

Distributed on Monday & Tuesday, 11/12/376.
Jas. B. Cadogan

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

[VOLUME 1]

PROCEEDINGS AND DEBATES OF THE FIRST SESSION OF THE
FIRST LEGISLATURE CONSTITUTED UNDER THE
BRITISH GUIANA (CONSTITUTION)
ORDER IN COUNCIL, 1961

26th Sitting

Wednesday, 18th April,

LEGISLATIVE ASSEMBLY

The Assembly met at 2 p.m.

Prayers

[**Mr. Speaker** in the Chair]

Present:

His Honour the Speaker, Mr. R. B. Gajraj.

*Members of the Government
People's Progressive Party
Ministers*

Dr. the Honourable C. B. Jagan	<i>—Premier and Minister of Development and Planning (Member for Corentyne—East)</i>
The Honourable B. H. Benn	<i>—Minister of Natural Resources (Member for Demerara Coast—West)</i>
The Honourable Ram Karran	<i>—Minister of Works and Hydraulics (Member for Mahaica)</i>
The Honourable B. S. Rai	<i>—Minister of Home Affairs (Member for Dem- erara Coast—East)</i>
The Honourable R. Chandisingh	<i>—Minister of Labour, Health and Housing (Member for Lower Demerara River)</i>

Dr. the Honourable Charles Jacob, Jr. —*Minister of Finance (Member for Vreed-en-Hoop)*

Dr. the Honourable F. H. W. Ramsahoye—*Attorney-General (Member for Canals Polder)*

The Honourable E. M. G. Wilson —*Minister of Communications (Member for Boerasirie)*

Parliamentary Secretaries

Mr. L. E. M. Mann —*Parliamentary Secretary to the Minister of Works and Hydraulics (Member for Mahaicony)*

Other Members

Mr. S. M. Saffee —*(Member for Berbice—West)*

Mr. G. L. Robertson —*(Member for Leonora)*

Mr. M. Bhagwan —*(Member for Essequibo Islands)*

Mr. J. B. Caldeira —*(Member for Pomeroun)*

Mr. V. Downer —*(Member for Berbice—East)*

Mr. M. Hamid —*(Member for Demerara—Central)*

Mr. D. C. Jagan —*(Member for Suddie)*

Mr. H. Lall —*(Member for Corentyne—West)*

Mr. M. Shakoore —*(Member for Corentyne River)*

Members Constituting the Minority

(i) People's National Congress

Mr. L. F. S. Burnham, Q.C. —*(Member for Ruimveldt)*

Mr. W. O. R. Kendall, Deputy Speaker —*(Member for New Amsterdam)*

Mr. J. Carter —*(Member for Werk-en-Rust)*

Mr. E. F. Correia —*(Member for Mazaruni-Potaro)*

Mr. N. J. Bissember —*(Member for Campbellville)*

Mr. W. A. Blair —*(Member for Berbice River)*

Mr. R. S. S. Hugh —*(Member for Georgetown—South)*

Mr. J. G. Joaquin —*(Member for Kitty)*

Mr. R. J. Jordan —*(Member for Upper Demerara River)*

Mr. C. A. Merriman —*(Member for La Penitence—Lodge)*

Mr. H. M. S. Wharton —*(Member for Abary)*

(ii) United Force

Mr. P. d'Aguiar —*(Member for Georgetown—Central)*

Mr. R. E. Cheeks —*(Member for Georgetown—North)*

Mr. I. Crum Ewing—*Clerk of the Legislature*

Mr. E. V. Viapree—*Assistant Clerk of the Legislature.*

ABSENT :

Mr. G. Bowman, Parliamentary Secretary to the Ministry of Natural Resources (Member for Corentyne-Central) — on leave

Mr. S. Campbell, Member for North West — on leave

Mr. E. E. Melville, Member for Rupununi — on leave.

ANNOUNCEMENTS BY THE
SPEAKER

Mr. Speaker : The hon. Member for Rupununi (Mr. Melville) is unwell and has applied for one week's leave of absence from today, which has been granted.

PUBLIC BUSINESS

APPROPRIATION BILL — BUDGET
DEBATE

Assembly in Committee of Supply.

Mr. Speaker: The House will resolve itself into Committee of Supply to resume consideration of the Draft Estimates, 1962. The Minister of Home Affairs is not very well and has asked if we could take the items which come within his portfolio early. That will be done as soon as we are finished discussing Head 60.

At the time of the adjournment last night the Minister of Finance indicated his desire to reply to a point raised by the hon. Member for Ruimveldt (Mr. Burnham).

REVISION OF SALARIES, ETC.

Head 60. Revision of Salaries, etc.—\$2,600,000.

The Minister of Finance (Dr. Jacob): On Thursday, 1st March, a Resolution was passed in this House authorizing the payment of increases based on the recommendations of the Guillebaud Commission. The increases have already been paid for the year 1961, and the increases which are to be paid in 1962 are therefore authorized by that Resolution.

Mr. Burnham (Ruimveldt): If the increases for this year are authorized I wonder whether the Minister will tell us why the salary scales in these Estimates have not been revised, because these are the old scales.

Dr. Jacob: The Draft Estimates were already printed, but we are hoping that in 1962 these increases can be met from savings under the various Heads.

If that is not possible, as I said earlier, the increases will be met by supplementary provision.

Mr. Burnham: I cannot account for the optimism of the Minister of Finance, but I would like to know why, at this stage at least, there has not been put forward amongst the proposals an additional amount to meet the increased salaries. If this \$2.6 million was originally intended for 1962, as I think it was, it is all right to a point, but if it has been used up for the 1961 back-pay certainly Government should say somewhere, even in the amended proposals, where and how it proposes to pay the increases this year, and what those increases are estimated at. We are being asked to pass, when we are through with these Estimates, a sum of just over \$65 million, but from what the Minister has just said, he can anticipate from now that it is going to be more than that figure. What is the object of this chicanery? Let the House know exactly how much money Government will want. I would also like the Minister to answer the question I asked last night: was this sum appearing under Head 60 intended for 1962 increases, or for the 1961 back-pay?

Dr. Jacob: I believe I said last night that it is meant for the 1961 back-pay.

The Chairman: You did say so.

Dr. Jacob: I do also say that if we are unable to make all the savings required in 1962 we shall meet the increases by supplementary provision.

Mr. Burnham: When you put up these Estimates you must have known how you were going to pay the \$2.6 million for 1961, and how you intended to pay the increases for 1962. You cannot eat your cake and have it.

Dr. Jacob: I repeat again that we may have to meet these additional payments by supplementary provision.

Mr. Burnham: There are two further questions I would like to ask. Is it the policy of this Government to know from the beginning of the year that it needs a certain amount of money but make no specific provision for it, hoping to impose upon this House by asking for supplementary provision later? Is that Government's socialist policy?

2.15 p.m.

The second question I would like to ask the hon. Minister is whether it is true that Government cheques have been bouncing, and whether it is true that several civil servants were not paid for the month of March until some time during the middle of April?

Dr. Jacob: That is the type of political propaganda to which I have referred. The hon. Member and others have sought by various means to reduce the dignity of this House by mouthing the things here that they say at street corners.

The Chairman: This is the place to say them.

Dr. Jacob: There has not been any bouncing of Government cheques; it is merely bad propaganda.

Mr. Burnham : The hon. Minister of Finance seems to have neglected his duties as Minister of Finance. Of course, everyone has certain limitations. Is it true that certain civil servants were not paid until the middle of April for the month of March? Do not mind whether certain hon. Members are trying to abuse their privileges.

Dr. Jacob: Some of the delay in the payment of certain Departments was due to the fact that, because of the new computation of salaries, it was not

possible for them to submit their requests for payment to the Treasury in time. Much of the blame for the delay rests with the Departments concerned.

Mr. Burnham: Will the hon. Minister of Finance tell us what was responsible for the rest of the delay? [**An hon. Member:** "Arson and looting."]

Head 60. Salaries Revision, etc.— \$2,600,000, agreed to and ordered to stand part of the Schedule.

The Chairman: We shall now return to those Heads which were not dealt with because of the hon. Minister of Finance's intention to make certain changes.

MINISTRY OF HOME AFFAIRS.

Head 18. Ministry of Home Affairs.

Mr. Rai: I should like to deal with Heads 18, 19, 20 and 21.

Dr. Jacob: I beg to move that the following Subheads be inserted under Head 18:

- (a) Subhead 1 (5): Senior Legal Adviser to the Police F 13 — \$5,960.
- (b) Subhead 1 (6): Legal Adviser to the Police A 1 — \$3,040.
- (c) Subhead 1 (7): Senior Clerk — \$3,048.

This makes a total provision of \$12,048.

The Chairman: I take it that the figures will be placed against the respective Heads. Government is asking this House to vote money under a particular Head, and I think it is fair

that hon. Members should be told what particular figure will be placed under each Subhead. I do not think it is fair to transfer amounts from one Head to another without giving hon. Members the necessary details. While the results are the same, the hon. Members are entitled to have the fullest amount of information possible when voting funds. We have seen the scales against F 13 and A 1, and it should not be difficult to evaluate the posts.

Dr. Jacob: In view of the fact that the officers have not yet been appointed, we have apportioned \$4,500 to each post.

The Chairman: I do not think that can be correct, because the scales are different.

Dr. Jacob: I think this will meet the case. We will provide \$6,000 for the Senior Legal Adviser to the Police; \$3,000 for the Legal Adviser to the Police, and \$3,048 for the Senior Clerk. (a) and (b) will be transferred from the Police Department's Estimates, and the amount will be deleted from the Police provision; (c) will be transferred from the Ministry of Education and Social Development, and the provision in the Ministry of Education and Social Development Estimates will be deleted.

The Chairman: Under Head 18, Ministry of Home Affairs, there should be three notes indicating how the total of \$12,048 should be divided.

Mr. Correia: F 13 carries a salary of \$9,000.

The Chairman: The provision required is not for a full year.

Mr. Burnham: May I inquire from the hon. Minister whether the announcement in the Press is accurate that two officers have been appointed to fill the two posts?

Dr. Jacob: I had no time to look at the newspapers today.

Mr. Burnham: I understand that \$3,000 is for the more junior of the two officers, and he will be paid from the month of May. From the beginning of May to the end of December is 8 months, and it will take more than \$3,000 to pay this officer. This is discourteous and bumptious, and the hon. Minister cannot explain the figures. He cannot even calculate a few figures!

Mr. Rai: The figures for the Senior Legal Adviser should be \$5,960, and those for the Legal Adviser \$3,040.

Dr. Jacob: As a result of these amendments, the total under Head 18 will be \$95,469.

2.30 p.m.

The Chairman: Hon. Members, the question is that the sum of \$12,048 be added to Head 18 — Ministry of Home Affairs, as it has been presented, to cover the three posts.

Mr. Burnham: There are two observations that I wish to make on this proposed amendment. Since salaries have been revised and since Government and the Minister of Finance, in particular, have been directing their attention to these posts of Senior Legal Adviser and Legal Adviser, I cannot see why they should be moving in a figure which is based on the old rates. I should have expected them to move in the figure which would represent the actual remuneration which would be paid to the holders of these two posts.

I can appreciate the difficulty they may have had with respect to the other posts which appear in the other parts of the Estimates, but here the one post is clearly a new post — that of Senior Legal Adviser — not having appeared on the Estimates last year. I expect Government to be realistic and tell us what it is intended to pay this man and

[MR. BURNHAM]

not come here with an F 13 scale and later on, we will find that it is a different sum to be paid.

The second observation is this: these posts are Senior Legal Adviser and Legal Adviser, respectively, to the Police. What are they doing in the office of the Ministry of Home Affairs? If they were legal advisers or treasury counsel to the Ministry of Home Affairs, I could understand it. But they have no right at the Ministry of Home Affairs, they should be with the Police. They are supposed to advise the Police and in view of certain comments I have already had to make in this House — and my hon. and learned Friend, the Member for Campbellville (Mr. Bissember) has had to make — I feel that this is wrong and the thin edge of the wedge. It is no sense saying that because the subject "Police" comes within the portfolio of the Minister of Home Affairs, legal advisers to the Police should be in the Ministry of Home Affairs.

