

SECOND LEGISLATIVE COUNCIL

(Constituted under the British Guiana (Constitution) (Temporary Provisions) Orders in Council, 1953 and 1956).

Wednesday, 7th June, 1961.

The Council met at 2 p.m.

PRESENT :

Speaker , His Honour Sir Donald Jackson	
Chief Secretary , Major I. O. Smith, O.B.E., (acting)	} <i>ex officio</i>
Attorney-General , Hon. A. M. I. Austin, Q.C.	
The Honourable B. H. Benn	— <i>Member for Essequibo River</i> (Minister of Natural Resources)
„ „ Janet Jagan	— <i>Member for Western Essequibo</i> (Minister of Labour, Health and Housing)
„ „ Ram Karran	— <i>Member for Demerara-Essequibo</i> (Minister of Communications and Works)
„ „ B. S. Rai	— <i>Member for Central Demerara</i> (Minister of Community Development and Education).
Mr. W. O. R. Kendall	— <i>Member for New Amsterdam</i>
„ R. C. Tello	— <i>Nominated Member</i>
„ F. Bowman	— <i>Member for Demerara River</i>
„ A. L. Jackson	— <i>Member for Georgetown North</i>
„ E. B. Beharry	— <i>Member for Eastern Demerara</i>
„ S. M. Saifce	— <i>Member for Western Berbice</i>
„ Ajodha Singh	— <i>Member for Berbice River</i>
„ R. E. Davis	— <i>Nominated Member</i>
„ A. M. Fredericks	— <i>Nominated Member</i>
„ H. J. M. Hubbard	— <i>Nominated Member</i>
Mr. E. V. Viapree	— Clerk of the Legislature (acting).
Mr. V. S. Charan	— Assistant Clerk of the Legislature (acting).

ABSENT :

Mr. W. P. D'Andrade — Financial Secretary — on leave.
Dr. C. B. Jagan — Minister of Trade and Industry — on leave.
Mr. L. F. S. Burnham, Q.C. — Member for Georgetown Central.
Mr. S. Campbell — Member for North Western District.
Mr. Jai Narine Singh — Member for Georgetown South.
Mr. R. B. Gajraj — Nominated Member.
Mr. A. G. Tasker, O.B.E. — Nominated Member, — on leave.

The Clerk read prayers.

MINUTES

The Minutes of the meeting of the Council held on Friday, 2nd June, 1961, as printed and circulated, were taken as read and confirmed.

ANNOUNCEMENTS

Mr. Speaker: The hon. The Minister of Trade and Industry is still in hospital but will be out shortly. The hon. the Financial Secretary is now on leave on an official visit out of the colony, and will be away for a week. The hon. Nominated Member, Mr. Tasker, has asked to be excused from today's sitting.

PAPERS LAID

The Chief Secretary : (Major Smith): I beg to lay on the Table —

"Annual Report of the British Guiana Volunteer Force for the year 1960."

The Minister of Natural Resources (Mr. Benn): Sir, on behalf of the Minister of Trade and Industry (Dr. Jagan), I beg to lay on the Table —

Reports of the Director of Audit on the accounts of the British Guiana Tourist Committee for the periods, 1st January, 1958, to 30th June, 1960, together with the audited statements of Accounts and the comments of the Chairman of the Tourist Committee on the Reports of Audit.

Mr. Benn: I beg to lay on the Table —

General Review of Drainage and Irrigation in the Coastal Plain and Report on the Drainage and Irrigation Department for the years 1957, 1958 and 1959.

MOTION — LOAN FOR ROAD TO BRAZIL

Mr. Speaker: Council will resume the debate on the following Motion standing in the name of the hon.

Member for Demerara River (Mr. Bowman):

"Whereas it is stated on page 10 of the 1960-1964 Development Programme that there was general agreement between Her Majesty's Government and this Government that a continuing Programme of development on a large scale was needed, not only in the immediate future but also in 1965-1969, if land and other assets are to be available for the ever-growing labour force;

And Whereas the Evans Commission and the International Bank Mission have both recommended the construction of a road linking the coastal and interior (Rupununi) road system, and in view of this \$15,000,000 was allocated in the colony's five-year Development Programme of 1956-1960 towards the cost of completing the link between Mahdia at the end of the Bartica-Potaro road and the Rupununi road system;

And Whereas it is felt that such a road would make available immediately after its completion, lands for land settlement, farming, pasturage, gold, and diamond mining, woodcutting, etc., and would encourage the development of the Tourist Industry;

And Whereas it is felt too that in view of the serious unemployment situation, the Development Programme should be revised so as to give priority to and expedite the completion of the link between Mahdia and the Rupununi:

Be It Resolved: That this Council recommends to Government that immediate steps be taken to seek a special loan from the International Bank for Reconstruction and Development or any other source for the building of an all-weather road from the coast to our frontier with Brazil.

Hon. Members will recollect that this Motion was moved by the hon. Member for Demerara River on Friday last and at the adjournment the hon. Nominated Member (Mr. Tello) was speaking. We resume the debate and the hon. Member may continue his speech, if he so desires.

Mr. Tello: Mr. Speaker, when the adjournment was taken last week I was trying to impress upon this Council the possibility of accepting this Motion because of its importance to British Guiana. I tried to portray the impact

it would have on the life of British Guiana. I tried to remind this Council that already Government is making appropriate provision for social advantages of the population gathered in this little strip of the coastland.

Is not the fact that two such important Missions as the Evans Commission and the International Bank visited this country and saw the necessity of recommending the exploration of the hinterland, sufficient to commend this Motion to this Council? We know that a real future for British Guiana cannot be held out to the population without some real approach to a plan of development of the hinterland. To talk of developing the hinterland without some access to or some means of getting out the produce to the coastland in a convenient way is unrealistic and visionless.

The experts have expressed the opinion that one of two things is necessary, or possibly both. That is an all-weather road to the hinterland, or a heavy surface railway. This Motion recommends to this Council the building of a road to the hinterland. Already we have our experience on the coastland. This Government is disposed to give preference to a roadway rather than a railway. Our experience ought to guide us in the light of what this Motion seeks — to give preference to a roadway.

One can hardly move around the country, now that election is near, without hearing all sorts of election promises, without hearing about the development of the hinterland; one would, therefore, expect from all the public statements in the byways and hedges that this Motion would be accepted today. As I have said before, to talk of hinterland development, as detached from a road to the hinterland, is turning your back against the fundamental aspect of the question. Already it is amply put in the preambles to the Motion which states what can accrue from a hinterland

road—better opportunity for land settlement, farming, mining, pastures, wood-cutting.

There is no need to stress that, no need to remind this Council about that. All we are trying to remind this Council of is to stop postponing important decisions and to accept the recommendations of the resolve clause of this Motion, and give serious consideration to revising the Development Programme. It is on account of the previous development programme, we saw the necessity for this hinterland road and made provision for it. Possibly, in the anxiety of the Government to do other things, they have, in the new Development Programme, overlooked this important item.

What the hon. Member for Demerara River has done today is doing this Council and this country a great service by asking this Government to think of this most important project. However successful we may be in our development programme on the coastland there is still going to be a crying need for more employment, especially by those who cannot easily adapt themselves to the cultivation of the land. There is one certainty that the question of the unemployed will be solved by this road.

We have it from the mouth of the pork-knockers that mining has still great chances. Much of the mineral wealth of British Guiana is yet untapped. There are many small minerals that have not been heralded as great discoveries, but are being found so far in small quantities. That roadway will afford easy transportation to these areas. I have been shown a hill of slate, but it can never pay to exploit that region without a road offering an easy driveway for trucks and other heavy vehicles. I would like to see that slate hill exploited in the interest of the colony and of the pork-knockers.

