table on the man's land, five chairs! I called the DEH to go and move that.

Further down the district, the police go to a landowner . . . and listen carefully to this, Members, I want *unna* to understand what is happening in our community. The police go to the trouble to go to the Land Registry and get the [name] of the landowner, and came to ask the landowner to clear up the land because they know people are smoking ganja there.

Now, just think of that.

Mr. Deputy Governor, are you satisfied with that kind of policing? I am not.

Just think of that. And you know something? When the landowner cleared up the land, where they were smoking the ganja, it's not even on that person's land. But you know what's worse about it? They are still there smoking the ganja. And, Madam Speaker, you know, I don't know why we wrote this Police Law for, if we are not responsible for nothing, because this clearly, clearly places quite a bit of responsibility on us.

Under [Part] IV, Powers, Duties and Privileges of Police Officers, and I quote, Madam Speaker, [section] 25(1), **"Police officers shall exercise such powers and perform such duties as are by law conferred or imposed upon them, and shall obey all lawful directions in respect of the execution of their office which they may from time to time receive from police officers of a senior rank or service in equivalent rank.**

**"(2) Police officers shall be deemed to be on duty at all times.**

**"(3) It is the duty of police officers –**

**(a) promptly to obey and execute all orders and warrants lawfully issued to them by any competent authority;"**

So, the rank and file are following orders. And, Madam Speaker, I could plead that if you want to accuse us of bad drafting, do that. But don't come here and pretend that the Member for East End and I are solely moving a lack of confidence [motion] on the whole police force because the title of the Motion is quite clear, Madam Speaker. And it says a "Lack of Confidence in the Governance and Administration of the Royal Cayman Islands Police Service (RCIPS). But, that is okay. Hang your hat on it. The election is next year. Unna up in North Side now looking for candidates to run against me? Unna got um lined up. The people understand what is happening, eh?

The people know that I come here and fight and argue and cajole to get police officers. The people know that I support the police force. But because I use the only avenue that is left in me, having tried every other one . . .

You heard the Member for East End quote the 8<sup>th</sup> of December, 2014, when the Premier promised he was going to get the Chief of Police and the Governor to come talk to us. That is what the Deputy Governor wanted. That is what we tried to do.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Wait until I finish, man. Don't jump the gun.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Okay. You didn't make a promise. You "suggested" in debate, that you would do what you could. Okay?

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Well, I believe you! She issued a press statement that night when she got back here, in full confidence of the Chief of Police, without consulting a single Member of this Legislative Assembly. I don't. . . listen man, don't accuse me. I'm not misrepresenting anybody.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Yeah!

*[Pause]*

**Mr. D. Ezzard Miller:** Madam Speaker, I fully understand that unless the elected Government provides the resources for the Chief of Police to send police to North Side, I ain't getting any. The problem I have with that is that every time we give him additional resources, and he promises that some of them are coming to us, we don't get them, because he reserves the right to use his police as much as he wants, and where he wants them.

All of *unna* heard him answer me right here in Finance Committee, I asked him specifically—*specifically*—if the \$1.3 million that his budget was reduced by last year, if that was put back in the budget, if he could get six police officers in the eastern districts, two on our side, two in East End, and two in Bodden Town. He said yes. But I couldn't move the motion. I challenged the two representatives in Cabinet from Bodden Town to do it. They didn't see the need for it, so they didn't move the motion. So we didn't get any.

Madam Speaker, one of the things that we had hoped that could come out of this discussion was a re-look at the police authority that exists in the Bill, because right now it is confined to complaints about police, and although it has been in the law from 2010, it hasn't been implemented. I see in the *Reporter* an article where it suggests that two complaints a week is

not sufficient; couldn't justify it. And now we are going to wrap it up into some super ombudsman and everybody is going to lose. But I would have hoped that we could agree that we need to re-look at that section 7, and instead of calling it a police complaints authority, to look at the police authority that are established in the UK and get some community involvement in the structure so that the community at least will have an opportunity to influence the governance of the police.

You know, Madam Speaker, the other thing I found interesting, particularly in the media, you know how they all love me so much, their attack, like a review of the police is something that nobody else does, is never heard of, right? But I have seen an article which a colleague, the Fifth Elected Member for George Town, sent to me (Is that right Winston—fifth?).

**Mr. Winston C. Connolly, Jr.:** Fifth.

**Mr. D. Ezzard Miller:** It is about governance and accountability of the UK police—"The Role of Police Authorities" by Harry Barton, Head of Division of Human Resource Management, Nottingham Business School. Madam Speaker, it is an article that fleshes out how these authorities are supposed to work. And I think it is something that I would hope we could consider.

