THE HONOURABLE HOUSE OF REPRESENTATIVES

SESSION 2002–2003

TUESDAY, JUNE 11, 2002

PURSUANT to Notice of Adjournment the Honourable House of Representatives resumed its sitting at Gordon House, Kingston at 2.30 p.m.

PRESENT

THE SPEAKER

THE HONOURABLE VIOLET ACINTHA NEILSON (P.N.P.), St. James, East Central.

MR. ONEL THEOBALDS WILLIAMS (P.N.P.), St. Andrew, Western, Deputy Speaker.

MEMBERS OF THE CABINET

THE HONOURABLES:

DR. PETER DAVID PHILLIPS (P.N.P.), St. Andrew, East Central, Minister of National Security and Leader of Government Business.

RT. HONOURABLE PERCIVAL NOEL JAMES PATTERSON, Q.C., P.C., (P.N.P), Westmoreland, South Eastern, Prime Minister and Minister of Defence.

MRS. PORTIA LUCRETIA SIMPSON MILLER (P.N.P.), St. Andrew, South Western, Minister of Tourism and Sport.

ROBERT DIXON PICKERSGILL (P.N.P.), St. Catherine, North Western, Minister of Transport and Works.

KEITH DESMOND ST. AUBYN KNIGHT (P.N.P.), St. Catherine, East Central, Minister of Foreign Affairs and Foreign Trade.

JOHN ARCHIBALD JUNOR (P.N.P.), Manchester, Central, Minister of Health.

ARNOLD TENNYSON LEVY BERTRAM (P.N.P.), St. Ann, North Western, Minister of Local Government and Community Development.

DONALD BARRINGTON BUCHANAN (P.N.P.), St. Elizabeth, South Western, Minister of Water and Housing.

PHILLIP FEANNY PAULWELL (P.N.P.), Kingston, Eastern and Port Royal, Minister of Industry, Commerce and Technology.
THE HONOURABLE HOUSE OF REPRESENTATIVES

Horace Washington Dalley
(P.N.P.), Clarendon, Northern,
Minister of Land and the Environment.

Collington Randolph Campbell
(P.N.P.), St. Andrew, Eastern, Minister
of Information.

Dean Alexander Peart (P.N.P.),
Manchester, North Western, Minister
of Labour and Social Security.

MINISTERS OF STATE

THE HONOURABLES:

Terrence Derwent Gillette (P.N.P.),
St. Mary, Western, Minister of State
for Parliamentary Affairs and Deputy
Leader of the House.

Dr. Fenton Rudyard Ferguson
(P.N.P.), St. Thomas, Eastern, Minister
of State in the Ministry of Transport
and Works.

Michael Anthony Peart (P.N.P.),
Manchester, Southern, Minister of
State in the Ministry of Finance and
Planning.

Mr. Fitz Arthur Jackson (P.N.P.),
St. Catherine, Southern, Minister of
State in the Ministry of Education,
Youth and Culture.

Jennifer Pauline Edwards (P.N.P.),
St. Catherine, South Western, Minister
of State Ministry of Agriculture.

OTHER MEMBERS

Dr. Enoch Crafton Karl Blythe
(P.N.P.), Westmoreland, Central.

Mr. Canute Alphanso Brown
(P.N.P.), Hanover, Eastern.

Mr. Basil Antonio Burrell (P.N.P.),
Clarendon, South Eastern.

Mr. Delroy Hawmin Chuck (J.L.P.),
St. Andrew, North Eastern.

Mr. Horace Oliver Clue (P.N.P.), St.
Andrew, East Rural.

Mr. Abraham Joseph George Isa
David Dabdoub (J.L.P.), St.
Catherine, North Eastern.

Mr. Harry George Douglas (P.N.P.),
St. Mary, South Eastern.

Miss Babsy Olivia Grange (J.L.P.),
St. Catherine, Central.

Mrs. Sharon Merle Haye-Webster
(P.N.P.), St. Catherine, South Central.

Mr. Andrew Michael Holness
(J.L.P.), St. Andrew, West Central.

Mr. William James Charles
Hutchinson (J.L.P.), St. Elizabeth,
North Western.

Mr. George Ripton Lyn (P.N.P.),
Clarendon, North Central.

Dr. Paul Douglas Robertson
(P.N.P.), St. Catherine, South Eastern.
MRS. SHAHINE ELIZABETH ROBINSON (J.L.P.), St. Ann, North Eastern.

MR. VERNON WASHINGTON ST. ANTHONY ROBINSON, JNR (P.N.P.), St. Andrew, West Rural.

MR. KARL GEORGE SAMUDA (J.L.P.), St. Andrew, North Central.

RT. HONOURABLE EDWARD PHILLIP GEORGE SEAGA, P.C., (J.L.P.), Kingston, Western.

MR. DERRICK CHARLES SMITH (J.L.P.), St. Andrew, North Western.

MR. CLIFTON GEORGE WHYMS STONE (J.L.P.), Clarendon, North Western.

REV. RONALD GEORGE THWAITES (P.N.P.), Kingston, Central.