I hope it will not go on record that this Motion, coming from this side of the

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Council, met with total rejection by this Government. We hope hon. Members will rise above party differences in this Council and see the true intention of this Motion and its true value. Let it go on record for once that this Government has shown in a most tangible way its sincere desire for the development of the country as a whole. I have great pleasure in seconding the Motion.

The Minister of Communications and Works (Mr. Ram Karran): Sir, the hon. Mover of the Motion was unusually short in presenting it to the Council, and I believe that Council is very grateful to him for leaving out the usual record-playing. Some of it—the traditional complaints that he has been accustomed to put forward whenever such Motions are presented here—have not been mentioned today. We have been spared this monotonous harangue. He has, however, dealt with some points, and the hon. Seconder of the Motion has come up with his regular charge: inability, or incapability of the Government to tackle this project.

I propose to leave aside these charges that have been made, and to deal with the Motion as it is presented to the Council. Before I deal with the Motion, however, I should mention just a few of the charges that are likely to find their way into the newspapers and create the impression that these hon. Members have been talking with some authority. One very wide claim is that the lands and the bush are all fertile — that is something which I do not believe the hon. Mover of the Motion is willing to submit for examination. I think that everyone in this Council is aware, that, from the reports we have received, it is not true to say that all land in British Guiana is fertile. Those of us who have had the opportunity to go into the Interior can certainly express the view that a large part of British Guiana is infertile sand. However, even if people

were willing to accept the suggestion that the land is fertile, I am at a loss to understand how we can explain that the bush is also fertile. That is the sort of thing that goes on in this Council.

My hon. Friend has sought to bring into this Motion, as usual, the deals which he accuses the Government of carrying through. He has even amended his Motion in order to instruct the Council that Government should not go to Cuba or any of the other countries in the East to get a loan. I do not know how long the hon. Member will continue amending, because Venezuela is considered to be in the West; England is in the West and other countries are in the West. If England decides to change its form of Government, will my hon. Friend keep amending things?

It has been argued that the road to the hinterland will accelerate prosperity. Alongside that statement my hon. Friend (Mr. Tello) seeks to compare our development in this country with that of Barbados. I understand that he lived in Barbados at one time and that he is very keen in seeing that British Guiana moves ahead as Barbados has done.

Mr. Speaker: I can hardly hear you.

Mr. Ram Karran: The Motion which has been presented to this Council seeks to give priority to the construction of a road, and this proposal is tied up with the suggestion that Government should obtain a loan for the purpose. Along with these suggestions we are told that soil survey means little or nothing until a road to the Interior is built. That statement is probably an indication of how the hon. Member wishes this Government to carry on its business. In fact it is an indication that what has been done in the Boerasirie, for instance, where, after a huge construction has been completed we were told that the soil survey had indicated that most of the land was toxic and could not be used successfully for the purpose of land settlement. I wonder

whether the hon. Seconder of the Motion thinks that this Government or any other Government would approach a project without giving it a thorough examination?

As I said just now, I prefer to deal with the Motion rather than with the inconsistent statements that have been uttered by my hon. Friends on the other side of the Table. I will tell this Council what this Government has done in respect of roads in the Interior; how far it has gone, and the reason why this Motion cannot be accepted. The Motion states:

"... That this Council recommends to Government that immediate steps be taken to seek a special loan from the International Bank for Reconstruction and Development or any other source for the building of an all-weather road from the coast to our frontier with Brazil."

The hon. Member is fully aware from statements made in this Council from time to time that the Government is going ahead with the Interior road. Perhaps I should take this opportunity to acquaint this Council of what is being done at the present moment. Previous Governments and this Government have been looking forward to the construction of the Interior road from Vreed-en-Hoop to Parika; from Parika to Makouria; Bartica to Mahdia, and from Good Hope to Lethem, and that work has begun on parts of the road. A section of the Bartica-Potaro Road is now being rehabilitated, and large sections of it have been temporarily sealed. A good deal of sand-clay work has been undertaken in that area.

This Council is also aware that very shortly the Government proposes to give a contract to a firm of engineers registered in British Guiana for the construction of the Parika-Makouria section of that road. As a result of certain discussions, a loan was sought from the Development Loan Fund of the United States of America for the construction of that section of the road. The as-

sistance of the International Corporation Administration was sought, but the D. L. F. suggested that Government should provide not only a full engineering survey, but also a feasibility survey. The suggestion was made that, in view of the fact that the road from Vreed-en-Hoop to Bartica would entail certain difficulties, it may be more feasible for the Government to embark upon the Interior Road from Atkinson Field. The road should run from Atkinson Field, Mackenzie to Kurupukarie to Lethem. As a result of that coupled with the inability to complete details for both routes to the Interior, the International Corporation Administration has succeeded in obtaining the services of a firm of consultants from the United States of America, Messrs. Metcalf & Eddy. They are now engaged upon that survey, and I understand that one part of the survey has already been completed.

From what has been said by the hon. Mover and the hon. Seconder of the Motion I gather that they are not concerned with surveys and details, but they want Government to go ahead and borrow money to build a road. Who will loan us money without having surveys? Whether Government will build a road from Parika-Makouria, Bartica-Potaro, Good Hope-Lethem, or from Atkinson Field-Mackenzie, Kurupukarie-Lethem is a decision for a future Government. No loan can be obtained until an engineering survey and a feasibility survey are available for consideration by the people who will provide the money to construct the road.

I should like to inform this Council, at this stage, that even if the road is built from Atkinson Field to Mackenzie it will, nevertheless, be very important for a road to be built from Parika-Bartica for the simple reason that it would improve transportation. I understand that arrangements are going ahead for the road to be built on specifications which will not be the same as if a trunk

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road were constructed. It will save a great sum of money for Government by eliminating the twice-weekly trip to Bartica by the ships run by the Transport and Harbours Department. These ships could be used elsewhere.

If the Government is satisfied with the survey by Messrs. Metcalf & Eddy, who has been sent to us by the I.C.A., and the road to the Interior is built, on the banks of Demerara River, the Bartica-Potaro Road would still have to be built to be of service to pork-knockers in that area. On the other hand, whether or not Government accepts the recommendation, it is for the Government of tomorrow to decide on the scheme.

I mentioned earlier that the Grupo del Conte has been offered the contract to build the Parika-Makouria section of the road, and efforts will be made — in fact, it is now being actively examined whether it will be more economical to the Government to retain the 18 miles of railway on the West Coast. Most of the railway services are badly in need of additional equipment because of the old rolling stock and the increased traffic. It may be necessary, after this examination, to go ahead also with the road from Parika to Vreed-en-Hoop on the railway embankment which, I am told, is more suitable for a road, thereby giving you a through road from Parika to Vreed-en-Hoop connecting the ferry service provided by the "Makouria".

Before I take my seat, I wish to assure this Council and, particularly, the hon. Member who has moved this Motion, that never before in the history of this country is so much being done in the field of road construction and traffic planning on the whole; and I will invite his attention not only to the large-scale improvements which are being carried out now in a section of the Bartica-Potaro road, but also to this contract to which I have referred earlier, and also

to the vast improvements which are being made out of maintenance funds — I repeat, maintenance funds — on the East and West Coast roads.