Unfortunately, the debate has been reduced to a lack of confidence by Ezzard and Arden in the whole police force, and nobody is giving any consideration to the rest of the resolve which talks about the governance structure and how that could be changed or improved. The UK reviews their police on a regular basis, and in the article, he quotes three other reviews, "**Protecting the Public: Supporting the Police to succeed**"; "**Reducing Bureaucracy in Policing**"; "**A People's Police Force, Accountability in the Modern Era.**" So, this is nothing novel. This is something that we need to do and I would encourage Members, Madam Speaker, to let's try and get past the accusation of lack of confidence in the whole police and everybody in it, because we know that that is really not the case. The Member for East End and I, our involvement with the police, our history of supporting the police, you can't sell that to anybody. So let us try and get past that and let's look at some alternative ways of improving the police governance which deliberately and effectively will give the local community some input in policing. I believe that is what needs to happen. You can't just import persons or ways of policing from somewhere else and expect that they are magically going to work in Cayman.

Madam Speaker, I have been told every time that I have asked for some policing in North Side for the last seven years, that they don't have enough. Yet, in the 1980s when we had less than 200 police [officers], we had three police officers in North Side full time, you know. But now we have 400-odd, grant-

ed, crime has increased. But out of 400-odd, you can't give North Side two? That is hard for me to accept.

*[Inaudible interjection]*

**Mr. D. Ezzard Miller:** Huh?

I mean, the Deputy Governor can place his accolades on the police—all deserving, but he should also tell them that he had to call me and to apologise for police activity. So let's balance the thing here, and in that instance, totally uncalled for. But again, all I was trying to do was to assist the police with what is going on in my community, because whether you like it or not,—and I don't know whether the people in your larger constituencies come to you or not—I can promise you it is not a day goes by in my district that at least one person doesn't come to me to talk about policing. If I walk down the street in Old Man Bay and I stop at three or four houses, I can promise you the conversation is inevitably going to get around [to], *What are we doing about police?* And they see the young boys riding up and down the street looking for trouble.

My fear is that in five years North Side is going to be like West Bay and George Town. We had a very serious incident there last weekend. The people in North Side know who the drug people are. But somehow the police don't know. The people in North Side know who is causing the trouble. But somehow the police don't want to know because it is work.

We have a problem in my constituency every Saturday evening from three to six; every Sunday evening, from the same time, of people coming back from Rum Point, flying through the district. Yesterday, Sunday, from my father's house to where I turn off on Old Robin Road to my house, at one o'clock in the day, I am driving at exactly the speed limit, in that distance nine cars overtake me, all breaking the speed limit. No police around.

Madam Speaker, what led me to second this Motion is very simple. It is really during the last year that has led to my declining confidence in the governance of the Police Service and, in particular, the Chief of Police and the Governor, leading to my decision to second this Motion. Those events include:

- continued absence of police in North Side;
- continued refusal by the Chief of Police to provide any change to the modus operandi of the police operations in North Side;
- continued increase in crime in North Side;
- continued poor response to crime;
- minor crime is escalating to more serious crime; and
- besides home invasions, we are now getting people being stabbed in yards.

And, Madam Speaker, I can tell you today that if we don't do something about putting police presence in North Side, these home invasions are going to lead to somebody getting seriously hurt, either the victim—the most recent one was with that 10-year-old child. Just imagine if that child had woke up when the burglar was reaching over him to take his laptop from his knapsack. Anything could have happened. And I say in here today, Madam Speaker, without fear of successful contradiction, if we don't get some police in North Side, some form of deterrent, somebody is going to get seriously hurt. And God forbid, killed, because they are going to go in to the wrong house, with the wrong person.

So, Madam Speaker, the rank and file in the police force know that the intention of this Motion was not to demonstrate a lack of confidence in them. I can tell you, Madam Speaker, that I have had more calls from rank and file police officers, thanking me for bringing the Motion. I haven't been spoken to by one single policeman that thought I was doing something against them. And if we want to sit here and convince ourselves that all is hunky-dory in the governance and administration of the police force, and that Caymanians are being given equal opportunity, that they are reaching the pinnacle of the heights that they are capable of, I don't believe that.

So, Madam Speaker, I have no fear of the Government convincing the rank and file police officers that the Motion I seconded is a lack of confidence in them. I have no fear of anybody here suggesting that there is something that I could do, or my community could do, that we haven't done or tried to do.