PRAYERS

Prayers were offered by MRS. S. HAYE-WEBSTER.

The Honourable House of Representatives resumed its sitting at approximately 2:30 p.m.

The SPEAKER—You may be seated please. This Honourable House now resumes its sitting.

CALL OF THE ROLL

(As listed).

The SPEAKER—I would wish at this time before we continue, to extend very special welcome to all of you present and say I am very delighted to see you all here. Hoping that your presence here means you have weathered the weather and you are better for it along with your people. Those who have suffered we give them our sympathy. Let's hope for a very pleasant and purposeful afternoon. I just understand and I look across and see Ambassador Mullings is here with us, (Applause), strange to see you sitting over there. But we welcome you specially and very happy to see you with us this afternoon.

Dr. PHILLIPS—Madam Speaker, just to indicate and through you to add the welcome of the House to the Honourable Oliver Clarke, who is the President of the "Private Sector Organization of Jamaica and the former President Mr. Peter Moses both of whom are here to witness an event which we hope to consummate a little while after this, Madam Speaker, and I am certain you would like to offer them and we are expecting some other Members to join us for the particular occasion as well.

The SPEAKER—May I convey the special welcome to you both and thank you for coming.
ANNOUNCEMENTS

The Clerk laid on the Table of the House copies of the following:

Ministry Paper No. 4


The Judiciary Salaries Order 2002 under the Judiciary Act.

Also laid on the Table of the House is the report of the Standing Order Committee re: Amendment to Standing Order Number 65.

BILLS BROUGHT FROM THE SENATE

The following is a message from the President of the Senate.

TO THE HONOURABLE HOUSE OF REPRESENTATIVES:

I have the honour to forward for the consideration of the Honourable House the undermentioned Bill which was passed by the Senate on the 7th day of June, 2002 and to seek the concurrence of the Honourable House.

The Bill entitled, "AN ACT to make provision for the designation of legal depositaries in Jamaica and for the deposit therein of documents published in Jamaica to repeal the Books, Preservation and Registration of Copies Act and for matters incidental thereto.

Signed: SYRINGA MARSHALL-BURNETT, C.D., President of the Senate.

Mr. JACKSON—Madam Speaker, I beg to signify my willingness to take charge of the Bill.

The Bill entitled; "the Legal Deposit Act, 2002", read a first time.

Mr. JACKSON—Madam Speaker, I beg to give notice of second reading of the Bill.

REPORTS FROM COMMITTEES

Dr. PHILLIPS—Madam Speaker, I beg to lay on the Table of the House the report of the Standing Orders Committee on its deliberations on the proposed amendment to Standing Order Number 65 on the matter of notetaking in Parliament.

NOTICES OF MOTIONS GIVEN ORALLY

Dr. PHILLIPS—Madam Speaker, I beg to give notice that with respect to the Standing Order Committee just mentioned which was laid on the Table of the House today that at the next sitting of the House I will move to have the report adopted.
PRESENTATION OF BILLS WITHOUT LEAVE OF THE HOUSE FIRST OBTAINED

Mr. WILLIAMS—Madam Speaker, I beg to move to introduce and have read a first time, a Bill shortly entitled, the Association of Local Government Authorities of Jamaica Incorporation and Vesting Act, 2002.

A Bill entitled; "the Association of Local Government Authorities of Jamaica Incorporation and Vesting Act 2002", read a first time.

Mr. WILLIAMS—Madam Speaker, I beg to give, notice of the second reading of the Bill.

Dr. PHILLIPS—Madam Speaker, I beg to move to introduce and have read a first time a Bill shortly entitled: "the Police Public Complaints Public Authority (Amendment) Act 2002".

A Bill entitled; "AN ACT to Amend the Police Public Complaints Authority Act", read a first time.

Dr. PHILLIPS—Madam Speaker, I beg to give notice of second reading.

PUBLIC BUSINESS

Dr. PHILLIPS—Madam Speaker, I move suspension of the Standing Orders to enable me to take the report of the Standing Orders Committee today notice of which I gave earlier.

The SPEAKER—The question is for the suspension of Standing Orders to allow the Minister to take the motion he just mentioned.

Put to the House and agreed to.

Dr. PHILLIPS—Madam Speaker, the Members of the House will recall that in April of this year the Deputy Leader of the House moved resolution:

BE IT RESOLVED that the House appoints a Standing Orders Committee comprised of membership drawn from both sides of the aisle chaired by yourself, Madam Speaker.

The matters for consideration of the Standing Orders Committee as referred to it by this House concern the question of the—first of all the role and functioning of the Standing Finance Committee and of course the second issue referred to it concern notetaking by members of the public visiting the Gallery.

The first matter, Madam Speaker, concerning the attendance of Members from the Upper House to Standing Finance Committee really seeks to correct an anomaly that is posed by the way the Standing Orders were constructed in that although it is a
requirement of the constitution that some Members of the Senate be appointed Ministers and it is the case that the constitution provides for not less than two (2) nor more than four (4) such Ministers to be selected from the Senate, and while from time to time those Ministers have full portfolio responsibility, it is the case that the Standing Finance Committee which considers the Estimates of Expenditure did not have an opportunity of hearing directly from the persons in charge of that portfolio so that they would be able to properly report to the Members of the Standing Finance Committee and through them to the House in order to make a determination in relation to the Budget proposals and the Estimates of Expenditure.