Hon. Members, I am sure, have seen what limited work—limited though it is, it is improvement — has been done in this field; and this Motion which urges the Government to go and seek a loan before all the plans, specifications, surveys and so on have been completed, cannot be accepted at all by the Government for the simple reason that the Government is going full speed ahead. Despite the statement made by the hon. Member who seconded the Motion that we have not got the capacity to go ahead on it, I can assure him that this Government has done much more in road construction and in other fields than the "Interim incompetents" whose members had been sitting around this Table.

Mr. Beharry: I have listened to the hon. Minister under whose portfolio road building and road construction fall. I am not impressed with what the hon. Minister has said especially when he compares the achievements of the present Government with those of the Interim Government. I never thought that the people's representatives would have been compared with a Nominated Government. Actually, it only goes to show how much achievement the people's Government has been able to create for the people of this country.

I do not agree with the hon. Minister that much has been done with regard to roads. After four years of holding office, this Government, when it is about to take its exit from this Chamber, is carrying out a road survey. We should have seen that road built rather than a survey being done after four years in office. This Motion, as I see it, deals with the fundamental economic structure of British Guiana and the entire Caribbean. Today, we see the Caribbean emerging from a people into a nation. We see British Guiana entering into nationhood, also.

This country imports \$24 million worth of food and over \$124 million worth of other commodities. In the West Indies, the economic pattern is the same. The West Indies is dependent on the importation of its food and other finished products. If this Government was not really a political Government, but a Government that has been interested in raising the purchasing power of this country, a Motion like this would never have been brought. Today, this Government should have boasted of such an achievement.

We see development taking place right on the fringe of the coastland—all directed towards the production of rice. Every major expenditure affecting the productive sector of this country has been directed towards the increased production of rice—rice for which this Government has failed to find markets. [Interruption.] It has not been able to get markets for our rice. There is no assured market. Only a few months ago, the farmers were worried over the economy of the rice industry. It is only because of its flirtation with the communist countries that this Government has been able to sell the rice to communist countries—fly-by-night markets—and this was deliberately done to prove to the followers of the Party that the Government can find markets for our rice. It was done in order to satisfy the supporters of the Party that they need not bother, the Government has communist countries to buy their rice. It is not a direct move to find markets for the rice. It is a means to an end that this Government has found the Cuban market. [An hon. Member: "Roads! roads"!]

Mr. Speaker: Please do not interrupt.

Mr. Ram Karran : The hon. Member, I submit, is not speaking to the Motion.

Mr. Speaker: Proceed.

Mr. Beharry: This Government is not directing its energy towards changing the entire basic structure of the country. By bursting the country open with a road, it would be able to create more production in the agricultural sector. If a road had been built right across the country, the fertile lands in the interior would have been brought into production and several of the products we import from other countries would have been produced locally. Not only would production be increased, but it would also have an effect on the industrial processing of food. We would not only be able to produce food for our own use, but it would change the economic structure of the Caribbean because the West Indies would be able to import from us. We would be able to command the entire West Indian market in certain products and there would be less unemployment in this country; and this Government would not have to play politics in order to return to office.

This is a political Government. We can hear its members every day. This Government has a distorted outlook towards carrying out the fundamental economic development of this country. This Motion goes to the root of the economy of this country. We have so much land resources that we can feed the entire West Indian nation. The West Indies leaders are discussing "independence"; cannot this Government think of the part this country can play, economically, if the West Indies gains independence?

It is my profound belief that this country can never go forward with people sitting in this Legislature and playing politics. Once people are prepared to sit in this Legislature and play politics, I cannot see what will be the future of the country. I think the hon. Minister of Communication and Works should ask for a postponement of this Motion so that he can discuss it with his colleagues.

Mr. Speaker: Do you think so?

Mr. Beharry : I think so because this is a very important Motion, Mr. Speaker. This Motion, if implemented, will burst this country open. This country needs such a road. What would people who have the skill and the knowledge say to this Government? The entire interior is full of resources. I wish to compliment the hon. Member of Demerara River for drawing attention to this important matter. This Government has been playing politics with the future of this country rather than trying to bring prosperity to its inhabitants.

The Minister of Natural Resources (Mr. Benn): We have had today the usual old and cracked gramophone record from the former and deposed Minister of Natural Resources. He suggests that no capital is flowing into this country, that nothing is being done in respect of roads, and that we in this Council are a difficult Government, interested only in politics. What are we but politicians? How, if the hon. Member is in his right senses, can he suggest that Government is behaving like politicians? This Council is a political institution dealing with things concerning politics. It only shows the emptiness of the person who makes such wild statements. It shows the frustration which he is suffering and which will be made more acute in a few months' time.

The hon. Member speaks of bursting the hinterland open with such a road, and that it ought to have been built as a priority in the development programme. For such a road to be built there must be surveys made in advance. Surveys for such a road cannot be carried out in a year or two. These surveys for 500 miles of road have to be undertaken through dense forest and continuing over streams, rapids and mountains. That cannot be done in such a short time as to have this road completed—according to the hon. Member in his day-dreaming—at the end of four years.

Frustration has taken control of the hon. Member to such a degree that he seems to have lost his senses. For every scheme that has to be undertaken, surveys and other studies have to be done before they are undertaken. That is why the previous Government had surveys done for the East Coast road. That is why surveys were done before the Black Bush scheme was undertaken, and have since been completed. Surveys have also been completed for the Mahaicony-Abary project. This Government must have a good knowledge of whatever it is undertaking. It is not a question of buying a cask of salted fish and selling it over the counter. Government must know the pros and cons of a scheme before spending the people's money on it. The hon. Member suggests that very little has been done on roads. The hon. Member has not been travelling around the country, and so he does not know what is happening. He has never travelled on the Bartica road, and I doubt whether he goes to his constituency. No doubt he has the knowledge that the people of his constituency do not want to see him.

If the hon. Member had been travelling around the country he would have seen some of the improvements which are being carried out, for instance on the West Coast road, and not with Development funds but with Maintenance funds. The hon. Member seems to have forgotten that when the former Financial Secretary, Mr. Essex, and the hon. Dr. Jagan went to London in 1959 for Development funds, the Colonial Office limited the amount of money for development, and they had to cut out both the East Coast road and the new Georgetown Hospital. An attempt was still made to do those projects.

An attempt was made to do a considerable number of things, but they were all cut out by the British Government. The hon. Member forgets that this Colony has been able to achieve what the West Indies, which he refers to as an ex-

ample, has not been able to do in such a short time. Look at the amount of assistance we have obtained from overseas! Let him cast his mind back when he talks of this Government not getting assistance from overseas.

The British Guiana Government has received more financial and technical assistance from the United Kingdom and the I.C.A. than the whole of the West Indies put together, and has not spent it as though it was throwing it down the drain. The hon. Member said that was done in relation to the I.C.A.—\$200,000 in surveys in the roads—and this Government will not get any more assistance from the U.S. Development Loan Fund. Government also received assistance from the U.S. Technical body to investigate the Demerara River Harbour, which his grandfather before him had been saving needed improvement. After all these years this “Communist, backward, stupid and illiterate Government” has been able to succeed in having something done! Have we not received assistance for a comprehensive soil survey for this country?

Mr. Bowman : Imperialist money.

Mr. Benn : The hon. Member talks about Imperialist money. Have we not received assistance for a variety of other things? This Communist Government which, it is said, nobody would lend money to, sent the hon. the Financial Secretary to the U.S.A. to talk about a loan of over \$2 million. Frustration has driven the hon. Member to a stage where he cannot see that this Government has succeeded where those who were before us have failed. This is a record that pains them—the record of a Government maligned by people who are so frustrated that they cannot see the improvements which are taking place under their very noses.