Madam Speaker, this is a last resort. And, Madam Speaker, I trust . . . because I need some explanations from the elected Members of Government why this was not a priority to come here on the 13<sup>th</sup> and answer your summons to do what we have done today. If that was an attempt to simply reduce the value of the Motion, and today is being spun to say that it is a vote of no confidence in the rank and file . . . I have no concerns of them being able to prove that. I was here. I answered your summons on a Wednesday—twice that day. And I answered it this morning, too.

And if the Government called me to a meeting, I have said publically, Madam Speaker, that the Premier has no need to wonder where he will get a quorum from. I will always be here to form the quorum for him, if that is what he needs. I nah going to tell him I will agree with what he is doing. And if I disagree with him, I will do what I always do. I will tell you what I disagree with and I will tell you how I believe you could fix it, so that I could agree with you. But, Madam Speaker, when we haven't met for six months and the Member for East End and I out there trying to do everything we can to get policing in our district, to get somebody to accept that crime is getting out of hand in the eastern districts, to get somebody to do some-

thing about it, we have to use what is available to us in the Standing Orders. We managed to get eight signatures to call a special meeting to deal with it. We believe that our community level is that important, and I make no apologies for it.

Madam Speaker, I support the Motion as drafted, as presented.

Thank you.

**The Speaker:** Can the Chair just get an indication of how many more Members intend to speak?

Three. . . four. . . five . . .

Can we just take a suspension and ask the Premier, the Leader of the Opposition, and a representative from the Independent group to see me in my Chamber, please?

**Proceedings suspended at 9:27 pm**

**Proceedings resumed at 9:38 pm**

**The Speaker:** Please be seated. Proceedings are resumed.

**Private Member's Motion No. 20/2015-2016—Lack of Confidence in the Governance and Administration of the Royal Cayman Islands Police Service (RCIPS)**

*[Continuation of debate thereon]*

**The Speaker:** Does any other Member wish to speak? Does any other Member wish to speak? Final call, does any other Member wish to speak?

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

**Mr. V. Arden McLean:** Thank you, Madam Speaker. I certainly wasn't going to make anybody play last lap like that

Madam Speaker, I understand. The Government is trying to make it out that I am the villain, and that those of us from this side are villains. Madam Speaker, despite my sometimes animated behaviour, I have a lot of respect for people in these honourable Chambers. Madam Speaker, that is manifested more in times of my visit to Cabinet when I refuse to go in anything but proper dress. But many take my animation to mean that I am hateful and angry at them. Madam Speaker, nothing could be further from the truth.

Madam Speaker, I sat here and listened to the Deputy Governor who tried to make it out like I was trying to do something against my country; but, more importantly, against the staff of the Cayman Islands Royal Police Service. He is wrong. Madam Speaker, I made it very clear that we have a responsibility individually and collectively to ensure that we provide the wherewithal to make our people feel secure.

The Deputy Governor highlighted a number of things that the Service has done; all of its many successes. And I am not here to defend the "indefensible" as he would talk about. Madam Speaker, I know that. But, Madam Speaker, he should know better too. He needs to know better. He and the Attorney General know better. And I put emphasis on that, because I have confided in them about certain matters. He knows. They, at least the two of them in here, know better. At least the two of them know that this really is the last resort for me. At least, at the very least, the two of them know that this goes much deeper—*much deeper*—than what either one of the three of us can disclose here. They know that.

They know the sacrifices I have personally made for my country. Something I guess the three of us will go to our graves with, among other people too. But be that as it may, Madam Speaker.

Madam Speaker, it does not take away from the fact that we have a problem. And the fact that the Government has now decided not to respond to this Motion, I suspect why. I am not going to say that it's not important. I'm not going that far, because I know that they feel and they know what I am saying is true. It may not come across the way they want me to bring it across, but they understand. At the very least, I got that across.

Madam Speaker, the Deputy Governor knows that there is more than meets the eye. He knows that. But he has to take a position and I hope in the fullness of time this country recognises that.

Madam Speaker, the Government has a problem with the resolution. They have a concern that the rank and file of the Police Service may feel like we all are resolving against them. I thought I had explained that good enough. But who am I to know? There are more lawyers out there who know more than I do. We only have one lonely little one out here that helps us. Thank God he came over. So, at least we have some semblance of counter against all of those who are lined up over there.

Madam Speaker, I want . . . it was never our intent to go at the rank and file of the police force. I enjoy a very, very, healthy relationship with many, many police officers. And I would like to think that they do with me. Madam Speaker, it appears the Government wants to take the full responsibility on their shoulders. I am thankful for that, because of the manner in which they said if we take out that section which says, "lack of confidence in the Royal Cayman Islands Police Service" and just leave it to say, "The Legislative Assembly does declare a lack of confidence in the governance of the Royal Cayman Islands Police Service and consider asking HE The Governor to appoint an independent team to review the police methodology of administration and to identify a Caymanian to lead the Royal Cayman Islands Police Service." . . . that that would be amenable to them.