Mr. Rai: As regards the second point raised by my hon. and learned Friend, he has anticipated me when he said that the Ministry of Home Affairs is responsible for the Police Department, consequently these legal advisers are not Police Officers. They are not Police Superintendents or Assistant Superintendents; they are not members of the Police Force. Is it not proper that gentlemen of this professional status should be on the Head of the Ministry rather than on the Police departmental estimates? I think this is more appropriate.

Mr. Burnham : The clerical staff of the Police Department are not policemen. Among the clerical staff, you have gentlemen who are accountants by profession, but they are still under the Head "Police" and they still function.

To my mind, the hon. Minister has made no point if he is seeking to differentiate between lawyers and other persons. I cannot accept that at all.

If they are members of the learned profession and they are above appearing on the Police estimates, do not take the jobs as Legal Advisers to the Police. They may well say those with an honourable and learned profession may object to serving in certain Ministries. If they are going to think in terms of Police, you are advising the Police. I feel there should be no connection between the Legal Adviser to the Police and the office of the Minister of Home Affairs. Whether the other Minister who is to succeed him some time next month follows in his train or not, I think there should be a clear separation and division of power because, as my hon. and learned Friend, the Member for Campbellville, is going to observe, there are certain facts upon which we will argue that the Minister has been interfering with the Police.

The Chairman: I will put the amendment first, and then I will put the whole Head. The question is that the sum of \$12,048, representing the amounts required for the insertion of the three Subheads in Head 18, be added to the Head in the Estimates.

Agreed to.

The Chairman: This has now to be added to \$83,421, making a total of \$95,469 for Head 18 — Ministry of Home Affairs.

EXPENSES, GENERAL ELECTIONS

Mr. Burnham : On the question of the administration of the Police, we have noticed recently that an expatriate

is to be made Commissioner of Police for the present holder of the post retires. I notice there is a Subhead 7 — Expenses, General Elections — \$6,500. The hon. Minister of Home Affairs in this House some time ago said that one of the reasons for not holding the election for the Houston seat was that there was a state of emergency. The hon. Minister is not usually facetious in this House; he takes his portfolio and his duties seriously. But I want to know on what grounds he can argue that the existence of the unnecessary Emergency Order or the existence of an alleged state of emergency can prevent this Government from having a Writ issued for the Houston by-election but can permit this Government, in its capacity as People's Progressive Party, to take part in countrywide elections for the Rice Producers Association.

I am going to tell you what I feel certain is the reason for this, and the hon. Minister will be free to reply. The People's Progressive Party knew it would win the R.P.A. election. I knew that. Even the myopic could have seen that. But the People's Progressive Party also knows it cannot win the Houston by-election; that is why it would not issue the Writ. In fact, approaches have been made to Her Majesty's Government asking whether an order in council can be promulgated to validate the election of the individual whose election was declared void.

LEGAL ADVISERS TO POLICE

Mr. Bissember: The Legal Advisers have been put into the Ministry of Home Affairs. May I now find out what are the functions of the Police Legal Advisers and what is the policy of the Ministry of Home Affairs in its relationship with the Police Legal Advisers as it affects the Police Force?

Mr. Rai: I am sure my memory serves me well, but I recall that no less than two weeks ago, this House approved the creation of two posts of Legal Advisers to the Police because everyone in the House was satisfied that

the Police needed assistance in their work, especially in their work of prosecution.

When the Police go to Court, they find themselves with learned counsel who have had long standing at the various Inns and are usually at a disadvantage, and from time to time, justified and caustic remarks have been made by both the magisterial and judicial benches on how the Police presented their cases. Many of the remarks are made because the Police need assistance, and hon. Members were in agreement with this and voted for the Resolution.

The work of the adviser would be to advise the Police when they seek his advice; secondly, to hold classes and seminars in criminal law procedure, and to be on hand always to give advice on cases which present difficulty to Prosecutors when they prosecute. They do so, not as legal advisers, but as counsel on behalf of the Police.

The Police will benefit immensely from the creation of these two posts. The public and the legal profession will also benefit and the magisterial benches will find their work easier because the least possible time will be taken in presenting cases. When counsel make submissions valid in law, they will be recognized as such and much time will be saved. When a submission has been made, I understand the Prosecutor says, "I have no authority to withdraw the case. I have to report to the Superintendent." I hope that the officer who is prosecuting will be armed with certain legal advice and will be able to take prompt action. These legal advisers will be free to give their professional advice to the Police, and will be subject to no one in the tendering of such advice.

Mr. Bissember: I know that the Courts and the Police will be very happy to have these legal advisers. I want to

[MR. BISSEMBER]

know whether the legal advisers are to advise as to prosecutions and withdrawal of prosecutions.

Mr. Rai: They will give advice, when it is sought, as to whether charges should be brought, whether a *prima facie* has been established. Or if someone were to complain to the Commissioner of Police, the Commissioner can ask advice as to whether there is any case.

2.45 p.m.

EXPENSES, GENERAL ELECTIONS

Mr. Burnham : I was wondering whether the Minister would be kind enough to tell this House when he hopes to expend, or to have expended the sum of \$6,500 for the holding of General Elections during this year.

Mr. Rai: This amount is being voted out of precaution, in case there is any need for a by-election in the event of the death of any Member of the House, or any factor which gives rise to a vacancy. This amount is there to take action and, if necessary, it will be increased.

Mr. Burnham: May I ask the Minister whether in his judgment there has not arisen the eventuality for the expenditure of this money — whether there is not in existence a fact that makes the expenditure of this money immediately necessary?

Mr. Rai: My friend asked me the question in this House about two or three weeks ago, arising out of the voiding by the Supreme Court of the election of Mr. George Henry, and I then said that on account of the then state of emergency I did not consider it de-

sirable to hold a by-election then, and furthermore the implication of Mr. Chase's acquittal on the voidance of the election was being studied. I assured him that I proposed at an early date to make a statement, and I think I should be able to make a further statement in another two or three weeks.

Mr. Burnham: I wonder whether the Minister would assist me. Two reasons were given — (1) the then state of emergency. I wonder if he would tell this House whether the emergency which caused the failure on his part to have a Writ issued for the Houston by-election, did not affect the holding of elections to the Rice Producers' Association. What is this difficulty about a study of Section 37 (1) of Ordinance 34 of 1961? Is it that the Minister cannot get advice from the Attorney-General? It is quite simple, and I can lend him all the authorities on the subject. Does it take all these weeks to study the implication of a simple subsection?

Mr. Rai: The Rice Producers' Association elections were not held in the City of Georgetown or its environs. The circumstances attending those elections are quite different from those of elections to the central Government. My friend knows Houston and Ruimveldt very well, and the conditions pertaining to those districts so far as election to the Legislature is concerned are quite different from the Rice Producers' Association elections which were held in the rural areas. There is no reason for being unduly anxious about the Houston by-election. My friend will probably know in another two weeks, and probably have an opportunity to enter a candidate, probably to be defeated. There is no reason for him to be too anxious.

Mr. Burnham : I wonder if the Minister will tell us what is the difference between the conditions exist-

ing in Georgetown and its environs and those existing in the rural areas? I would like to know.

Mr. Rai: I do not think my friend has such a short memory. I think the hon. Member for La Penitence-Lodge (Mr. Merriman) knows, and all the other Members know, that there was arson, looting, and brigandry in Georgetown. Those things did not occur in the country districts where the people are better behaved and apparently displayed a higher standard of culture, at least on that day. Murder, arson, looting and brigandry — those were the circumstances.

Mr. Merriman: And shooting!

Mr. Rai: I say more; a Police Officer was shot and another wounded in protecting law-abiding citizens. My friend's house was protected by soldiers, policemen and members of the Volunteer Force. The hon. Member for Georgetown Central (Mr. d'Aguiar) had dozens of bodyguards — Volunteers with fixed bayonets. Mr. Ishmael had — [*Interruption.*]

The Chairman: Order, please!

Mr. Burnham: Assuming that the difference referred to by the Minister does exist between the conditions in Georgetown and those in the country — I do not accept it — it is just an excuse for running from an obvious defeat at Houston. I would like to point out that in the constituency of Houston, so far as I know, there was no incendiarism, no looting, no "brigandry." After listening to him I would still like to observe that in the constituency of Houston none of those things occurred. Therefore, there can be no excuse. There is an ulterior motive behind this. The P.P.P. is afraid to face the polls in Houston. The Minister says we will have an opportunity to be defeated. All

right; we want to be defeated now. That is all. Whence this solicitude for the P.N.C. by the P.P.P.?

Head 18 — Ministry of Home Affairs, \$95,469—as amended agreed to and ordered to stand part of the Schedule.

HEAD 19. LOCAL GOVERNMENT

LOCAL GOVERNMENT

The Minister of Finance (Dr. Jacob): I move that subhead 8 — Clerical Assistance, District Offices, \$17,000 — be deleted from this Head. It is already provided for under the Ministry of Education and Social Development.

Question put, and agreed to.

IMPLEMENTATION OF THE MARSHALL PLAN

Mr. Burnham: I wonder whether the Minister can indicate how soon the Government proposes to implement its proposals in the White Paper of 1958 for the introduction of adult suffrage and the reorganization of Local Government, setting up new local government with greater responsibilities.

Mr. Rai: I thought that my first preoccupation would be the holding of elections in the Georgetown Town Council, and after those elections have been held, Government, in pursuance of its declared policy, will make every effort to implement the Marshall Plan. I have time and again explained to hon. Members the difficulties I have had with the officers who were recruited from the United Kingdom to draft legislation for this Plan, to help us to execute it, but my Minister is now concentrating on holding elections for the two Municipal areas, Georgetown and New Amsterdam, and thereafter will go into the question with greater speed to implement the Marshall recommendations on Local Government.

Mr. Burnham : This is the first time we have really been told that those individuals were brought here to draft legislation. As I understand it, they were brought here to lend administrative assistance and also assistance with respect to organization. One of them happened to be a solicitor, but my friend the Minister will know that not every barrister can draft legislation, let alone every solicitor. As a matter of fact, normally solicitors are not draftsmen at all. I would like to know whether Government brought any drafting counsel in the team that was here to advise. If it did not, Government should not be heard to say that it was depending on those people to draft legislation. The original proposal, as I understood it, was that the drafting of legislation was to be done in the Law Officers' Department, and the basis for the draft was to be provided by the expatriates who were brought here.

Mr. Rai: The capacity to draft legislation is not confined to either branch of the legal profession. Indeed, there are many more learned solicitors than barristers, lecturers and professors, who are mere solicitors. For example the hon. Member knows and may have been lectured by Professor Gower, of London University. What is needed is not only ability to draft legislation but combining in one person a close and intimate knowledge of Local Government as it exists in the United Kingdom.

3 p.m.

The solicitor who was here had a close and intimate knowledge of things and he had the capacity for the job. He has drafted legislation which was submitted to this House. His services were also put at the disposal, on several occasions, of the Georgetown Town Council. The hon. Member for Ruimveldt and the hon. Member for La Penitence—Lodge know that.

Mr. Burnham : I am saying that, normally, solicitors are not draftsmen, and if this Government found the extraordinary factor, that is, a solicitor being a draftsman, it is good to make use of his services. The hon. Minister must remember that there was presented to this House and passed a Valuation Bill. There was also presented to a previous House, but not yet passed, a Local Government Bill. It is not a question of getting legislation drafted; it is something else. Why not bring the Bill here, let us pass it, and implement it?

The hon. Minister has been rather skilful in directing the attention of hon. Members to local government elections instead of municipal elections. He said that the Georgetown Town Council will have elections in Georgetown on the basis of adult suffrage, and that he had asked the Georgetown Town Council to submit its recommendations with regard to the number of wards. This has been done, but the elections which, at the moment, he proposes for Georgetown have nothing at all to do with the Marshall Plan, because the elections proposed for Georgetown will be for Georgetown as is, and not for the greater Georgetown as envisaged with its extended responsibilities. He is just pulling a fast one on us, when he says that the elections in Georgetown have nothing at all to do with the question I have asked.

Head 19. Local Government — \$632,326, as amended, agreed to and ordered to stand part of the Schedule.

POLICE

Head 21. Police.