The hon. Member tries to bring in the economic situation when he says the road will burst open the interior; everybody is going to travel over that road,

and people entering the interior to grow crops and mine for minerals can use it. He talks about the West Indies. Let me inform the hon. Member that when I attended the meeting of the Regional Committee in Jamaica we got resolutions accepted that arrangements or agreements should be made between British Guiana and the West Indies for the exchange of agricultural and other goods produced in those areas. If the hon. Member had been reading the papers he would have seen what has been done in the export from this country of starch, plantains and a variety of other things to the West Indies.

The hon. Member says we have to get all sorts of persons to buy our rice. The hon. Member, to delude his supporters, talks about “blood money”. I hope when certain farmers get the “blood money” and payments are to be made to the hon. Member he will refuse to receive it. The hon. Member suggests that we should not trade with so-called Communist countries. The Minister of Foreign Trade of the British Government has just returned from the Soviet Union where he had a large Trade Fair. When asked why most of the exhibits were not returned, he said that he gave the Soviet Union the opportunity to purchase them. That is “blood money” the British people will be receiving for those exhibits. The Soviet Union was Britain’s best customer last year, but we in British Guiana are so rich and wealthy that we call it “blood money”!

Many emerging countries from Colonialism are today negotiating trade and other arrangements with the Soviet and other Governments, which the hon. Member misrepresents and calls Communists. India, Ghana, the United Arab Republic—all those countries have not become Russian dominated because they take Russian dollars. Some of the people in British Guiana talking about Communist countries are importing chairs from Czechoslovakia and selling them to

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the people who they are trying to deceive. Many are importing yachting shoes from Poland, and selling them in their stores, and yet are talking against trading with Communist countries.

What is happening? They are only misleading the people and trying to terrify them with a lot of misguided statements about not trading with so-called Communist countries, the very countries with which they are trading. We should have an explanation as to the goods bought by various business concerns from so-called Communist countries. The R.A. and C. Society Trade Committee, of which the hon. Nominated Member, Mr. Hubbard, is Chairman, should put on an exhibition; buy a few of the things which the various stores have been importing from Communist countries — chairs, yachting shoes, etc., so that the people would know they are only being betrayed and fooled by those persons who want to use them in order to get seats in the Legislative Council.

The hon. Member speaks of “fly-by-night” markets. Which businessman, which seller of salted fish and potatoes does not know about “fly-by-night” purchases? He tries to speak against Government’s policy in agriculture—a policy which he failed, dismally, to carry out because he was so confused and conceited that he did not know what to do. He says that all of the development is being done in the rice industry. If the hon. Member listens to his radio or the G.I.S. Newscast he would know what is going on in his constituency. He would know that today people are purchasing cabbage grown in British Guiana which we were recently importing. The people now receive a bonus for producing cabbage, cocoa and coconuts. He says that we are dealing with politics and we are only developing the rice industry. The hon. Member was in the Ministry when the Black Bush Polder Scheme was planned. Perhaps when he was in the Ministry he

did not know that coconuts would have been planted in the Black Bush Polder—he did not draft the scheme; somebody did it for him and that is why he is where he is today. [*Laughter.*]

The hon. Member talks about nothing being done, and Government not making any effort to do certain things. Did not the British Government say in 1959 that this Government should return to the U.K. in 1961 to talk about, if possible, the expansion of the Development Programme? Is it not true that was said? Where is the money to come from, if it is not raised by loans, grants, etc., and approved by the British Government? Perhaps the hon. Member does not feel that they should get off our backs for a change. How did we acquire the Electricity Company? Did we get the money from Russia? By what route did we get it? We got it from the same people the hon. Member said would not invest money in this country.

Sir, this Motion is the product of a diseased and frustrated mind. The Motion is the product of a man who does not know what is going on in this country today and does not care to find out. He is so blinded by his hate and conceit that he does not see that things are being done on our roadways. The I.C.A. has already made soil surveys, and efforts are being made to secure financial assistance even though we have been limited in the way we should get this money. When we found that it was not possible to get enough money for the rice sector against which the hon. Member speaks so glibly, the hon. Minister of Trade and Industry was able to get Barclays Bank, a capitalist concern, to loan to the Co-operative Society, with a Government guarantee I believe, \$½ million to assist rice farmers in this country. He says that the people have no confidence in this Government, and yet they loan us \$½ million!

The hon. Member, as usual, speaks about unemployment, and it seems as though we have to spend all of our time

in this Council, not only to teach them but to help them to remember what we have said with respect to unemployment, which is rather serious indeed. Can unemployment be overcome by economic dynamism? [Mr. Tello: "Sure".] There is economic dynamism in Canada, and there are 400,000 unemployed; economic dynamism in the United Kingdom, and they have as many people as we have in British Guiana unemployed; economic dynamism in the United States of America, and they have ten times our population unemployed. Do not blame us for not getting rid of unemployment under a colonial, capitalist, backward system. Capitalism cannot wipe out unemployment; it never said it could do that. Of course by tinkering with the economy of the country it has been able to give a few cents here and there as in West Germany.

If Members listened to the B.B.C.'s broadcast, they would have heard that West Germany is disappointed over the employment problem because unemployment has dropped. That has set the United States of America and the United Kingdom on edge and it is going to affect them. Perhaps the hon. Member does not understand the capitalist system. Why should I try to explain such things to him?

The hon. Member has brought his Motion too late. This Motion is merely an electioneering stunt, but we will allow them to do their electioneering. I did not accuse them of electioneering in the same way as they accused us of being politicians, which we are. Government, as the Minister of Communications and Works has said, has taken action along certain lines for the quick and accelerated development of the road in this country. I will go further and say that never before in the history of this country has so much been done on roads with so little money.

The Motion, therefore, as the hon. Minister says, cannot be supported by this Government. The Government is taking energetic steps in this matter.

I know that the hon. Member is not happy about the fact that the Grupo Del Conte has decided to build a portion of the Makouria-Bartica Road. Certainly this is not something for the hon. Member to be happy about. There are many other things which will come after August 1961 that will make the hon. Member more unhappy. He will have to experience the unhappiness of August 21, 1961, and that will be such a supreme unhappiness that there will be no place for unhappiness of a lesser degree so far as he is concerned.

Mr. Jackson: I have had to look at the terms of this Motion on many occasions during the course of the contribution made by the hon. Minister of Natural Resources, and I must confess that I have never heard such a great perambulation of words on any particular topic as I have heard this afternoon. This Motion which seeks to get a decision to divert thought and money from one channel into another has produced words which indicate that there is more bitterness in the heart of the Minister, who has just completed his contribution to the debate, than in the hearts of those whom he has accused. It is an indication that we are yet to learn how to focus our minds upon a topic that is before us. We are yet to understand that a problem which is the subject of a Motion should be confined to the Motion, and this Council should not be treated to an exercise that may lead to a disturbance of one's mental balance or one's stomach. Perhaps what we have been treated with is evidence of the mental disturbance on the part of the Minister who has so very readily spoken —

Mr. Benn: On a point of order, I do not know whether the hon. Member is mentally disturbed. I spoke in respect of the remarks made by the hon. Member for Eastern Demerara. If the hon. Member did not take the trouble to listen to his speech, it is not my fault.

Mr. Speaker: He is speaking of the remarks which you have made.