Madam Speaker, twice in one day we, on this side, have shown, are about to show, reasonableness in the interest of this legislature carrying out its responsibility. Unfortunately, I can't say the same for the Government. You see, they want what they want when they want and how they want. But it's only when it's in their interests. And they don't understand, nor do they respect the tenets of democracy, such as utilising their own powers that have been mandated to them, and another tenet of democracy which requires them to come to Parliament to do the work of the people.

Madam Speaker, the fact that we requested a special meeting to deal with these things, to deal with the Government, us not knowing, like the Sixth Elected Member for George Town said, *We're outside; we don't know what's going on inside*. And it had been over five months that we haven't had a meeting, so, we had to request something. Somehow the Premier got hold of that and sent out a notification that a meeting was going to be held. Somehow he did that.

Madam Speaker, now the Premier and I have been friends a very long time. And he has indicated no . . .

*[Inaudible interjection and laughter]*

**Mr. V. Arden McLean:** Now he's claiming that it was the other way around. I found out that Cabinet was holding a meeting.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** You didn't hear your back-bench say that I don't know what's going on inside? How do you expect me to know that?

And . . . ah, I know about you too.

*[Laughter]*

**Mr. V. Arden McLean:** And you're tongue too thick to be Bible leaves.

*[Laughter]*

**Mr. V. Arden McLean:** Madam Speaker, despite what people think about the relationship between the Premier and I, I told the talk show host the other morning, *Tell somebody to touch him nah and let's see how this works*.

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Oh yes, that happened. You just tell somebody to do that. Or for that matter, anybody on that side, and more so on this side.

Madam Speaker . . .

Don't get too comfortable now, Minister.

*[Inaudible interjections]*

**Mr. V. Arden McLean:** Madam Speaker, I am going to restrain myself from the Minister of Community Services.

Madam Speaker, I want to propose that we take that section out of our police force. It will further compound and highlight the responsibilities this Government has on its shoulders. And if they do nothing about it, since they want it . . . yes, we have to show our reasonableness. They don't show theirs—

*[Inaudible interjection]*

**Mr. V. Arden McLean:** Yes.

**An Hon. Member:** Good.

**Mr. V. Arden McLean:**—in order that they can get an opportunity to fulfill their responsibilities. And I trust, Madam Speaker, part of that will also be in tandem with a review, because the Premier has called for it too. The Premier has called for the review, including the Chamber of Commerce. In tandem with that, I trust that they will now develop, promulgate the regulations to the Police Law. That is what I want to see. And create the Police Authority.

However, under the Law it does not go far enough. It only has complaints. I believe the Premier is right when he says that England is foolish (something like that), to still have control over the (he said so) police department in this day and age, and it should be given to one of the Ministers or himself. He just used himself as a point of reference. He said that on the talk show.

Madam Speaker, I want to hear the Government tell us that they are going to do that. And the other thing, Madam Speaker—

**The Speaker:** I recognise the Honourable Premier.

**The Premier, Hon. Alden McLaughlin:** Madam Speaker, I thank the Member for East End for giving way. I just wish to make a suggestion—no more—that perhaps the House would benefit from a suspension for the moment for a discussion between the Opposition and the Government to see if we can get this to where it needs to be, rather than the Member having to seek to persuade us publicly, because we do have some concerns and some information which we believe would be important for the Opposition, but particularly the mover of the Motion, to know before we get to the point he is trying to get us to. It's just a suggestion, Ma'am.

**The Speaker:** Can you give an indication as to how long you need a suspension to be?

**The Premier, Hon. Alden McLaughlin:** Madam Speaker, what we wish to discuss with him is the form that the resolution should take, and because, as I said, to give him this bit of information. Fifteen minutes, perhaps.

**The Speaker:** The House is now suspended until 10 minutes past 10:00.

**Proceedings suspended at 9:55 pm**\_\_\_\_

**Proceedings resumed at 10:10 pm**\_\_\_\_

**The Speaker:** Please be seated. Proceedings are resumed.

I recognise the Honourable Member for the district of East End.

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

Madam Speaker, keeping true to form in my commitment, as always, I do now propose an amendment to Private Member's Motion No. 20–2015/2016.