Dr. Jacob: I beg to move the deletion of Subheads (6) and (7) from Head 21, and the insertion of a new Subhead 1 (a): Supernumerary Commis-

sioner of Police — \$10,080. The total would have to be amended to \$3,704,857.

Mr. Burnham : I cannot follow that.

The Chairman: The Motion is to amend Head 21, Police, by, firstly, the deletion of Subheads (6) and (7). These are the same two items we have just dealt with under the Ministry of Home Affairs. Secondly, the insertion of a new Subhead 1 (a): Supernumerary Commissioner of Police, \$10,080. These changes will result in a total of \$3,704,857.

Mr. Burnham : The hon. Minister of Finance really meant items (6) and (7) of Subhead 1.

The deletion of items (6) and (7) of subhead 1 was agreed to.

The Chairman: Let us have the move-in and then the discussion. The question is, "That a new Subhead 1 (a): Supernumerary Commissioner of Police, \$10,080 be inserted".

Mr. Burnham : I am against that. First of all, it is an unnecessary expenditure to have a Supernumerary Commissioner of Police when you have a Commissioner of Police. I do not know why you must have two Commissioners of Police in the same way as you now have two Governors. As far as I recognize, what is really intended is to bring an expatriate to spend some time under the present holder of the post, and then to offer him the post. Government will have to do a great deal to convince me of the necessity for having a Commissioner of Police from outside of British Guiana.

For the first time in the history of British Guiana a Guianese was appointed Commissioner of Police, and, as soon as he is ready to go, this Nationalist

Government, this revolutionary P.P.P., decides to bring back a representative of the Imperialists to be the head of our Police Force. On what grounds can this be justified? Is this Government suggesting that there is no qualified Guianese to fill this post? Is this Government suggesting that the top bracket of the Police Force consists of ignoramuses or incompetent persons? It seems to be a shame, at this stage of our political and constitutional development, that the key-post of Commissioner of Police, at least, should be given to one from outside. I am opposed to this and, if necessary, I will take this House to a division on the question of the appointment of any Supernumerary Commissioner of Police so as to put him in line for the post of Commissioner of Police in preference to Guianese in the Police Force.

Mr. Rai: As has already been explained in this House, the present Commissioner of Police proposes to go on leave in September this year prior to retirement. It is very important that Government should have a suitable replacement. The Commissioner, who is being recruited from abroad, will therefore work along with the present Commissioner of Police for a few months in order that the Commissioner may hand over to his successor properly. I see nothing wrong with this. If his successor has to be with him for a month or three months there is nothing wrong with that.

Secondly, the hon. Member objects on the ground that the Commissioner to be recruited is an expatriate. Does that make him such a horrible person? My hon. Friend has not urged any reasons or grounds why he is opposed to having an expatriate as the Head of our Police Force. I never knew that my hon. and learned Friend was capable of such partiality. I thought that he, like myself, would like to see efficiency in every Gov-

[MR. RAI]

ernment Department, and vacancies filled by those who merit appointment. While we have many capable officers in the Police Force, they are still junior in rank.

This is not the responsibility of the present Government. It was only since last September that, for the first time in the history of this country, an Elected Minister has been given full control of the Police. Even at the present time the Minister does not look after the training and appointment of policemen. What is wrong with having an expatriate? I say that there is no suitable Guianese officer available at the present time for such an appointment. It is my policy to train policemen. I am sure my successor — if he be my hon. and learned Friend — will train policemen and encourage them to go to Police Schools and Colleges in order to equip themselves for the more onerous responsibilities they will have to bear. Let us not make any misguided comments on the Police Force because they can do harm to security and lower the morale of policemen. I do not know whether certain comments were intended to lower their morale.

As I said before, this is not the responsibility of this Government. There is no suitable Guianese Officer available to take on the duties of the Commissioner of Police. In the circumstances, I say that my hon. and learned Friend should have no objection to an officer coming from abroad to assume command of the Police Force for a short time on contract. [An hon. Member: "He will remain until he is made to resign."] I am sure that many local officers will welcome such an appointment, because an officer recruited from overseas will have far more experience than any local officer, and they stand to benefit from his experience.

3.15 p.m.

Mr. Burnham : I am very interested in hearing the spokesman for the Government say that there is no Guianese capable of filling the post of Commissioner. In 1957, when the People's Progressive Party became the majority party, it had a Commissioner of Police whom it paid more than a judge. I pointed out, in 1957, that the time had come for the Government to take a positive attitude towards the training of Guianese to fill top posts.

I am aware of the fact that in theory, though not in practice, this Government is not responsible for appointments. But, certainly, this Government controls policy and if, as a matter of policy, it said, "We will adumbrate a scheme for training" — in the same way as it adumbrated a scheme for training a Guianese to succeed the present Director of Posts and Telecommunications — "and this scheme will take in the Police Force", its members would not now, in 1962, have to be getting up and to be so objective and so impartial as to tell us that there is no Guianese officer. If there is no Guianese officer, it is the fault of this Government that stifled its conscience for five years. It knew that the present Commissioner was not a youth. I think he is older than certain members over there [*pointing to the Government benches*]; he is older than most. The Government knew he was no Methuselah. He could not last forever and it ought to have anticipated this situation arising.

I am prepared to accept for the moment the statement in this House by the hon. Minister of Home Affairs that there is no Guianese capable, though I do not agree with him. The hon. Minister talks about lowering the morale of the Police Force. I am happy to see the solicitude for the Force. I do wish that he would use his influence as first Vice-Chairman, for the time being, of

the People's Progressive Party to see that the Secretary of that party does not malign the Police Force outside of British Guiana as she did in the *Gleaner* and in the *Monthly Review* for March, 1962.

The hon. Minister, I know, will exercise such influence, waning or otherwise, as he may have. I know that he is not a party to these outpourings by the Secretary of the People's Progressive Party, but I want to see him do better than he has done so far — that is, publicly in this House to say that any statement, whether by the Premier's Private Secretary or the Secretary of the People's Progressive Party, seeking to impugn the loyalty and efficiency of the Force, is ill-advised, inaccurate, wicked and malicious. His choice of language is his own. He need not take my epithets, but I would be grateful if he would adopt my approach.

Mr. d'Aguiar: I am thinking of senior Guianese Police Officers who, within recent years, have resigned. I am thinking, in particular, of one who, not very long ago, was Defence Officer attached to the Federal Government in Trinidad and whose services were requested here recently. I am wondering whether the Minister would say why such officers have not been considered for this post.

Mr. Rai: Although this is not the proper forum for considering appointments of officers, I wish to say that Mr. Rose is employed by the Federal Government, not as a Guianese officer but as an expatriate who says that he has his home in the United Kingdom. So, he is not a Guianese officer; he does not claim to be such in the Federation. Secondly, he is not immediately available.

Mr. d'Aguiar: May I ask, then, how many senior police officers have resigned prematurely within the last four years since 1957?

Mr. Rai: The answer is, "None".

Mr. d'Aguiar: That hardly fits in with the facts. I am thinking of several. I do not wish to mention names here. There are several very senior officers who certainly have not reached the age of 55 years. They are Guianese in my estimation and are no longer in the service. I am sure if the Minister thinks a little deeper he will find that the answer "None" is hardly the correct one.

Mr. Rai: Under the Police Ordinance officers are entitled to retire at 50 years of age and they may continue to 55 years of age if they so request. This request I think is usually granted. If they were to retire before reaching 50 years of age, they would not be entitled to pension and no one is going to resign from the Police Force without making sure that he has got his retirement benefits. So there is no question of premature retirement.

Mr. Correia: Seeing that this Government is seeking to have Guianese as Heads of Departments and is always talking about Guianization, and seeing that this Government is asking for Independence almost at once, I think, in the best interest of this country, it ought to have selected one of the senior officers and sent him away to be trained, instead of bringing a supernumerary officer to take the place of the Commissioner of Police when he retires.

The Chairman: The question is that Head 21 be amended by the insertion of a new item, Subhead 1(a): Supernumerary Commissioner of Police — \$10,080, making a final figure of \$3,704,857.

Question put.

The Committee divided: Ayes 18, Noes 10, as follows:

<i>Ayes</i>	<i>Noes</i>
Mr. Shakoor	Mr. Cheeks
Mr. Lall	Mr. d'Aguiar
Mr. Jagan	Mr. Merriman
Mr. Hamid	Mr. Jordan
Mr. Downer	Mr. Joaquin
Mr. Caldeira	Mr. Hugh
Mr. Bhagwan	Mr. Blair
Mr. Robertson	Mr. Bissember
Mr. Saffee	Mr. Correia
Mr. Mann	Mr. Burnham—10.
Mr. Wilson	
The Attorney-General	
Dr. Jacob	
Mr. Chandisingh	
Mr. Rai	
Mr. Ram Karran	
Mr. Benn	
The Premier —18	

Motion carried.

The Chairman : I shall now put the question arising out of the results of that Motion and that is, that the sum of \$3,704,857 — Head 21 — Police, stand part of the Schedule.

Mr. Burnham : The Police, as I understand it, are responsible for law and order. The Police, as I understand it, must act on all occasions so as to give the lie to any suggestion of partiality or political influence. The Police at all times, to put it succinctly, should be like Caesar's wife. But I am afraid that in some aspects or phases of their duties the Police in recent times have not been above reproach and have not acted fairly and impartially. In fact, the particular occasion of which I am thinking seems to be an example of a deliberate attempt, either by the Government or a certain Police officer seeking to curry favour with the Government, to embarrass Members of the Opposition.

Recently, the premises, business and dwelling, of His Worship the Mayor of Georgetown and Chief Magistrate of Georgetown, were searched — searched on a warrant purporting to be signed by some little J. P. in the backwoods of

Alexanderville, Deygoo. That Warrant was issued obviously without proper consideration. I am not suggesting that if His Worship the Mayor is a thief, if His Worship the Mayor is a receiver of stolen goods, he should be above the law. These powers of search which, in fact, operate as an imposition on the privacy of individuals should be intelligently and reasonably exercised. Some little scatter-brain gives information to some scatter-brain in a higher place and the scatter-brain in the higher place starts the machinery, and His Worship has his premises searched because he is a P.N.C. member, a P.N.C. Mayor. I say so.

3.30 p.m.

In fact, when the premises of the Mayor of Georgetown was searched, his was one of a number of names submitted to the Ministry and passed on to the Police. Have you got a report about the Mayor's premises? After all he is the Chief Magistrate of the City. When you find someone at the Attorney-General's house with an unlicensed firearm you do nothing about it. You respect the Attorney-General's house so much that individuals found with unlicensed firearms and taken to the police station are not charged, but the police go to search the Mayor's premises. One would have thought that if the police were going to search the Mayor's premises they would have had the information sworn to before a person legally trained as a Magistrate, but acting on the *ipse dixit* of some little scatter-brain, the police go to Deygoo to sign the search warrant. I have irrefutable evidence that at least two blank warrants are in existence at the moment signed by Deygoo, J. P., with no names of the persons whose premises are to be searched. I have those blank warrants where you cannot get them, and I shall tender them at the proper place. I have photostat copies of them.

Like Pilate, we heard that the Minister of Home Affairs was sorry about the matter. "I never knew it," he said. Those are the people who talk about co-operation and say that the country cannot move forward unless there is co-operation. Those people talk about co-operation and make overtures in this Assembly. They say: "Can the country progress without co-operation?" I say "No", but can there be co-operation when an outstanding Member of the Opposition, the first citizen of Georgetown, is treated in that manner? The warrant under which his premises were searched was one of the blank warrants that were already prepared. The police only had to fill in his name. Where are we going? Nothing has been done about it; no one has been pulled over the coals. Of course Merriman does not matter; he is P.N.C. They can talk until doomsday about co-operation. You will get no co-operation from this side until you show respect for others, until you stop abusing your powers.

The Minister of Home Affairs (Mr. Rai) : The impression I got when my friend was speaking was that he was very insincere about what he said, and was not completely convinced about what he was alleging. He upbraids a Justice of the Peace, a respectable officer in the community, Mr. Deygou. He refers to him as "some little J.P." My friend, the Mayor, is a Justice of the Peace, and the hon. Member would be including not only Mr. Merriman but every Justice of the Peace in the same terminology. This is what he says about His Worship the Mayor. He also referred to a learned Magistrate as Roopan Singh — no respect whatever for Justices of the Peace or for Magistrates, and he is a Queen's Counsel, a leading light at the Bar.