Mr. Jackson: That is education for the Minister. I was saying that the comments by the Minister would only bring forth further comments which would take this Motion into an extraneous field. For example, in his desire to exercise his mind on what was said by speakers before him, he referred to the fact that some people are crying against communism, but they are trying to mislead the people in this country about communism because the same people are trading with Communist countries.

Mr. Benn: I never referred to any country as communist, because there is no such country.

Mr. Jackson: If our notetakers were to be asked at this moment to relate what was said, they would support me in the statement I have just made. Are we not buying chairs from Czechoslovakia? The Minister forgets. If people are attempting to mislead the people of the country about communism, he, the Minister, is largely responsible for that. "It is easier to stop tomorrow than to stop communism," says he. [**Mr. Benn:** "Very true!"] Therefore, whatever are the comments of people in this country against the inroads of communism, those comments are the result of the statement which has been made by him. I think in 1960, sometime after the month of April when he returned from his tour. We reap what we sow; and, perhaps, the Minister is now reaping the fruits of his labour. Perhaps, it may be good if the Minister were to recognize that everyone in this country has the right to point out to his fellowmen what, in his consideration, are the shortcomings of any philosophy or concept. And if the Minister had so recognized that right, he would not have become as bitter as he had in this Council this afternoon.

We have been treated to a lot of information about what this Government has been able to do with the money it has received from the various agencies. Some time last year or very early this year, I referred in this Council to the financial assistance which this Government has been getting from the I.C.A. It was at a time when we were condemning a certain course of action which demonstrated a degree of ingratitude on the part of some people in this Council. I mentioned to this Council the extent to which assistance was given this country by several agencies and Governments of other countries. But it is one thing to get aid to make surveys, and it is another thing to get money to put into effect what the surveys reveal. Out of the sympathy, I suppose, of those agencies, we have received a great deal of assistance; but we have been told that there has been no previous Government which has been able to secure as much money as this Government has received during the four years it has been in power.

What the Minister of Natural Resources forgets is that he and his colleagues who form the Government have succeeded others, and that if the records are searched it will be found that Black Bush Polder, which was opened up not so long ago, is not a scheme which began with the present Government's regime. It is a scheme which was planned before the present Government came into power and for which money was allocated. There is nothing which this Government has completed which can bear the stamp of origin on its part. [*Interruption.*] The Black Bush Polder, the Boerasirie and Torani projects have all been put into gear before this Government took office; so it is a matter of this Government enjoying a heritage. It has succeeded a Government which has opened up the way for securing funds on a very large scale.

If my memory serves me correctly, in the first Development Programme

which was envisaged for this country, the people who were responsible for its introduction were those who formed the Interim Government. *[Interruption.]*

Whether you like it or not, it is a statement of fact. Can anyone ever believe that after four years had been spent on any one project there would be a withdrawal of expenditure on that project simply because the P.P.P. got into power? The people who initiated these projects are far more intelligent — far wiser — to know that they could not have stopped the programme half-way because the P.P.P. got into power; therefore, it is safe to conclude that these schemes had to be completed.

The Minister talks about the Government having received, on the one hand, some assistance from agencies. yet, on the other hand, he bemoans the fact that his Government sought a loan in 1959 but did not get all it wanted, and for that reason it had to curtail its expenditure on its programme. All that is evidence of the fact that his Government was not as successful as it wanted to be. I am sure this Government wanted to get a full assessment of what the programme would have cost, but it did not succeed.

The members of this Government are a frustrated lot, although not as frustrated as some people. But we have heard, in this Council, attacks made upon those people from whom they seek to borrow money; and who knows whether their frustration is not as a result of those attacks on the people from whom they seek to borrow money. It is easy to throw empty phrases at people with whom we are in conflict; but from my childhood I learnt that those who have glass houses should never throw stones, because in doing so, their windows would also be broken. *[Interruption.]* We have had a lot of mimicking, but we have to put up with it until we no longer sit here. This is the price of what we term "democracy." This is the

price of our having to enjoy democracy. Perhaps, were we living in another land this would not have been possible.

The Motion is a simple one, but we have heard the one-sided argument of the extent to which there is unemployment in Britain as against the unemployment in this country. The Minister of Natural Resources said that in Britain there are as many people unemployed as those who form the population of this country. First of all, in spite of that fact, we have been able to get money to borrow from that country. But that is not the main point.

If Britain has half-a-million people unemployed in relation to her population of about 50 million people, then the Minister ought to have said to what percentage of that population that 500,000 unemployed relate; and he ought to have said what is the percentage in relation to the population in this country where we have, perhaps, as many as 30,000 people unemployed and, perhaps, a greater number which cannot be recorded as unemployed but seasonally employed. It can be clearly seen how fallacious is the argument of the Minister when he seeks to relate the unemployed of 500,000 in Britain to that of this country. That is the sort of thing which is keeping this country back. We like to compare, perhaps, the worst parts of things instead of making comparison with the best features.

America, the Minister said, has a large percentage of people unemployed. Again, what is the population of America in relation to the people unemployed? Again, is it a fact that the American or British Government has not taken steps to cater for the unemployed? The Minister has not said that while in England a man, unemployed, receives assistance, in this country nobody is so fortunate. Is not that one of the reasons, perhaps, why people leave this country and go to England? They know if they do not find work, there is an unemployment re-

[MR. JACKSON]

lief which is more money than some people earn here as wages. In England, those 500,000 would receive a family allowance and free medical services. What are the unemployed people of this country getting?

When the hon. Minister made those references he indulged in fallacies. He is an expert in indulging in fallacious arguments. In the 1954 programme of development there was an allocation of \$3,150,000 for the Bartica-Parika Road, but in 1959, as far as I can see, the expenditure on that road was only \$150,618, and in 1960 the amount was \$56,100. For the Bartica-Potaro Road there was an allocation of \$3,450,000 and between the years 1956 and 1959 the expenditure was \$461,562, and in 1960 \$472,000. For the Potaro-Lethem Road the allocation was \$2,400,000. Between 1956 and 1959 only \$458,764 was spent and last year a further sum of \$154,000.

So it will be seen that it was not a question of surveys. There was enough money allocated for those roads to have been completed. Under our Development Programme for 1960-1964 they have embarked upon the surveys which we have been hearing so much about. Perhaps it is because they prefer to preach that through the urgency of the needs of the coastland they decided not to embark upon the expending of the money which was allocated for the roads in the places to which I have just referred.

The hon. Minister did in fact say that a survey was made of the East Coast road by the Government which this Government succeeded. But this Government is now responsible for another survey of a road for the East Coast, for which money was expended. I am almost sure that the first survey which was conducted could have provided much data, information and knowledge in order to put a better road

on the East Coast. We have been told that never before was so much money spent by any Government, and the hon. Minister has said it was on maintenance.

What we want is not the expenditure of money on maintenance. We want the money to be expended on the construction of proper roads. In spite of the fact that there had been a survey of the Georgetown-Rosignol road, this Government has used its power to have a further survey made of the road. The hon. Minister referred to the fact that certain people did not like the contractor. The reason is they did not like the people who contracted for the survey, or the people who carried it out.

As far as we are concerned, we want the roads. We want to see the money which was allocated for the development of the roads used in a proper manner. It means that it is right for the hon. Member to attempt to move the Government so that it should not divert its attention from one field to another field. If the money allocated had been spent as allocated, there would have been no need for this Motion.

This Government has brought these allocations to this Council because it knows that with its numerical strength it must succeed. But this Government is noted for the under-spending of money allocated for a specific purpose. It has never yet, as far as we have examined its activities, over-spent what had been voted. I presume it may have over-spent in other directions, but its under-spending has been greater. What is the reason for its under-spending? Is it to put the blame on other people for things not done?