#### AMENDMENT

**Mr. V. Arden McLean:** It reads: “**Lack of Confidence in the Governance and Administration of the Royal Cayman Islands Police Service (RCIPS)**”.

In accordance with the provisions of Standing Order 25(1) I, the Elected Member of East End, seek leave in accordance with Standing Order 25(2), to move the following amendment to Private Member's Motion No. 20/2015-2016 as follows:

To amend the last Resolved Section, which reads as follows:

**BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly does declare a lack of confidence in the Royal Cayman Islands Police Service and the governance of the Royal Cayman Islands Police Service and consider asking H.E. the Governor to appoint an independent team to review the police methodology of administration and to identify a Caymanian to lead the Royal Cayman Islands Police Service.**

The Resolved Section will now read:

**BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly requests H.E. the Governor to appoint an independent team to review the police methodology of administration and develop a succession plan for Caymanian officers to lead the Royal Cayman Islands Police Service within four years.**

**BE IT FURTHER RESOLVED that this review and succession plan be tabled in this Honourable House.**

**The Speaker:** Is there a seconder?

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

**The Speaker:** The amendment has been duly moved. Does the mover wish to speak thereto?

**Mr. V. Arden McLean:** No, Madam Speaker, only to say that I believe that we have agreed on a way forward in order that we don't have difficulties with our people in the near future.

**The Speaker:** Does any other Member wish to speak to the amendment? Does any other Member wish to speak to the amendment? Final call, does any other Member wish to speak to the amendment?

If not . . . I recognise the Honourable Premier.

**The Premier, Hon. Alden McLaughlin:** Madam Speaker, just to express to the mover of the Motion and the seconder, and indeed, the Leader of the Opposition, the Government's gratitude at their willingness to go sit and discuss a way forward so that we could arrive at a resolution which the entire House can support.

**The Speaker:** Does any other Member wish to speak? Does any other Member wish to speak? Final call, does any other Member wish to speak?

If not, I will call on the Member for East End, if he wishes to reply.

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

Madam Speaker, I again too, like the Premier, wish to thank all concerned in this matter and to reiterate that we—no one . . . no one really wanted to send the message that we were against the rank and file of the police department. That is what I believe all of us would want to come across very clearly out of this resolution and this initial Motion as well. And I want to thank everybody for their support and discussions in reaching this point.

**The Speaker:** I shall put the question:

**BE IT NOW THEREFORE RESOLVED THAT the Legislative Assembly requests HE the Governor to appoint an independent team to review the police methodology of administration and develop a succession plan for Caymanian officers to lead the Royal Cayman Islands Police Service within four years.**

**BE IT FURTHER RESOLVED that this review and succession plan be tabled in this honourable House.**

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

**AYES.**

**The Speaker:** The Ayes have it. Accordingly the amendment has passed.

**Agreed: Amendment to Private Member's Motion 20–2015/2016 passed.**

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

**Mr. V. Arden McLean:** Thank you, Madam Speaker. Just to say thanks again. Since we just passed that, we should pass the . . . if we just amended the Motion, then we should pass the amended Motion.

**The Speaker:** Then let the Chair take the liberty to put the question on the amended Motion.

I now put the question that Motion 20-2015/2016, as amended, be passed.

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

**AYES.**

**The Speaker:** The Ayes have it. Accordingly Private—

**Hon. W. McKeever Bush, Leader of the Opposition:** Can we—

**The Speaker:** Honourable Leader of the Opposition.

**Hon. W. McKeever Bush, Leader of the Opposition:** Just call for a division, Madam Speaker.

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

**The Clerk:**

**DIVISION NO: 15**

**Ayes: 17**

**Noes: 0**

Hon. Alden McLaughlin  
Hon. Moses I. Kirkconnell  
Hon. D. Kurt Tibbetts  
Hon. Osbourne V. Bodden  
Hon. G. Wayne Panton  
Hon. Marco S. Archer  
Hon. Tara A. Rivers  
Mr. Roy M. McTaggart  
Mr. Joseph X. Hew  
Hon. W. McKeever Bush  
Mr. Bernie A. Bush  
Capt. A. Eugene Ebanks  
Mr. Alva H. Suckoo, Jr.  
Mr. Winston C. Connolly, Jr.  
Mr. D. Ezzard Miller  
Mr. V. Arden McLean  
Hon. Anthony S. Eden

**The Speaker:** The result of the Division, 17 Ayes. The Motion is hereby passed.

**Agreed by majority: Private Member's Motion No. 20–2015/2016, as amended, passed.**

**The Speaker:** That concludes the Sitting for the Special Meeting.

**At 10.48 pm the House stood adjourned.**