My friend knows that there were no blank warrants. The powers under which the police prosecute persons,

search houses, stop and search vehicles, are statutory powers. Those powers do not derive from the Executive of this country or from any Minister or combination of Ministers. They are powers which derive from the laws of this country, and no person is above the law in this country. I am sure my friend will not say that he is above the law, and I would have thought that His Worship the Mayor, the hon. Member for La Penitence-Lodge (Mr. Merriman) would have said "I am glad my premises were searched; they found nothing." His status and prestige would have gone much higher. The police have searched other people's premises; more than 800 persons' premises were searched, and not all of them P.N.C. members. The car of the Premier was searched. The Minister of Works and Hydraulics (Mr. Ram Karran) had his car searched. The Minister of Natural Resources (Mr. Benn) had his house searched, and his wife probably not very courteously spoken to.

The hon. Member said that the police did not search "Freedom House." Everyone knows that "Freedom House" was the bastion of freedom on that day, and everybody would not have liked to see it destroyed. It is only a physical symbol of the struggle of the people of this country, a mental symbol which rallies the members of the party and the leaders of the party. It is merely a physical symbol which no one can destroy. The idea in one's mind is to fight for freedom and liberty, even though people come from abroad to subvert our Government. [An Hon. Member: "Dr. Sluis." They may wish to subvert the Government; they may march in the streets against the Government and use hooliganism and incendiarism, but in the minds and hearts of the members of the P.P.P. there is burning this fight for a better way of life and freedom for all the people, not merely for supporters of the P.P.P.]

[Mr. Rai]

How are we going to run this country — at the whim and caprices of people who kick against the police selecting Mr. "X" and not Mr. "Y" if they have reason to believe Mr. "X" has loot? Must they be fettered in the exercise of their discretion? That is an example that all hon. Members will have to bear in mind — that we are here as a Legislative Assembly enacting the law, and that no Member of this House or of the community is above that law. That is what is meant by the primacy of law.

No one has complained to the Commissioner of Police or to my Ministry about blank warrants, even though I say that the police derive their powers from the law. There are lawless elements conspiring by day and night to stop the struggle for freedom and bring about misery and poverty, even though they themselves may sink in this move.
3.40 p.m.

They bring saboteurs from abroad — people who are not even wanted in their own countries: cast-offs, and whom the people in this country do not want to see. We cannot tolerate in our community, if we are to pursue a democratic way of life, people who are imported into the country to subvert the system that we are using. Let us all accept the principle of the primacy of law; let people be allowed to do their work within their limitation and ability within the context of pressures from other places and within the context of the circumstances under which they have to work — [Interruption.]

As a result of the "double delight" on Friday, 16th February, many people took a delight in arson and looting on that day.

Mr. d'Aguiar: On a point of order. Your Honour has already ruled it out of order for an hon. Member to refer to what took place on that day.

The Chairman: The hon. Minister should not refer to what took place on the 16th February.

Mr. Rai: I saw a triple delight. Some people delighted in acts of arson and looting [Mr. d'Aguiar: P.Y.O.] As a result of what happened on that day, the little elements got together in the City of Georgetown with a view to discouraging the harmonious feelings of the people in the City. They have done a disservice to the people in Georgetown, for they have succeeded in retarding the good work that this Government has been trying to do. A very lazy attitude has been developed since the 16th February, and some people do not want to work nowadays. "Choke-and rob" is taking place every day on the streets. It is a new way of life ushered in by those people who like these "delights."

The Police will continue to exercise their powers, and it is my wish that they will do so fearlessly against anyone who has broken the law. If, in their opinion, anyone is abusing the law, or if there is evidence to be obtained regarding certain homes, they must enforce the law. Homes are being searched by the police every day. If the people who have been searched are annoyed, then they can seek redress in the court—the court is an institution where one can complain of abuse of powers by the police, and cost is given in the Supreme Court in certain cases where an illegal search is made. I know that the hon. Member, Mr. Merriman, has eminent counsel to advise him.

Let us not make statements which cannot be substantiated. So long as I am responsible for the police, for public order and internal security, any alleged irregularity by the police received by me will be forwarded to the Commissioner of Police for investigation. The

Commissioner of Police has already made his statement in connection with the search carried out at the home of the Mayor of Georgetown (the Member for La Penitence—Lodge). He has also sent a letter to the Mayor. I have made a statement in the Press regretting the inconvenience caused by searches carried out by the police where neither loot nor any evidence of crime was found. I am sorry for those persons.

I have made a personal investigation into this matter, and I have not been able to discover any blank warrants or any malice in the minds of those who executed the warrants on the premises of the hon. Member for La Penitence—Lodge.

Mr. Burnham : The hon. Minister of Home Affairs spent most of his time delivering a sermon on freedom and so on, but I do not have to be regaled by him in these matters. I was in the fight long ago, when he was in a Right Wing Party. I referred to Mr. Deygoo, a Justice of the Peace. You cannot compare Mr. Deygoo of Alexander Village with the Mayor of Georgetown, who is, *ex officio*, a Justice of the Peace! The Mayor of Georgetown does not have to beg anybody for that. There are lawyers and lawyers, members and members, J.P.s and J.P.s.

The hon. Minister of Home Affairs in his reply, at first, sets out to give the impression that there was nothing wrong with this imposition on His Worship the Mayor. The letter of apology from the Commissioner of Police, and the hon. Minister's personal apology have nothing to do with the matter because that is common courtesy. You cannot apologize and still say that there is nothing wrong with searching the Mayor's home. I am not suggesting for one moment that anyone should be above the law. As a matter of fact, I understand that some people are con-

sidering whether a certain hon. Member of this House should not be prosecuted for an alleged breach of an alleged proclamation issued on the 12th April. I think it is the hon. Member for Ruimveldt. If the law is there, you can prosecute me. Why are you exercising your discretion, and then spiting the Mayor by having his premises searched?

I am not suggesting that, if the police had information to the effect that things would be found on the premises, they should not have searched the Mayor's home. I am merely suggesting that, when it is a person like the Mayor of Georgetown, you should have had the information sworn to before a Magistrate who, with his legal mind, would have exercised his discretion in the light of the information disclosed by the informant. Why run to Deygoo for a number of blank warrants, and fill in the name of Claude Merriman on one of them? I can show the hon. Minister photostat warrants signed by Mr. Deygoo. I shall deliver these photostat copies to him personally. Claude Merriman's house was searched on one of these blank warrants on which his name was inserted just before the warrant was executed. I have the evidence on that.

The hon. Minister of Home Affairs says that he has investigated the matter and found no malice on the part of those executing the warrant on the Mayor. I am not suggesting that there was any malice on the part of the people executing the warrant, because I know that they were embarrassed by having to search the Mayor's premises.

3.50 p.m.

No one must be above the law. I agree that the Police must not be interfered with in the reasonable execution of their lawful duties and the use of their lawful powers. I agree. Tell me, then, why have the two boys who were arrested on Friday, 16th February, 1962, on the

[MR. BURNHAM]

premises of the hon. Attorney-General and taken to the Police Station with two unlicensed firearms not been charged? Tell me that. Two little boys with unlicensed firearms are above the law, but a Mayor is subject to the indignity — the hon. Minister knows because when I told him he admitted he knew about it. Let us see prosecutions brought against those two gentlemen with unlicensed firearms.

I agree that the Attorney-General is a most important being and body. I agree that the Attorney-General must at all times be protected. But I want to know whether the hon. Attorney-General passes on to his subordinates his own immunity, his own position above the law, and the Mayor, first citizen, is subject to these indignities. The hon. Minister of Home Affairs was absolutely wrong when he thought I was in any way insincere about the events.

It is nonsense to tell us that the Premier's car was searched. So was mine. Nothing was wrong with that. The Deputy Speaker had his car searched, so did the Speaker. Obviously, there was a military post somewhere in the vicinity of Plaisance that was searching the lockers and trunks of the cars that passed. The only objection I had to that was the Emergency Order which had these English soldiers searching our cars. The indignity was imposed on all. There was an equality of indignity. But there does not seem to be an equality of immunity, for those who are found on the Attorney-General's premises with unlicensed firearms go scotch free while the first citizen of Georgetown is subjected to the indignity of a search on a blank warrant.

Mr. Rai: Justices of Peace, under Volume I of the laws of British Guiana, are empowered to authorise searches. Because of the difficulty of

getting warrants signed by Magistrates who are busy persons, other persons are authorised. That is, Justices of Peace are authorised. If my hon. and learned Friend can substantiate his story about blank warrants, I give him and the House the assurance that the J.P. will be removed from the list of J.P.'s. [Mr. Burnham: "He will be removed?"] Yes. [Mr. Burnham: "All right; tomorrow Deygo will go!"] [Laughter.]

Mr. d'Aguiar: I would like to ask the hon. Minister two questions relating, first, to the subject of favouritism or discrimination and secondly, to the question of privilege.

On the subject of favouritism or discrimination, everyone knows there was a procession on the 16th February at which there were at least 20,000 persons. I have been so favoured — I would call it favouritism because I am honoured to be in the forefront of the battle against the oppression of Marxism. I have been singled out for taking part in that procession and I am certain that such discrimination or favouritism does not emanate from the Police Department or from the Police Legal Adviser, but can only emanate from the Ministry or Council of Ministers. I would like to ask the hon. Minister why, rather than the 20,000 persons, I am the one to be favoured.

Secondly, the summons was issued to me here within the precincts of this Legislative Assembly. I think this is a matter which may be of interest to Members because of the question of privilege that arises. It was issued to me at a time when I was here on public business. I accepted it with goodwill and in good faith and I am certain that the person issuing it did so with goodwill and in good faith and without malice. But I am somewhat worried that there is malice at a higher level than at the level of the person who issued the warrant here.

I would like to ask the hon. Minister why this so-called discrimination or, as I would call it, favouritism to single me out for those so-called breaches of public order when 20,000 others took part. Secondly, why this breach of privilege in being so eager to hand out this warrant that it was handed out within the precincts of this honourable Assembly?

Mr. Rai: I think hon. Members of this House should familiarize themselves with the powers of the Police. The Minister does not bring a prosecution against anyone. Every Constable in the Force is empowered by the Police Ordinance and by other Ordinances to bring prosecutions, and if he does so wrongfully, that Constable is liable before the court.

I read in the newspapers about the service of the process on the hon. Member for Georgetown Central. I was not at all pleased with the service of process on an hon. Member of this House within the precincts and, while, so far as I know, there is no breach of law, rule of law, practice or privilege, I regret very much that the Constable or member of the Force who served this process, should have come within the precincts of the House. This matter has been drawn by me to the attention of the Commissioner of Police and I think in these coming weeks, instructions will be issued, despite the fact that there is no breach of law, practice or privilege, that no process should be served on any Member of the House within the precincts of the House.

Incidentally, the hon. the Attorney-General is drafting rules relating to immunities and privileges for Members of the House. I am sure that he will try to incorporate and specify in these immunities and privileges freedom from service of process within the precincts of the House.

The Chairman: I am very glad the hon. Minister of Home Affairs referred to the question of service of process on Members within the precincts of the House because I was very much concerned when I heard the hon. Member for Georgetown Central say that process was served on him within the precincts of the House. It is true that there is considerable practice in regard to the House of Commons where immunities and privileges of Members of that House are concerned. That does not mean that these automatically apply to Members of this House, but it is reassuring to hear that the Government is in the process of drafting legislation which will be put before the House, thereby delimiting the privileges and immunities of Members. I do hope that Members of this House, in the Privileges Committee, will have the opportunity of considering the proposals by Government very carefully before we discuss them in here.

It is moving on the time for the suspension for tea and I propose to put the question.

Mr. Bissember rose—

The Chairman: We will take the suspension now and continue after tea.

Assembly resumed.

Sitting suspended at 4 p.m.

On resumption at 4.35 p.m.

Assembly in Committee of Supply.