It is true that we, in this Council, have been allocating funds for this and that purpose, but, because of the Government's consideration and concern for other projects of urgent priority in other fields, it has not been able to cope with the problem of unemployment. In spite of the expenditure which this Govern-

ment has made in other fields, it has not been able to reduce the unemployment figures. The unemployment figures have risen considerably, and if this Motion was intended to prove there ought to be something done to cope with the very grave problem of unemployment, then it seems there ought to be a different treatment given to those people who sought to draw the attention of this Government to what is a dire necessity — to take care of the unemployed and under-employed boys and girls who are leaving school and cannot find work to do.

Perhaps it is because of this fallacy on the part of this Government that one is right to say that the very great increase in the number of crimes and offences we see committed is because the social evils in the country are increasing every day. These circumstances are the result of the failure of this Government to grapple with the very grave problem of unemployment. There was a large army of unemployed and under-employed when they came into power, and they were to reduce or lessen the number as far as possible.

May I ask the question: Have they reduced the ills of unemployment? Have they given it a soothing balm? They cannot speak of having done that. The increase has risen every year. I am thinking of the thousands of children leaving school every year, the number added to the list of the unemployed. It seems that the Government has not been very fair to this Motion. It seems to me that, because of the desire of the Government to indulge in politics, the desire to smash whatever those on the other side of the Table put up, the Members of the Government have been true to pattern, putting their backs up against what is reasonable, what is sound and what is good.

Mr. Davis: I am sorry I could not be here earlier, but I was engaged in the country in another avenue of my activities — I was at Mahaicony. I am

indeed sorry to hear that the Government does not see its way — I hope I understand the position correctly — to accept this Motion. There are several phases of this Motion which, I think, are commendable.

It shall always be to me a black mark and a blemish on this Government that it closed the only trail leading to the Rupununi area. *[Interruption.]* The hon. Minister of Natural Resources thinks this is a laughing matter, but I have said in this Council over and over again that, in my considered opinion, it is a blemish in the regime of this Government.

I would have thought that this Motion which seeks to explore ways and means of raising money to enable the construction of roads to our Interior could and should have a healthy start, and that Motion would be a good opportunity to attempt to bridge this money gap. We have heard much comment on the Development Programme and of the large sums of money still unexpended. If one were to examine carefully the reasons for this, one would see the true position.

For instance, in the Housing Project which was started here around 1954-55 a lot of money was — I do not want to say mis-spent — channelled from its best objective, and I think that this has been one of the great burdens this Government has had to face. As a member of the Drainage and Irrigation Board — I see two of my hon. Colleagues here, and I am sure they will agree with me that it is rather alarming at times to find that our administrative staff has not been able to get the best results from the huge sums of money which have been allocated for the various projects because of limited executive staff.

On my arrival here today I find that a “General Review of Drainage & Irrigation in the Coastal Plain and Report for the Years 1957, 1958 and 1959” has

[MR. DAVIS]

just been laid on the Table. At page 90 of this document one can see that there is acute shortage in our technical and administrative staff. When one takes into consideration the fact that during this period some of these officers may also have to go on leave, the position becomes even more acute. I have always linked our drainage, irrigation and sea defence problems with these Development Programmes, and I have asked myself: Why don't we try to make greater efforts to overcome the difficulties posed by the sea? In tackling all problems of drainage and irrigation we must, at some stage or other, try to keep out the sea before we can get the best results from the land.

Several Members commented on the fact that money allocated for the Development Programme has been under-spent. I feel that with our shortage of staff, which has manifested itself within the last year or two, our Development Programme may need a recasting of ideas. Be that as it may, however, I think the idea of constructing roads to the Interior is a very sound one. The further we get our roads into the Interior the better it will be for Guianese. We have heard that there is under-employment and unemployment amongst us. True enough. But if we are able to encourage an international institution to loan us more money to develop our country and our natural resources, in my opinion, two things would accrue: (i) more money would be in circulation locally; (ii) it would create substantial avenues of employment, and as the road develops — if we follow the pattern of development of countries such as America, Canada, etc. — we will find that people always follow the progress of the road and create livelihoods for themselves. If for no other reason at all, I think the Motion moved by the hon. Member is a sound one and should get the support of this Council.

I do not propose to go in for any long drawn-out speech. I would like to assure hon. Members that I have no intention of making any speech which might be thought to be of a political nature. This Motion as it stands — perhaps it may not be sufficiently large in its orbit to include all that we would like — is sound basically and would receive my support.

Mr. Bowman (*replying*): Sir, I was waiting to see whether other hon. Members would take the floor. This Motion has two cardinal points. One of the chief points can be found in the second preamble of the Motion which states:

“And Whereas the Evans Commission and the International Bank Mission have both recommended the construction of a road linking the coastal and interior (Rupununi) road system, and in view of this \$15,000,000 was allocated in the Colony's five-year Development Programme 1956-1960 towards the cost of completing the link between Mahdia at the end of the Bartica-Potaro road and the Rupununi road system....”

The other point is that the Motion seeks to get this Council to recommend to the Government that immediate steps be taken to seek a special loan from the International Bank for Reconstruction and Development or any other source for the building of an all-weather road from the coast to our frontier with Brazil. Those are the two main points. We should ask ourselves this question: What is the chief motive behind this Motion? I have been a working man all my life, and I am in sympathy with those who are unemployed.

Mr. McGale said in his Report which was tabled here in 1956 that 29,600 people were unemployed in British Guiana and 20,000 were under-employed. Apart from that schools have been turning out children at the rate of between 4,000 and 5,000 a year. If I take a conservative figure and say that 3,000 children left school every year, it would mean that in five years 15,000

have left school. When we add 15,000 children to the 49,000 people unemployed we will get a total of 64,000 unemployed. How many industries have been established in British Guiana during the past five years, and how many unemployed people have been absorbed in them? These are questions I would like the Government to answer.

I want to make the point that the members of this Government seem to lack comprehension, especially the Minister of Natural Resources. He seems to gloat over his present position and to forget what was his position prior to 1957. In 1957, the Minister would not have spoken in the way in which he has spoken now. This bombast would not have—[Mrs. Jagan: "Speak about yourself!"] My cake shop has been maintaining me all along. The Minister has forgotten that he, too, was unemployed; yet he has no sympathy for the unemployed worker.

This Government has produced a booklet, which I have just seen, called "Patterns of Progress". That booklet should be called "Patterns of Development". All the development that is going on is related to rice. I am thinking about additional employment for the people. I am thinking of this road being built in order that the unemployed may get work. The third "whereas" clause of the Motion reads:

"And whereas it is felt that such a road would make available immediately after its completion, lands for land settlement, farming, pasturage, gold and diamond mining, woodcutting, etc., and would encourage the development of the Tourist Industry";

If this road is built, it would cross the Potaro River and a bridge could be built immediately below the Kaieteur Fall. That, I know, would attract tourists, especially if a hotel or motel were built there. All these things would have been done if the right Government was in office. But this Government is incap-

able. All the schemes it is implementing have been projected by the Interim Government. Let the members of the Government deny that. They are spending \$11 million on the Tapakuma Scheme because this is election year. Last year they had money for the development of roads; what did they do then? They cannot fool anybody. They cannot fool me, at least.