Mr. Bissember: When the House adjourned for tea we had been treated to a lot of hypocrisy from the Minister of Home Affairs who appealed to us to let the Police do their work. I associate myself with that appeal, but I would like the Minister to explain to this House a recent occurrence, having regard to what has always been said about nepotism, favouritism and corruption being evils

[Mr. BISSEMBER]

that should be rooted out. People have been called arsonists, looters and incendiaries, which have become common-place words in this House. A Guianese citizen named Parsaram was charged with attempted arson, and appeared before a Magistrate. I was present in Court when the case was put down. I am informed that the Minister of Home Affairs requested the file in connection with the case which was eventually withdrawn. I would like the Minister to tell this House whether the Police Legal Adviser advised the withdrawal of the charge. That man was charged with attempted arson, and Ministers of this Government are calling people arsonists and incendiaries. I want the Minister to tell this House whether he requested the file in that case, and in what circumstances was the charge withdrawn from the Court?

Mr Rai: What never ceases to excite me is how my friend always purports to know what is in a Police file. Some hon. Members know what is in the Police files and try to seduce people to get secret information on matters of law and order, and security, in order to subvert the Police when they are trying to do their work. How is it that the hon. Member knows, or purports to know, what was written in the file? I am not aware of the withdrawal of any such case. I have always taken the view that, as Minister of Home Affairs, I am entitled to see and to know everything that goes on in every one of my Departments. I can send for any file or all the files. That is my right and my responsibility as the Minister.

But my friend on the Opposition side of the House always says he knows that this happened and that happened; that the Police Legal Adviser said so; that the file has this and that. It is the same kind of thing like the recent photostat copy of a Government circular in the *Chronicle*. It is irresponsible for

any member of the public to try to get secret information, or to get information secretly from any member of the Civil Service, and moreso any member of the Police Force. I am not going to answer the hon. Member's question because it is out of order. I have already said I know nothing about it, and I will not encourage him in any further answers to questions about matters which he says he knows about.

Mr. Merriman (La Penitence—Lodge): To a point of order! Is it for the Minister to decide when a question is in order or out of order?

The Chairman: The hon. Member's point is absolutely correct. The question of order is for the Chair to decide. The Minister may not answer a question because, in his opinion, he should not. I believe that is what he meant when he said the hon. Member's question was out of order.

Mr Rai: What I really meant by saying that the question was out of order was not that it was out of order in this House, but that the hon. Member was not acting in the interests of the country. The hon. Member reminds me of "Jack in the Box," going up and down. [Laughter]. He always knows what is in the Police files. How can he know what is in the files of the Controller of Supplies and the Minister of Home Affairs? Who told him that the Minister sent for the file? Assuming that it is true, let him disclose where he got his information and I will give him an answer to every question. Don't hit in the dark and try to subvert the Police. The hon. Member is always trying to impair the loyalty, trying to denigrate the Police, because when he say so, if his statement is true, it would merely mean that a Police Officer or someone working in the Department had given him that information. Let him disclose the source of his information and I will give him his answer.

Mr. Bissember: As a lawyer I am entitled to assume that the Minister, having failed to reply to my question, did in fact authorise the withdrawal of that charge, and, secondly, that he did in fact request the file which subsequently caused the case to be withdrawn. I am dealing with this point because of all the talk about nepotism, arson, incendiarism and favouritism. Yesterday the Minister of Finance said that nepotism in the Public Service will be abolished. Is this not a case of nepotism, where a man is charged, the Police Legal Adviser authorizes the prosecution and the hon. Minister calls for the file, and all we hear in Court is "No evidence offered; matter withdrawn." [**Hon. Members:** "Shame, shame!"]. It is all hypocrisy when they talk here about letting the Police do their work. I have the highest regard for the Police Force and will never say or do anything to impair its loyalty to the Government, but when this Government tries to interfere in the process of the administration of the law, well, lawyer, or no lawyer, I will stand up against it.

One Richard Best was found in possession of a revolver. The Minister of Home Affairs took up his telephone and phoned the Police Officer concerned. "Put the man on bail", he said. "Why are you keeping him?" Is that not Ministerial interference? Can the Minister tell me now whether he did speak to the Officer, and bail was refused?

Mr Rai: Will the hon. Member say who was the Officer who gave him that information? His statement is unfounded and merely intended to create mischief in the community. How can he know what an Officer told me, if the Minister spoke at all? Everyone is entitled to be put on bail, except for offences like murder and so forth. I do not know whether the hon. Member ever went on a deputation to the Commissioner of Police to make representations

that people were not being granted bail by the Police and lawyers were unable to consult their clients. If he wants an answer to his question, let him say who was the Officer who gave him that information.

Mr. Bissember: I am going to assume that the Minister did speak to that Officer and tell him to put the man on bail. I am not saying that the Minister spoke to the Officer as counsel or as a Minister of the Government. If he spoke as counsel I will have another question to ask.

Mr Rai: Who is the Officer? It is not fair to say that the Police Legal Adviser did this and the Police Officer did that. The Officer is not present.

The Chairman: That is why the name of the Officer cannot be disclosed.

Mr Rai: That is why the hon. Member should not make allegations against the Officer. It would be wrong for an Officer to say with whom he had a conversation or purported conversation.

4.45 p.m.

The Chairman: The matter should be put to the House by a more circuitous route, rather than say A said to B and so on. We should deal only with the principle of the matter. I think the hon. Member for Campbellville is trying to impress upon us that, in principle, there should be no ministerial interference with the administrative work of the police, but he must not say anything which will incriminate officers of the Police Force or of the Public Service Commission.

Mr. Bissember: I will never mention the name of that officer. I am indicting the hon. Minister of Home Affairs for having interfered with the working of the Police Force, despite the fact that he says the police must be

[MR. BISSEMBER]

allowed to do their work peacefully. The hon. Minister is interfering with the investigations carried out by the police. That is all I am prepared to say in this House about the matter, and the failure of the hon. Minister to reply shows that he is guilty of the allegations I have made.

On the 2nd December, 1961, at the corner of Albert Street and Regent Street, one Richard Armstrong was knocked down by a motorcar. The driver of the car said in the presence of policemen and citizens: "Do not say anything, Mr. Rai will fix it up". I was called out of my bed, and I told the persons concerned that I would not interfere with the police investigations. Five months have passed, and no charge has been brought against the driver, despite the fact that the police were advised to charge him with dangerous driving. Why has no charge been brought, when the Police Legal Adviser advised that he should have been charged?

Mr Rai: My hon. and learned Friend knows that the Minister of Home Affairs is a very popular man. I have been told that many people — even juveniles — when they go to court tell the police that their godfather is the Minister of Home Affairs, and I do not know what my hon. Friend is trying to get at. The hon. Member must make specific charges, and I will have them investigated. It is the responsibility of the police to bring prosecutions, and if any citizen is aggrieved he can approach the Commissioner of Police, the Divisional Superintendent or the courts in connection with the matter. He can also send me a letter, and I will see to it that the Commissioner of Police investigates the matter. The hon. Member must not come here and say that the Legal Adviser to the Police advised one way and something else was

done. If he is aggrieved as a citizen or if he has a professional grievance he, too, can approach the Commissioner of Police, write me a letter in connection with the matter, or approach the courts in order to have things put right. Where is his proof? This is not a matter involving general principles; it is a question of baseless allegations. He must not bring his professional grievance into this House — the highest court in the land.

It is highly improper for the hon. Member to come here and make allegations against a Minister and say that a police said this, a man said that, and a clerk said something else. He has no proof, and he is saying things because the occasion suits his political purpose. He comes into this house and abuses his privilege by making allegations against a Minister. The police are free to do their work. If the hon. Member ever becomes the Minister of Home Affairs, he will see how onerous the duties are, and he will know that the Minister does not authorize prosecutions. There is machinery whereby people are brought to justice, and others are not prosecuted. That is why we have appointed two Legal Advisers to advise the police. The hon. Member is hereby airing his professional grievances.

Mr. Bissember: I have given the names of people; I am not appearing for them or watching their interests. When the hon. Minister refers to the fact that I am making noise about these things, I am not doing so in order to inflame the minds of the police, but I am trying to convince the hon. Minister that he must stop interfering in matters which do not concern him so that there will be peace in this country. If I go at the street corners and talk about these things you may have a lot of trouble on your hands. I will bring these things up whenever I can in this honourable House. The hon. Minister has not said anything about it.

The Chairman: I hope the hon. Member will refrain from calling names connected with specific incidents. I have given hon. Members a certain amount of latitude in discussing the Estimates so that they can make their points, but I must call the hon. Member for Campbellville's attention to Standing Order 66 (3) which states very clearly —

"On the consideration of a schedule, the Chairman shall call the title of each head of expenditure in turn, and shall propose the question "That the sum of \$.... for head stand part of the schedule", and unless an amendment is proposed under the provisions of the next succeeding Order, a debate may take place on that question...."

We cannot deal with the policy of the Service, when an hon. Member refers to a particular incident every now and again. I mentioned earlier that the hon. Member was discussing a question of policy as against administration. I would suggest that the hon. Member accepts my ruling, and follow the procedure laid down in the Standing Orders of this Assembly.

Mr. Bissember: I am grateful for your indulgence, and I shall not make any further specific references. I am always grateful for the guidance of the Chair, and I will abide with the ruling of the Chair unlike some of the Members on the other side who question the ruling of Your Honour. The reason why I made certain references was due to the hypocritical appeal by hon. Members on the other side of the Table for unity and co-operation. There will be no unity and co-operation in British Guiana unless the hon. Ministers stop interfering in matters in which they have no concern. Show unity by your actions and deeds, and then you will get unity in this country.

The Chairman: Honourable Members must address the Chair.

Mr. Bissember: The hon. Members on the other side of the House have no wish for unity in this country, and they must show their desire for unity by their deeds and actions instead of saying that hon. Members on this side are telling lies and they must prove things. I know how to prove my case in a court of law. The hon. Minister having failed to deny the allegations by inference or otherwise, we shall continue to assume that the allegations regarding ministerial interference in police matters are true and have been proved.

Mr Rai: I am left with only one conclusion: the hon. Member is seeking cheap publicity.

Mr. d'Aguiar: May I ask the hon. Minister to state, honestly, how he thinks hon. Members on this side of the Table should act in so far as these allegations are concerned? I think it is the function of hon. Members of the Opposition, whenever they feel that the action on the part of the Government is unethical or improper, to expose it, but the hon. Minister is putting us upon the horns of dilemma. If we prove that there has been unethical behaviour, the hon. Minister says that we have acted improperly in securing the necessary information; and if we do not prove it, he simply denies it.

The hon. Minister referred to the *Daily Chronicle* having printed a photostat copy of an order of the Council of Ministers instructing officers in the Government not to buy the newspaper or to advertise in it. That was in effect intimidation. The Government was intimidating the Press by refusing to advertise in the newspaper. It was made clear that, if any newspaper criticized the Government, its advertisements would be withdrawn. I would not have mentioned this matter, if the hon. Minister had not done so. How can we resolve this dilemma? If we prove unethical behaviour on the part of the Govern-

[MR. D'AGUIAR]

ment, we are told that we are acting improperly by mentioning things here. If we are unable to prove it, we are glibly told that the allegation is utterly false and groundless. Will the hon. Minister tell us what he, honestly, thinks we should do in a case like this, and how we should act?

Mr. Rai: I would say that hon. Members should act responsibly, talk responsibly and write responsibly. Secondly, I would say that, if there is any matter which causes a nuisance to an hon. Member, I would be glad to have a communication from him and have the matter investigated. On the other hand, the hon. Member may go to the head of any Department or write him in connection with a matter, or, as Your Honour has said, he may raise it in the Legislative Assembly. If an hon. Member decides to take a matter to the court, he will be given an opportunity to produce his witnesses and so on. All complaints made to my Ministry will be thoroughly investigated.

It is known that the police have certain statutory common law powers. I have already said that persons, who are aggrieved by any act of the police, can seek redress in the courts of the land. One learns these things during one's first quarter at any of the legal inns of the court.

Mr. Burnham : The hon. Minister of Home Affairs has displayed a certain amount of skill in trying to extricate himself from a very difficult position. As I understand the hon. Member for Campbellville, he is criticizing the principle which seems to have developed in recent time in respect of the Police Department where the hon. Minister is taking a personal interest in the working of the Department as well as a personal interest in prosecutions. He is taking a personal interest in when prosecutions should be

brought, and when they should not be brought. I think everyone will agree that this is a most disgusting and unwholesome state of affairs.

The hon. Minister is a lawyer; he knows that there is a certain amount of camaraderie between lawyers, and we do not press each other too far. He is trying to get out of a difficult position by saying that he will not answer; he does not know how certain people got at certain files and so on. He should know, as a lawyer of some distinction, that these files are not covered by the Official Secrets Act, and therefore there is nothing wrong in our seeing what is in the files.

5 p.m.

His leader before him for six long years from 1947 to 1953 used to get at what was in the files and raised Cain against the Imperial Government. You do nothing, you fear nothing. If there is nothing in the files, if it is not true that the Minister had ever suggested or ordered or advised withdrawal of prosecutions, there is nothing wrong with seeing the files. But we have two sayings in B.G.: "Do so, no like so", and "Put cocoa ah sun, you must look fuh rain". They have got cocoa in the sun, and they know what we are saying is absolutely true.

It is not difficult to find out. He can ask the hon. the Premier how he used to get his information then. He can ask the Secretary of the Party how she got the Riot Manual from the Argosy. This is politics and there is nothing improper about it. So, do not invoke this righteous indignation. It does not impress anyone. Let him say clearly, "I have never done it", and we shall have to accept his word according to the ruling of the Chair. We need not seek it outside. To talk about seeking redress of the courts is not to be serious, for in some cases, only the Police can prosecute. Further, there are other

offences for which private individuals cannot prosecute, but private individuals do not have the money and the machinery to carry out the investigation and to present the case. So, to tell a poor man, "If you are not satisfied with the vigilance of the Police, with their approach to certain prosecutions, you may go to the court" is to tell a man from Bermondsey he is free to go to a Park Lane hotel. Of course, he is theoretically free to go, but can he afford it? The hon. Minister whose attitude to his Ministry in other respects I have more than once had to comment on must be more serious in his suggestions.

Now that we have discussed that aspect, there is another aspect of this department which is of some concern to me and I think of some importance. I remember way back in 1953 when the P. P. P. came into office and the hon. Minister was a candidate of the National Democratic Party, it took a very strong stand against the restrictions that were current at the time against persons with certain beliefs entering this country. I think that the stand or attitude that the P. P. P. took on that occasion was perfectly justified, for I feel that there must be the maximum freedom of movement. It seems that the criterion which had been adopted prior to 1953 was to keep out of this country, by the exercise of executive and administrative discretion, persons who are Communist, pro-Communist or suspected of being either. My own view is that a policy like that is absurd. You cannot keep out ideas. Similarly, I would urge the same point of view on the present Government.

During the course of his remarks, the hon. Minister kept referring to people who subvert, people who preach anti-Communism. I apologize; he did not say it here. There has been an attitude of mind current in ministerial circles — and immigration comes under Police — that those who are rabid anti-Communist are subverting the State and

ought to be kept out. Now, my view is that that turn of mind, that attitude, is no different from the attitude of the colonialist Government in 1953 when it wanted to keep out pro-Communists and Communists.

I am very, very surprised to find this Government, this party, which has made so much capital of the necessity for freedom of movement, which campaigned so strongly against the subversive literature bill and which objected to Billy Strachan's being banned from coming here — Billy Strachan, a member of the West Indian Committee of the Communist Party in London — adopting this attitude. The colonial Government at the time was wrong to ban Billy Strachan. I would say that this Government should never think of implementing the threats which we have heard about banning people because of their ideology, because they are anti-Communist.

It seems to me that this is a question that if you try to ban anti-Communist visitors, you are thereby saying that anti-Communism is dangerous to the State. You are also at the same time confessing that you cannot use your persuasive powers more effectively than the anti-Communists can. The criterion — *[Interruption.]* — if the hon. Minister of Works and Hydraulics will listen like a child and be taught—is whether or not a particular individual visitor is engaged in activities directed against the State as distinct from the ideology of the P. P. P. If, for instance, an individual indulges in treasonable activities or is likely to indulge in treasonable activities, I say "Yes". If a person has indulged in or is likely to indulge in arson and such acts, I say "Yes, ban him". If a person has a criminal record where he comes from or communicable disease, I say, "Yes, ban him". But why use the same methods as were used by your opponents nine years ago and which you condemned?

[Mr. BURNHAM]

Maybe, my erstwhile Marxist friends will tell me that those are the dialectics of the situation. The thing is now to repent and assuage passion, and to exercise executive and administrative discretion under the Immigration Ordinance and to see to it that that Ordinance is not used against persons for their ideologies. Though, let me say personally I think that anti-Communism is insipid and stupid in the context of Guiana. What you want is a positive ideology. It is no sense being only "anti", and any party or group that bases its philosophy and approach on being "anti" this and "anti" that, can get nowhere. You have got to be positive. What do you stand for? What do you believe in? But a man is entitled to his point of view and his attitude, and we should never be the ones to suppress freedom of expression.

This Government, especially its leader, gets very annoyed and irritated when it is suggested that, given its way or allowed its way, it would introduce a dictatorship, but it is with little things like these that a dictatorship starts. These are the embryonic stages and unless they are checked early, one can see exactly where they will lead. That is the point of view of me and my party, the People's National Congress, and a question on which we feel very strongly.

Mr. Rai: I would have expected comments like those we have just heard from the hon. Member for Georgetown Central instead of from the hon. Member for Ruimveldt.

The Chairman: He has exercised his right.

Mr. Rai: My hon. and learned Friend has attempted to be an apologist for anti-Communism. As I said before in this House, this Government has not so far used any powers to ban

anyone from this country. All that the hon. Member did was to indulge in academic exercises — words, words, words, speaking in a vacuum. Where has the Government banned anyone? Let him tell us! Where has the Government banned anyone because of his ideology? No one has been banned for his idea or ideology. But this Government reserves the right to protect itself from aggression, whether from individuals or groups of individuals.

The public safety and security of the country are of paramount importance. We cannot have people in the community wanting to hold the Government to ransom, operating secret radio transmitters, inciting people to violence.

The Chairman: I think the matter is still *sub judice*.

Mr. Rai: I am not referring to any case. As far as I know, this House is the highest court in the land and there is nothing which is *sub judice*, with all respect to you, sir, which cannot be referred to in this House.

The Chairman: The Speaker reserves his right to say what is wrong.

Mr. Rai: I am not referring to any specific case. We cannot have people inciting decent and responsible citizens to violence, treason and sedition — I see the hon. Member for Georgetown Central wishes to rise; if he wishes to make a point I will take my seat — and operating illegal, unlicensed transmitters. I repeat: no one has been banned for his idea, but one Sluis, who is not even liked by his own fellow citizens in the United States——

Mr. d'Aguiar: On a point of order. I cannot understand how the hon. Minister can be allowed to discuss personalities as you have already given that ruling and, in particular, to refer to the

opinions, which he knows nothing whatever about, of a gentleman not having an opportunity to defend himself.

5.15 p.m.

The Chairman: Of course you know that statements within the House are privileged, and in this case the Minister would be entitled to tell us what the Government has done, since the question of banning individuals has been raised under the Head, Immigration. The Minister may continue.

Mr. Rai: One Sluis who was a guest of the hon. Member for Georgetown Central (Mr. d'Aguiar), or one of his employees, was asked to leave the country, not because he is a known anti-Communist, but because he was associated before the Election, and after the Election, with arsonists, looters and people who wish to cause trouble. That is the reason. Sluis is not banned; he was asked to leave. I understand that this gentleman was banned in Surinam.

Mr. d'Aguiar: The question has been raised in this House that there is a Judicial Commission coming here to decide who was responsible — whether it was the P.Y.O. or anyone else. The Minister has by inference implied that a certain gentleman was associated with other people, and he has mentioned the names of people who were responsible for the disturbances. This has already been ruled out of order.

The Chairman: What I did rule on more than one occasion is specific reference in this House to the happenings on February 16, and the laying of blame for what occurred on that day. But a statement such as the Minister is making which, in my opinion, is general to the whole period of the troubles we had around February 16, is perfectly admissible. If the gentleman whose name has been called, finds that he has a grievance as a result of a statement

made outside of this House, he has his legal right, but within this House a Member can make reference to somebody who is outside.

Mr. Rai: Thank you, sir. I am amazed at my friend's sensitivity when the question is raised, or the gentleman's name is called. He was associated after February 16 with arsonists and looters, and was considered by the Government as a danger, and in those circumstances, instead of wasting money and time in charging him, he was asked to leave, and he left. [**Mr. Burnham:** "He has come back now."] I do not know why. He knows he is not wanted here, but we have not banned him. I understand the Surinam Government has banned him. He is a danger to society. Anyone who is a danger to society, who has been associating with criminals, must be banned in the interest of society, in the interest of stable Government, and in the interest of decency. Why has he come back to this country? He has no lawful purpose here. Why has he come when an American Mission is about to arrive? He wants to embarrass the Government; he wants the Government to ban him, and then the hon. Member will say: "You want help from the American Government and you ban an American citizen." Every type of citizen is not wanted in America at all.

The Chairman: I think the hon. Minister has made his point. He may proceed.

Mr. d'Aguiar: May I say —

The Chairman: The Minister is not finished yet.

Mr. Rai: To wind up my comments on what my friend said, I wish to repeat that we have not banned him. Sluis is the only man who came near to being banned. He was asked to leave not because he is a known anti-Com-

[Mr. RAI]

munist. He is a crackpot, and I say that any Government which is aware of its responsibilities must take action against people who wish to resort to association with those who have practised and are practising violence.

Mr. d'Aguiar: I think the whole history of British traditions has been that you do not judge before you have heard the evidence. The gentleman, Dr. Sluis, a qualified physician, has dedicated himself along with others to the fight against Communism which has led to more murders, more fires, more destruction, more executions, more ransoms, more horrors than anything else in the modern world. You put the hands of the clock back a thousand years when you return to the days of ancient Rome when men's lives were held to ransom by the Head of the State.

I believe that our country has rightfully earned a certain reputation for hospitality. Not long ago that hospitality was extended even to those who had a real criminal record — people who had escaped from the penal settlement on Devil's Island, Cayenne. They were allowed to come here. It is right that the Government should investigate the record of any individual, and if he has a criminal record he should rightly be excluded from this country. The United States of America, of which he is a citizen, has strict records of all of its people, and I am perfectly certain that Dr. Sluis has a record of absolute integrity, honesty and probity. He also has a record of being engaged in the fight against Communism, and he believes that people should be made aware of the dialectics of Communism — what it really means and to what dangers it can lead. We cannot use a better example of the dangers to which Communism leads than the neighbouring territory of Cuba, where people have to use ration cards to buy the necessities of

life; where there is starvation, where there is trial without proper evidence and without judgment by qualified judges, where all that we know and cherish — the right to be held innocent until proven guilty — has been entirely destroyed, where boys and girls between 14 and 18 years are given guns.

The Parliamentary Secretary to the Ministry of Works and Hydraulics (Mr. Mann): To a point of order! May I inquire whether this has any relevance to —

The Chairman: When statements are made by hon. Members and are replied to by other Members a circle is created, and the ring gets wider and wider as additional matter is introduced. In the circumstances I do not think the hon. Member can be stopped from making the point he is making.

Mr. d'Aguiar: I do agree that it is somewhat irrelevant —

The Minister of Communications (Mr. Wilson): To a point of order! The hon. Member is discussing Cuba; are we discussing Cuba?

The Chairman: Cuba, in relation to anti-Communism.

Mr. d'Aguiar: I agree that it is sad indeed that this discussion has started, and I appreciate your ruling, sir, that once it started I should have the right to defend an individual who was sitting in the Gallery here until a short while ago, and I am only sorry that the discussion did not come up while he was present. He is supposed to be a criminal but he comes into this Chamber in the open for everyone to see. He is not a guest at my house but at a public hotel, the Park Hotel, and I can give his room number. It shows the extremely tragic circumstances into which this country has fallen. The only thing that can possibly be found, against

this gentleman, if there is an investigation by the F. B. I. or any criminal investigation department, is that he has consistently spoken against Communism in public, and he has a perfect right to do that, just as the *Daily Chronicle*, or any newspaper in this country, has the right in some circumstances to criticize the Government.