The Minister of Communications and Works, apparently, did not read the Reports that are at his disposal, because he speaks as if we are not aware that surveys have been completed; and he gave the impression that surveys are yet to be done. Here, I will read from the 1960—1964 Development Programme, presented by Mr. Essex, to prove where these surveys were completed. Paragraph 6, PW3, reads as follows:

"Potaro-Lethem Road—The International Bank Mission recommended the construction of a road linking the coastal and interior (Rupununi) road systems . . . "

A little further down we read:

" . . . the road should be deferred until after 1958, but that the necessary surveys and planning should be undertaken before that time. With this in view, an allocation of \$15 mn. was included in British Guiana's 5-year Development Programme 1956-1960 towards the cost of completing the link between Mahdia at the end of the Bartica-Potaro Road and the Rupununi Road System.

"There have always been at least two potential lines for a road to the Interior, either via Mackenzie or by improving and extending the Bartica-Potaro Road. It is now accepted that the latter would be the more desirable route and this was recommended by the International Bank Mission".

This does not refer to Parika and nearby areas. This refers to Mahdia and beyond. It goes on to say in paragraph 37:

[MR. BOWMAN]

"Surveys have been completed on stage one and work is in hand on stage two. Preliminary surveys for stage three are nearing completion.

Second stage surveys of this have been completed and from the end of this point reconnaissance followed by preliminary surveys have extended southwards to within striking distances of the savannahs. The survey parties, which include 'pork-knockers' (prospectors) with experience of the area are under the supervision of qualified surveyors".

This Report was presented in 1960, and the Minister speaks as though there have been no surveys and that we have to wait until surveys have been completed before we can build the road. I am speaking on behalf of the unemployed, and pointing out a means whereby these people can find work. Is this a Government of the people or are the members masquerades? They shout that their Party is the Party of the masses! I had believed them, and that was why I was with them. [Laughter] If I hear a man is a thief I have to prove it for myself, and I have proved that the Minister is not the man he is supposed to be. He is a racist and a very subtle one.

I shall quote, now, from page 10, paragraph 37

"A more detailed analysis will show that the economic sector aims mainly at expansion and diversification of primary production. Special emphasis is placed on increasing the area of cultivable land and its productivity and on exploring the possibility of expanding production of live-stock and of a variety of crops such as coconuts, cocoa, cotton, peanuts, pulses and vegetables".

I said that the lands in the interior are very fertile. This is a fact which cannot be denied. The Minister, apparently, wants to deny this. These so-called experts brought here do not want to give true reports.

Mr. Speaker: Why refer to the experts as "so-called experts"?

Mr. Bowman: This Government relies, especially, on experts and what they say.

Mr. Speaker: They had been invited to the country. Why style them "so-called"?

Mr. Bowman: Right on the Government Benches are misfits; similarly, experts who come here have been proven wrong in their findings. I want to remind members of this Council that in 1958 I moved a Motion in this Chamber — and I am referring to this only to prove my consistency of thought — recommending to Government that a mission be sent to Brazil, chiefly to ascertain from the Brazilian Government whether it was interested in an outlet through British Guiana. I said that at the turn of the century there was a little uneasiness between Venezuela and Britain and, as a result, an agreement was reached between the Brazilian Government and the British Government for an outlet to be given to Brazil through British Guiana.

This Motion is a follow-up to that. Although this Government was asked to send a mission to Brazil, nothing was done. Recently, a mission came from Brazil to ascertain the possibilities of building a railway. Since then, not one word was said. Therefore, I move this Motion asking that steps be taken to seek a loan from the International Bank so that the road could be extended to our frontier with Brazil. I feel sure that if this Government were to seek a loan for that purpose from the International Bank, it would get the money.

An hon. Member: Communist!

Mr. Bowman: It is not a Communist organization. It is financed by America and Britain, mainly. If this Government were to accept this Motion, I am sure the International Bank would be willing to lend the money.

This Motion also mentions the availability of pasturage, lands for land settlement, farming, gold and diamond mining, woodcutting, etc. The possibility of developing these things is in the interior, especially the Rupununi savannahs.

Years ago when the Evans Commission came here, they studied the possibility of finding settlements for certain people. Rumour had it that the settlements were for displaced Jews. Perhaps, if those Jews were here the Motion would have been accepted, because of the relationship of those people with someone in this Government. Perhaps if rice could have been planted successfully in the Rupununi this Government would have agreed, immediately, to seek the loan.

According to information which I have at my disposal, rice cannot be grown there, but other things, including potatoes, cabbage, papaw, cashew, pineapple and tobacco can be grown. It is because rice cannot be grown there that this Government is not mindful. The people whom it claims to be representing are watching its movements. The day of reckoning is coming. August 21st is that day. It is one thing to boast, and it is another thing to see their party meetings so sparsely attended.

The hon. Minister of Natural Resources has made some remarks today which prove that he is an ingrate. But there is an old saying: "The most ungrateful thing is a fowl, because it eats and wipes its mouth in the grass". I am commending this Motion to this Council. History has a way of repeating itself, and reacting severely against certain things. History will declare its opinion. Time will tell the tale.

Mr. Ram Karran: The hon. Member unwittingly tried to mislead this Council. He says that surveys were completed. What I referred to was the official document. It was not a complete

survey. He is referring to the first land surveys, while I was referring to the complete engineering survey. The hon. Member—

Mr. Speaker: The hon. Minister cannot make another speech.

Mr. Ram Karran: I am only correcting what the hon. Member said.

Mr. Speaker: The Question is, "That this Council recommends to Government that immediate steps be taken to seek a special loan from the International Bank for Reconstruction and Development or any other source for the building of an all-weather road from the coast to our frontier with Brazil".

The Council divided and voted as follows:—

For	Against
Mr. Bowman	Mr. Hubbard
.. Fredericks	.. Ajodha Singh
.. Davis	.. Saffee
.. Tello	.. Rai
.. Jackson	.. Ram Karran
.. Kendall—6	.. Benn
	The Attorney-General
	The Chief
	Secretary—8.

Motion lost.

CRIMINAL LAW (PROCEDURE) (AMENDMENT) BILL

Mr. Speaker: The hon. the Attorney-General to move the second Reading of

A Bill instituted: "An Ordinance to amend the Criminal Law (Procedure) Ordinance".

The Attorney-General: This Bill makes social history for this country. Its primary object is to provide that women can serve on juries in the Supreme Court in its criminal jurisdiction in the same way as men. It will, therefore, be a further step towards the emancipation of the women of this coun-

[THE ATTORNEY-GENERAL]

try and an acknowledgment of their increasing role in the life of the community. It was not until 1919 that women were eligible to serve on juries in England, but women have successfully served on juries in that country and elsewhere.

In 1957 there was passed in the United Nations a Convention on the political rights of women which included a provision that they should have political as well as social equality with men, and one of the manifestations of this equality is that they should be eligible to serve on juries. In 1959 the Secretary of State for the Colonies addressed all overseas territories, and suggested that provision should be made for women to serve on juries. It has taken some time for us to get down to drafting the necessary legislation.

Juries in Jamaica may now have women members, and I believe very recently Trinidad took the same step. I think in certain other West Indian Islands women have served in the Legislature and on juries successfully for a number of years. I hope, therefore, that hon. Members will support this Bill which will enable the Registrar of the Supreme Court to include the names of women in the jury book so that they can serve on juries from the beginning of next year.

Hon Members may wish to know to what extent women will serve on juries. In England at a Criminal trial you will probably see in a jury of 12, 10 men and 2 women, or 9 men and 3 women. In the U.S.A. the proportion is as much as half and half. This Bill provides that women will be eligible to serve on juries on the same basis as men; they will be required to have the same property qualification as men. At present the income qualification for men is \$720 a year.