I have been accused of being sensitive, but I have never seen Ministers of the Government so sensitive to criticism in a newspaper when they have to stoop to the rather low measure of issuing an Executive order that no Government Department must buy or advertise in that particular newspaper. Why? Because it criticizes the Government. I think that in any country the newspapers may criticize or praise the Government. This Government should welcome both, and it is our duty in the Opposition specifically to criticize where we feel that criticism is merited.

I think the hon. Member for Ruimsveldt (Mr. Burnham) is to be credited with bringing this matter up, because I would like to quote, if I may, from the words of the Premier himself when he spoke on the Motion in the Legislative Council on March 13, 1952, for the prohibition of subversive literature. I would say that what he said then should be the policy of his Government today. I quote from *Hansard*:

"Sir, on the cover of the July, 1951, issue of *Masses and Mainstream* there is a very apt quotation which I would like to read. It is from the American Declaration of Independence, and it says:

"Difference of opinion leads to enquiry and enquiry to truth . . . We value too much the freedom of opinion not to cherish its exercise . . ."

During the same debate Dr. Jagan said:

"I do not want to go into a discussion of what is taking place in the Soviet Union at the moment. The hon. Member (Mr. Luckhoo) has criticised that, but I do not think I should waste the time of the Council in discussing it."

On the occasion of the debate on the Undesirable Publications Bill in the Legislative Council on the 27th February, 1953, it is reported in *Hansard* in column 4091, that Dr. Jagan said:

"I mentioned on a recent occasion in this Council how the radio station was being used by certain individuals and its facilities denied to others. If I am a Socialist, or for that matter a Communist, I and anybody else should be free to propagate our views and ideas, and the people should be allowed freedom to accept or reject those ideas."

5.30 p.m.

That is the crux of the matter. Democracy thrives on a balance of extreme ideas; Communism and anti-Communism, on the other hand, or the people who believe in Communism, look upon the people who believe in Democracy as Fascists. I have asked the hon. Members of the Government to search the records of my life and find one single word I have uttered in my whole life in praising Fascist or Communist dictators. Incidentally, I was in jeopardy on one occasion when I was in Portugal because I had openly criticized the dictator, Salazar, and his policy. I did not agree with his policy, and my friends asked me to be more discreet. However, discretion is not one of my virtues.

I think it is a great shame for the hon. Minister to get up in this House for no reason whatsoever, knowing that as the Minister of Home Affairs he is entitled to consult the American Consul with a view to finding out the history, background and record of any American, and say certain things about Dr. Sluis. I am certain that, in the case of Dr. Sluis, he will find that he is a man with a record more upright than any Member of this House can hope to have. The only reason why some people do not like him is due to the fact that he is anti-Communist. If they wish to use their powers to expel him from this country for that reason, let them declare their reason.

[MR. d'AGUIAR]

The hon. Minister for Home Affairs holds a portfolio under which the police fall. If he has evidence of any bad record against people, he can use his powers in order to have the records produced. There is nothing bad recorded against Dr. Sluis; he is a gentleman of the highest reputation and integrity, but he does not like Communism. There is a grave state of affairs in our country when Communists are allowed to come in freely — many of them are here — but anti-Communists must be denied entry. Let us have freedom of expression. This year is supposed to be called "Freedom Year." Let it not be referred to as the year in which the suppression of freedom of expression started. We have seen that it has already started with an attack on the three recognized principles. Today an attempt is being made to expel a man from this country just because — and there can be no other reason for attacking him — he does not like Communism. I am sure many people in this country will agree with that.

Mr. Ram Karran: May I ask the hon. Member whether he has ever supported Jiminez, and whether the doctor he has been referring to has been banned from Surinam? Will he tell us why the doctor was banned?

Mr. d'Aguiar: It seems to me that I am now a Minister answering questions. Dr. Sluis has not been banned from any country as far as my knowledge goes, but I know that efforts have been made by Communists in this country to blacken his name in other countries by sending false reports to their comrades overseas. I also know that those reports have been unsuccessful.

Mr. Benn: The hon. Member for Georgetown Central made a very strong statement when he said that Dr. Sluis had a better record than any Mem-

ber of this House. I think that is probably the greatest error on the part of the hon. Member. He also said that Communists in this country have sent word to their comrades in other countries about Dr. Sluis. Government has received information that Dr. Sluis has been banned from Surinam. The Government, as the hon. Minister for Home Affairs has said, is prepared to see that good Government as well as security is maintained in this country. The hon. Member asks whether Dr. Sluis was associated with criminals. He has been associated with people before and after February, 16, 1962, who have been known and considered by the police to be carrying on activities inimical to the Government in this country.

The hon. Member speaks of enjoying the hospitality of this country. Let Dr. Sluis go to Surinam and enjoy the hospitality of that country. The hon. Member talks about millions of people who have been murdered and the number of children slaughtered. Look at the number of people who are slaughtered every day in Africa, Angola and so on by Salazar, the Portuguese dictator. Look at what Jiminez did in Venezuela; look at what Batista did in Cuba; look at what Franco did in Spain and so on! The hon. Member does not say anything about them, but he refers to the Communists — the people whose ideology, unity and ingenuity have been responsible for sending the first man into space; the people who are in front of the world in technical achievement and improvement.

Today Fascists have a chance to sit in this House. [Mr. Burnham: "Your Party is responsible for it."] Fascists will always stand up and try to deny that they are Fascists. Hitler also denied that he was a Fascist; he killed the Jews and would not shake hands with Jessy Owens because he was a black man. If we are not careful the same thing will

happen in British Guiana. Nothing that the hon. Member or Dr. Sluis will say today will turn back the hands of time. We are not against people coming to this country to preach what they believe in. Let everybody come from the U.S.A. and other countries, but, when expatriates try to subvert the Civil Service by encouraging civil servants and messengers to steal information from files so that they can make photostat copies and provide information for newspapers, Government will have to take steps in the matter. That is how the Fascists always shout. Hitler used to shout, but that did not save him.

On the front page of a newspaper, information was given as to how fire bombs could be made. When newspapers print pictures about how fire bombs could be made, they are indulging in a dangerous affair and may incite certain people to disturb the peace and good Government of this country. We are paid to look after the peace and good government of this country, and anybody who comes to this country and associates with criminals or engages in activities inimical to the State will be banned.

Mr. Burnham : I started this discussion on a matter of principle which has always been very, very dear to me: it is the question of freedom of movement, for I have experienced what it is not to be able to land in Jamaica, Barbados and other countries. I have known what it feels like to be left on an aeroplane and not be allowed to come out while maintenance work is being done to it at Piarco Airport. It is a serious matter, and I thought the hon. Minister would have appreciated the matter of principle. However, he introduced things like Communism and that started the ball rolling.

I would like to remind him that striking the Table, speaking with a lot of gusto and saying that X, Y or Z will be banned is not the answer and will

not solve the problem. An hon. Minister gets up and says that the police have information that X was indulging in certain activities — the activities to which reference was made are activities punishable under the law. Let the Government relieve itself of the embarrassment of being called a dictator by banning people who disagree with its ideology by taking the people who break the law to court.

It seems to me that it is a serious tendency on the part of the Government to use its general executive powers to keep the Emergency Order in force so that it can encompass a lot of ground. Is Government keeping the Emergency Order in force in order to get at somebody who it thinks is giving trouble? I think the Government should reconsider its attitude and proceed by way of taking before the courts people whose activities are known to be criminal — the activities must be criminal, because both hon. Ministers said that the police have information that certain people were indulging in acts subversive to the State. Surely those acts are covered somewhere or other under the law.

I am happy to hear the hon. Minister say that Dr. Sluis or no one was banned. Let me assure him that I was not thinking of whether Dr. Sluis was banned or not banned. I was thinking of the question of principle, because what is sauce for the goose is sauce for the gander. There is a very thin line of ascendancy dividing the strength of the P.P.P. from that of the Opposition in this House.

5.45 p.m.

If you examine your electoral statistics, you will see that a shift of a few hundred votes would have made such a difference that if anything were to happen and someone else got into office and took up that attitude, threatening to ban people, you will see

[MR. BURNHAM]

how it works. None of us liked it when the colonial power was banning people who, we thought, should not be banned. Those of us who experienced the indignity of not being able to get a plane passage to come from London because we could not pass through the Bahamas, Bermuda, Jamaica, Barbados, Trinidad, will understand. We could not even pass through Guadeloupe. It is only that Air France took a chance. Let us consider the matter seriously and stop getting worked up and, in future, get on with our business. I am not interested in who is a criminal and who is not.

Mr. Cheeks: Is the hon. Minister of Home Affairs aware that there are in our midst certain persons who have been convicted of "unamerican activities"? There are at least one or two who in the past have been charged for the same offences, and seeing that there is so much talk about the fear of subversion — at least I think that my hon. Friends on the Government side are very much afraid of subversion — I wonder what action the hon. Minister of Home Affairs proposes to take if he knows that there are in our midst at this time these persons who have been convicted of "unamerican activities".

Dr. Jacob: May I ask the hon. Member for Georgetown North what he means by the expression "unamerican activities"?

Mr. Cheeks: I think that the Minister must certainly have heard of investigations and trials in American courts of individuals who have been charged for subversion. The term used was "unamerican activities."

Dr. Jacob: Am I to understand that "unamerican activities" is synonymous with "subversion"?

Mr. Cheeks: If there are persons who have done things which are regarded as an offence — subversion — in one country, a country in which the

democratic system of Government prevails, if they are charged with being disloyal to the country of their birth, I wonder if this Government would not feel it is running a risk harbouring these individuals here.

Dr. Jacob: If there are people who are here to subvert the Government, I should be glad if the hon. Member would inform the Government of them. As far as we are concerned, we know that there has been one such individual in the country and that he has recently left. But if there are any others, I would suggest to the hon. Member for Georgetown North that he informs the Government.

Mr. Burnham: I want to take this opportunity to do two things. The first is to congratulate the hon. Minister of Finance for showing such expertise in a portfolio other than his own. The second is to make this observation really sincerely and in a well-meaning spirit: this Government allows itself so often in simple discussions to be drawn into a defence of Communism or Soviet Russia. Will the members please understand that they are a Government to govern? Will they please understand that they say they are neutralists? Will they please understand that we are not interested in any dissertation? Get on with governing!

When they do that sort of thing and people accuse them of being Communist, they adopt an attitude of injured virtue. Why are they allowing themselves to be drawn into these arguments about who sent more men into space? Just accept the principle and be done with it. Remember that we are anxious in this country to get ahead. That is my point.

Mr. Benn: I did not expect the hon. Member to make such a statement. If a man stands up and defends Roman Catholics for their belief, or if he defends the Methodists or Jews or any other belief, it naturally makes him a Roman Catholic or Methodist or Jew.

Mr. Burnham: I will never take a lecture on logic and argument from the hon. Minister of Natural Resources. I am just asking him and his Government to be practical. We are in a position where this country is on the border of bankruptcy and we are having all these academicians, because they read a few books, delivering lectures and being drawn into arguments. Let us decide on clear principles for freedom of movement. If there is a criminal or any attempt by someone to do anything against the State, lock him up or throw him out, but let us get on with it.

Mr. Correia: I would like to bring to the notice of the hon. Minister and this House the fact that for a number of years mining activities were carried out on the borders of British Guiana and Venezuela and Brazil; more so between British Guiana and Venezuela. We have hundreds of miles of common border with Venezuela and there is not one single outpost in that part of the country. On the other side of the border, in Venezuela, you will find that every 50 miles or so there is a police outpost. Our miners have no protection and the Venezuelans not only make demands about sections of British Guiana, but they feel that they have all the right to enter this country freely and work our minerals. They bleed balata and take it across the border to Venezuela. We lose thousands of dollars of royalty from our Interior because we have no police outpost. I looked through the Estimates and saw no provision made to establish any police outpost on any of our borders with our neighbours.

I noticed no provision was made for the laying down of an airstrip in that part of the country —

The Chairman: "Airstrip" will come under a different Head.