A jury book of all persons who are qualified to serve as jurors for the ensuing year is made up in the month of October. The request sent out in March by the Registrar of the Supreme Court to the authorities and firms asking for a return of persons in their employment who have the necessary qualification to serve as jurors was only as regards men, and it will not be possible to get a similar return for women in time for the jury book for 1962 to be ready in October. The present jury book will have to be kept in force until the end of the year, by which time the new jury book with the names of qualified men and women will be ready.

This Bill, therefore, provides for the extension of the period of the present jury book to the end of the year, and for the new jury book to come into force on the 1st January, 1962. It may be found that the new jury book containing the names of men and women will be made up of say, two-thirds or three-fourths men and one-third or one fourth women. There are usually more men qualified to serve as jurors than women. When the time comes to select a panel of jurors for the Courts, the law provides that such panel will contain as nearly as possible the same proportions of men and women as there are in the jury book. So if you have a panel of 30 jurors, those 30 men and women will be in the proportion of the number of men and women in the jury book.

When it comes to selecting jurors from the panel to sit and hear a certain criminal case, the jurors are selected from the panel by lot. Thus in theory if there are twelve women and eighteen men you may get one woman or more on the jury. But no doubt the law of averages will work out so that the number of women and men on the jury will be roughly proportionate to the number of men and women on the panel and in the jury book.

In England there is a provision that when an application is made on behalf of the accused person, or on behalf of the prosecutor, or the judge feels it right to do so, the jury can be composed either entirely of men or entirely of women. It is not difficult to imagine that there are certain offences which come before the court from time to time when it would be more appropriate that the jury should be composed of men only. I refer to certain sexual offences. On the other hand, it is very difficult to imagine any offence which should be tried entirely by a jury of women. This Bill adopts the common power of providing that a jury should, in certain circumstances, be composed of men only. It is intended to enable such juries to sit to hear certain sexual and other cases where the evidence is of a despicable and embarrassing nature.

When this Bill was drafted to make these far reaching and important provisions to our law, an opportunity was taken to survey the provisions dealing with jurors generally. One of these is that special juries can be appointed to hear criminal trials. Special juries are those composed of jurors who have a higher property qualification than the ordinary juror. The income qualification of a juror is now \$60.00 a month, for a special juror \$100.00 a month. The reason for special jurors is that from time to time certain cases of considerable complexity come up, and it is felt that they should be heard by persons of a higher degree of education than the average person. In such circumstances, special jurors could be chosen so that the difficult aspects of the case may be better understood by a better educated juror. In fact this provision is rarely, if ever, used. It is virtually a dead letter and in England the corresponding provision was abolished in 1949, except for commercial cases. We do not have many commercial cases of great complexity here, and with the few we have had there has been no resort to this special

jury procedure. We propose, therefore, to abolish it in this Bill.

The list of those persons who are exempted from serving on juries was also examined to see whether or not it met current requirements. The list has been redrafted to take out three main categories of persons: (i) schoolmasters; (ii) bank managers; and (iii) employees of telegraph companies. It is felt that no great harm will come to the organizations where these categories of persons work, if they are summoned as jurors from time to time. One category has been added to the persons exempted from jury service and that is overseers of local authorities. It is felt that in a small local authority in which the king-pin is really the overseer, the work of the local authority may well be prejudiced if he is away for any length of time. The offices of certain other persons who remain exempted have been redesignated to bring them into line with current appellations.

Until 1956 juries were selected from a panel of about thirty jurors summoned for each criminal court. Nowadays during the Criminal Sessions in Georgetown there are usually three and on occasions four courts sitting at the same time. It was felt at that time that it might be more efficient to have one large panel of some 100 jurors from which the juries from the various courts could be drawn. The idea was to save money in jurors' fees as well as speed up the work of the courts, but in practice this anticipated efficiency has not materialized. In fact very much of the opposite has happened, and it has been found that one large unwieldy panel of over 100 jurors, who are summoned to attend court, have to hang about for long periods in the corridors until they are selected. It is difficult for the Judges to send them home even though they may not be wanted for another two or three days. The time of the jurors is wasted, their enthusiasm

[THE ATTORNEY-GENERAL]

for this extremely important public duty is blunted, a large amount of money has to be expended to pay them fees, and they are disgruntled because they could get on with their work if they did not have to attend court.

It has been recommended by the Law Reform Committee, which has considered the matter, that we should revert to the previous practice of selecting one panel of jurors for each criminal court, and this Bill provides accordingly. Whilst amending the Criminal Law (Procedure) Ordinance, which is one of the most important and frequently applied laws of the country, various matters which come to light in the courts in every-day practice have brought us to the conclusion that amendments would be justified in certain other respects which would make for the increased efficiency of the administration of the criminal law.

There is an anomaly in regard to the granting of bail to persons who are arrested on suspicion of having committed a criminal offence. When a person is arrested by a police constable in the exercise of his legal powers of arrest without a warrant, he is taken to the Police Station and the police under their own Ordinance have the power to grant him bail. If it is an appropriate case where bail can and should be granted, the man is offered bail on his own recognizance, or the recognizance of others, or by the deposit of money, and away he goes until he is due to attend court. But when a person is arrested on a warrant of arrest there is no power to grant him bail until he is taken before a magistrate. It sometimes happens that the magistrate is asked by the police to issue a warrant of arrest, and when the person is arrested late at night he cannot be granted bail until the magistrate is knocked up and allows him bail.

Elsewhere there is provision for what is known as 'backing a warrant of arrest'. That means an endorsement on the warrant to indicate that if the person is arrested he may be released by putting up a specified amount of bail. Clause 5 of this Bill seeks to remove this anomaly, and to give a magistrate the power to back a warrant of arrest and fix bail which will be to the convenience of the police, and the magistrates will not have to be knocked up in the middle of the night any longer.

There are two points which have been in doubt under the Principal Ordinance. One is whether or not a magistrate who hears a preliminary inquiry can commit an accused person for trial for an offence other than that with which he has been charged. It may turn out in evidence that the charge which the police have laid on the advice of their legal officer, who is a member of the Law Office Department, working for the time being at Police Headquarters, is not the appropriate one.

It has also been in doubt whether the Magistrate can commit a person for trial before the Supreme Court for an offence other than that for which he has been charged. It is right that our law should provide for this one. Clause 7 of the Bill does so. A judgment of the Federal Supreme Court recently ruled that the Attorney-General can indict a person for an offence other than that for which he was committed for trial by the Magistrate. Sometimes the Attorney-General, on considering the depositions, feels that a further charge should be added to the indictment. The provisions in Clauses 6 and 7 of the Bill will enable the Attorney-General to do this. It gives statutory effect to the ruling of the Federal Supreme Court.

There is one last provision which we feel ought to be in the law. When a person is committed for trial before the Supreme Court and is released on bail, as most people are, he nevertheless has

to go to a prison to get a copy of the indictment. When on bail he should be able to get the copy without having to go to prison for it and provision is made in the Bill for this.

This Bill, on the one hand, enables women jurors to sit at criminal trials in the Supreme Court and to take their place in the community with men. It also makes a number of desirable amendments to the Criminal Law (Procedure)

Ordinance. I beg to move the Second Reading of this Bill.

The Chief Secretary: I beg to second the Motion, and to move that this Council adjourns to 2 p.m. tomorrow.

Mr. Speaker: This Council stands adjourned to 2 p.m. on Thursday, 8th June, 1961.

Council adjourned accordingly, at 5.05 p.m.