Mr. Correia: Our miners suffer a lot because the Venezuelans can come in very freely. They feel that that part of

the country belongs to Venezuela so they can work freely. They not only work the mines, but they take away the diamonds and balata and this Government suffers from the loss of royalty. It also loses commodities which we can export and so bring money into the country. The Government has been grumbling and saying it cannot get money. This is one way we can stop the leak; that is, by putting police outposts in that part of the country.

Mr. Ram Karran: The Government has had that matter under consideration and it is still being given active consideration.

Head 21 — Police — \$3,704,857 — agreed to and ordered to stand part of the Schedule.

GOVERNOR

Head 1 — Governor

Dr. Jacob: I beg to move, under Head 1, that we include a new Subhead 6: Purchase of Land Rover — \$5,200, and that the total be amended to read \$69,456.

6 p.m.

Mr. Burnham: I am against this. What does the Governor want with another Land Rover?

The Chairman: The note says "to provide replacement."

Mr. Burnham: The Land Rover which the Governor had before this one is in perfectly good condition. I know about Land Rovers because my party has owned and run one for a long period. It seems to me a waste of taxpayers' money, and it is unconstitutional. Government spent \$2,500 to buy a Land Rover and is now asking for a new one in these days of austerity. What does the Governor want a new Land Rover for? It is cheek to buy a Land Rover and then ask this House to vote the money. Government should pay its civil servants in time and

[MR. BURNHAM]

pay its unskilled workers \$4 per day. This Socialist Government gives the Governor increased emoluments and all these things.

The Premier: I think we will have one of these days to have a discussion on Socialism, because the hon. Member has apparently forgotten all that he has read on the subject. The Governor's car has nothing to do with Socialism nor with the increase of civil servants' salaries which amount to \$2.6 million a year, and with the suggested \$4 per day for unskilled Government workers which would amount to an extra \$4 million a year, whereas a Land Rover costs \$4,500. When Members make comparisons they should do so with a sense of proportion and not speak as they do at street-corners. The fact is that the Land Rover is not only used by the Governor, I do not want to defend the Governor, but the Land Rover is a very old one. It is not only used by the Governor but by others to convey dispatch boxes and things like that. In addition to that the Austin Princess is in very bad condition, therefore it is necessary to have at least one good vehicle at Government House, so that in cases of emergency at least the Governor may be able to move about without the possibility of being stuck on the road, when the hon. Member might have to push him. Even though the hon. Member does not like the Governor, this is nothing to make such a fuss about.

Mr. Burnham: It is a question of the principle involved. If the Austin Princess is not in good condition, have it repaired. The Austin Company has agents here who have spare parts. (Laughter). Indeed, we hear from the Premier that in case the Austin Princess breaks down the Governor should have some means of locomotion. I have never seen the Governor in that Land Rover. It is the Premier who must be mobile, though I understand he does not go to Port Mourant but sends the Parliamentary Secretary to the Ministry of Natural Resources (Mr. Bowman).

A more important point that really arises is the principle of having bought the Land Rover and only now seeking approval. I think that procedure is to be deplored. The consent and approval of the Legislature should always be sought before there is any expenditure. There has been a lot of time to seek the approval of this House.

The Premier: The Austin Princess cannot be used to carry around boxes, and it was necessary too for the jeep, which was out of commission, to be put in proper condition for work which is very essential. I can assure the hon. Member that we on this side of the House will not spend one cent, for the Governor or anyone else, before the necessity for the expenditure is closely scrutinized. I must apologize for the lateness in having the matter submitted to the Legislature, but Members will appreciate the very serious times in which we have been operating.

Mr. Burnham: I forgive the Premier, and I am particularly impressed by what he has said about a careful scrutiny of every cent. May I assume that he scrutinized most carefully the entertainment allowance to the Premier and his free house? [Laughter.]

Head 1 — Governor — increased by \$5,200 to \$5,300, and ordered to stand part of the Schedule.

POST OFFICE — TELECOMMUNICATIONS AND ELECTRICAL INSPECTION

HEAD 51. POST OFFICE—TELECOMMUNICATIONS AND ELECTRICAL INSPECTION

The Minister of Finance (Dr. Jacob): I beg to move that subhead 1 (4) — Traffic Superintendent — be re-designated Service Superintendent; that subhead 1 (7) — Assistant Traffic Superintendent — be re-designated Assistant Service Superintendent; and that subhead 11 (2) — 2 Inspectors — be altered to (i), 1 Assistant Engineer, and (ii), 1 Inspector.

6.10 p.m.

The Chairman: As I understand it, in the case of Subhead (1), items (4) and (7), instead of designating the posts as Traffic Superintendent and Assistant Traffic Superintendent, it is proposed that they be called Service Superintendent and Assistant Service Superintendent. In the case of Subhead 1 (18) where there is provision for "13 Clerical Establishment," it is proposed to add to that "1 Post of Senior Clerical Assistant A17 to be regraded Secretary A14." In the case of Subhead 11 (2), where we have provision for 2 Inspectors, one of the posts will be upgraded to Assistant Engineer. In the case of the amount placed against Subhead 1 (18), there will be an increase of \$108. Therefore the \$15,837 should now be changed to \$15,945. Hon. Members, that is the amendment to the Head.

Head 51. Post Office — Telecommunications And Electrical Inspection — \$1,046,414, as amended, agreed to and ordered to stand part of the Schedule.

CIVIL AVIATION

Head 53. Civil Aviation.

Dr. Jacob: I beg to move an amendment to Head 53, Subhead 16 — Purchase of Equipment, by the deletion of the figures \$67,916 and the substitution therefor of the figures \$25,000.

DIRECTOR OF CIVIL AVIATION

Mr. Burnham: Before we move on, Mr. Chairman, may I ask the hon. Minister when this Government proposes to have the post of Director of Civil Aviation filled by a Guianese?

Mr. Wilson: An officer is now in training to take the place of the present Director of Civil Aviation who is on con-

tract, and it is possible that he may be ready to take the place of the Director when his contract expires.

6.20 p.m.

Mr. Burnham: Thank you, if I may say so to the Minister through you, Mr. Chairman, but I like times. He says it is "possible". I will leave the word "possible". When will the contract end or when can we expect the Guianese to hold the post?

Mr. Wilson: The present officer on contract in the post has a year left.

Mr. d'Aguiar: I was trying to find the Head under which expenditure for B.G. Airways was included.

The Chairman: It is included under Ministry of Communications so it is not possible to deal with it here.

Mr. Kendall: I was wondering how much the air services will get if the purchase of equipment is necessary and such a large portion of this \$67,916 is taken off. Can the Minister tell us why the reduction of \$42,916?

Mr. Wilson: It is just a matter of transferring some of that expenditure to development as has been made very clear here.

Mr. Kendall: I have been hearing all the time that a lot of things cannot be done on development because of the amended Budget. Either the Government is trying to fool us or something. You are taking the sum from recurrent to put it on development when you say you are unable to collect the revenue you envisaged and that development will suffer.

Mr. Wilson: I think the transfer was made before the circumstances occurred to cause us to feel that it may not be possible to provide certain items under the Development Programme.

The Chairman: I think the hon. Member wants an assurance that there will be no cuts on any of the items.

Mr. Kendall: That is so.

Mr. Wilson: I am not in a position to anticipate what the House will decide.

Mr. Burnham: The hon. Member for New Amsterdam is much more tolerant and understanding than I am because I certainly would not have accepted that answer. The hon. Minister says the proposals for the transfer from the recurrent to the development estimates of the sum of \$42,916 were made before this Government knew that certain revenue would not be available, but I cannot see that. This document was prepared this month. These recommendations were made this month and, furthermore, the Estimates came out on the 31st January, 1962. These proposals were made this month and as I understood it, since Wednesday, 14th February, the Government knew that the revenue it had anticipated on the 31st January would not be available. But I have a certain amount of sympathy for the Minister.

A matter I would like to speak on seriously is this: I have been told that the length of the landing apron at Atkinson is not really sufficient for all jet 'planes or for the normal jet 'planes fully loaded with all the passengers in. If this is so — I understand that this is the reason why some airlines like Air France and K. L. M. are not bringing their jets to Atkinson — does the Government propose to take any steps to provide an apron of sufficient length to allow jets, with all the passengers, to land and take off?

Mr. Wilson: I would like to draw the hon. Member's attention to Subhead 17: Works at Atkinson Airport — \$200,000. That amount is put there to provide the landing apron and so on.

Mr. Merriman: On the principle of transferring items from the recurrent to the development estimates, the hon. Member for New Amsterdam asked the assurance of the hon. Minister that there will be no curtailment in view of what was previously said about the modified Budget which would earn less revenue. I would like to ask that the entire structure for housing be included in the development estimates.

The Chairman: When we are dealing with the Development Estimates, you can raise the point about housing. I cannot permit you to bring "housing" into the discussion.

SUBSIDY TO B.W.I.A. LTD.

Mr. Kendall: I see here, under Subhead 15, that we pay a subsidy of \$11,500 to B.W.I.A. Ltd. I was looking on the revenue side to see the amount we receive as agent for B.W.I.A. Can the Minister tell us where that amount is reflected?

Mr. Wilson: The amounts received from B.W.I.A. as agency fees are shown under the estimates for B.G. Airways, which we do not have in these estimates.

The Chairman: Do we not give this subsidy to B.W.I.A. in lieu of landing charges?

Mr. Wilson: That is so, but that is not the hon. Member's question. It is a sort of refund.

Mr. d'Aguiar: I would like to ask the hon. Minister if this policy is a policy recommended by Kenneth Berrill in his report or a policy of his Ministry in regard to Atkinson Airport.

Mr. Wilson: I really do not see the connection. Would the hon. Member be more specific?

Mr. d'Aguiar: I fully realize that the Minister has never read the Berrill report and probably knows nothing about it. I should have thought he would have studied it in relation to his Ministry, but he seems not to have done so.

6.30 p.m.

Berrill's proposal was that Atkinson airport should be merely a subsidiary airport to Piarco airport in Trinidad; that there should be just a shuttle service between Trinidad and British Guiana. It is rather significant that in all the neighbouring territories, Surinam, Trinidad, Barbados and Jamaica, there are far superior airports and terminal buildings than those we have. Surinam, in particular, has a first-class modern air terminal. Trinidad has just completed a new terminal building and extension of their runways. British Guiana's airport is the worst in the whole Caribbean area. There is none worse than ours, and it would seem that this Government is implementing the recommendation by Berrill. I would like to get a definite answer from the Minister as to what Government's policy really is in the near future in regard to an airport for British Guiana, at present located at Atkinson Field.

Mr. Wilson: Government's policy is that British Guiana should have its own international airport which should not be subsidiary to that in Trinidad or anywhere else. [*Applause.*]

Mr. Correia: I am much alarmed at the sum of money we are spending on our airport. We all know that the Air Base was leased to the American Government. I would like to know what guarantee this Government has that we would not be turned out in the event of a war between the United States and

some other country. What would this Government do for an alternative airport?

Mr. Wilson: I think the hon. Member is going too fast. It would be better to wait until a war comes. [*Laughter.*]

Head 53 — Civil Aviation, \$601,127 — decreased by \$42,916 — was passed at \$558,211 and ordered to stand part of the Schedule.

6.35 p.m.

Assembly resumed.

CONSIDERATION OF DEVELOPMENT ESTIMATES

Mr. Benn: Before the Motion for adjournment is put, I wish to inform the House that, as soon as the discussion on the Appropriation Bill is concluded, it is proposed to proceed with the Motion for the approval of the Development Estimates, 1962, notice of which was circulated to hon. Members today. As a matter of fact copies of the Development Estimates have been circulated to hon. Members since the 31st January, 1962.

ADJOURNMENT

Mr. Benn: In moving the Adjournment of the Assembly, I should like to mention that it has been agreed by hon. Members on both sides of the House that this sitting should adjourn until 2 p.m. on Tuesday, 24th April, 1962. There has been a great deal of discussion on the various items, and it is hoped that, as a result of this early adjournment, hon. Members will endeavour to move faster when we meet again on Tuesday.

I beg to move that the Assembly do now adjourn until 2 p.m. on Tuesday, 24th April, 1962.

Adjourned accordingly at 6.35 p.m.