The Standing Orders Committee considered this, Madam Speaker, and indeed it recommended that a new sub-paragraph be incorporated into the Standing Orders of the House which would permit "Ministers appointed from the Senate under section 69(3) of the Jamaica Constitution Order in Council to be invited to participate in the deliberations of the Committee".

It may be, Madam Speaker, that the actual wording of the Standing Order would need to be vetted and considered by Chief Parliamentary Counsel and so in seeking the approval of the House in this, we are in fact seeking to enable the House, to give Chief Parliamentary Counsel an opportunity to determine the final wording of the amendment to be incorporated into the Standing Orders Committee. This however, being the will of the Standing Orders Committee and of the House.

The second matter, Madam Speaker, concerns the ability of persons seated in the Gallery to take notes. It has been a convention observed by this House that visitors in the Gallery are prohibit from taking any notes of the proceedings in Parliament.

The provenance of this particular convention, Madam Speaker, is not well known by those of us here. No doubt it was an effort to prevent mis-reporting of deliberations or tendentious reporting of deliberations taking place in the Parliament but having regard to the fact that developments in relation to the electronic media over time have permitted a verbatim record to be kept, we felt that it was in a sense superfluous and unnecessary for us to have this particular convention retained.

And therefore the committee is recommending that the convention should be in fact ended and that not taking of
Parliamentary proceedings by visitors should be allowed providing there is no disturbance to the proceedings.

Madam Speaker, I think this is in keeping with what has been a, one might almost say a tradition established by this administration and certainly during the life of this administration that has made Parliament more and more open to the public whom it should serve. All the committees of Parliament have been opened up and I think in addition, the Right Honourable Prime Minister should be commended for having introduced to this Parliament and recommended the appointment of a number of Standing Committees overseeing critical areas of policy. These have made tremendous contribution to the work of the Parliament and have provided an opportunity for the public to participate in the work of this Parliament in a very direct fashion.

I think that these two amendments that are being proposed by the Standing Orders Committee, one, to permit Senators holding ministerial portfolio to attend sittings and participate in the sittings of Standing Finance Committee and the other to permit persons to take notes in the Gallery will continue to reinforce the openness of Parliament and will continue to facilitate Parliament performing its function as the ultimate deliberative body in our country.

And on that basis, Madam Speaker, I recommend that the report of the Standing Orders Committee be accepted and adopted by this House. (Applause).

Mr. SAMUDA—Madam Speaker, think this is one matter before the House that is a non-controversial matter; it is one that we happen to concur with. I remember many years ago visiting the House of Commons when I was struck by a debate taking place and a member of the ruling Parliament at the time, the Government, rose and was very critical of a Minister of State that had made the speech and I hurriedly grabbed for a piece of paper to note the name of the member thinking that it would have been all right for me to bring it back and use it as an example. Whereupon I felt a very massive arm on my shoulder, say to me, no, no, that is not permitted here. And I have never forgotten that.

I think we have gone a very far distance away from that sort of convention.

Government Member—You remember the name.

Mr. SAMUDA—I didn't take note of it but I can tell you at the very same
sitting, Madam Speaker, a very famous Member of Parliament, Enoch Powell they were debating the Nationality Bill and while speaking a member of the audience rose in anger at some of the comments that he had made and I must say that within seconds he was lifted out bodily in a very unceremonious manner. That too was an example of what really is to happen here because there has to be some discipline maintained in the House. And you know you can always rely on me, Madam Speaker.

The SPEAKER—As of today.

Mr. SAMUDA—But the fact is, Madam Speaker, we are entering a world of openness and transparency. The Government without question is to be commended for the moves they have taken, the steps taken to open Parliament. But it must be also be mindful of the fact that the easy passage that they have enjoyed with those measures presented would not have been so easy had it not been for the full cooperation of the Opposition, but we welcome it and we think it is a step in the right direction. So the Opposition has absolutely no objection and supports wholeheartedly the measure brought before the House today. Thank you.

Dr. PHILLIPS—Madam Speaker, in view of the strenuous agreement on the part of my Friend opposite speaking I put the motion Madam Speaker.

The SPEAKER—The question is that the report be adopted.

Put to the House and agreed to.

Dr. PHILLIPS—Madam Speaker, I move that the sitting of the House be suspended. The purpose, Madam Speaker, as all would know is to enable the signing by the leaders of the two parties represented in Parliament, Prime Minister and the Leader of the Opposition, of two documents of fundamental importance to our country.

The first is the report of the National Committee on Crime and Violence and the second is the amended Code of Political Conduct. Both these documents have been the result of quite lengthy process of consultation undertaken by representatives of Both Sides and we propose to sign here today, Madam Speaker, in the presence of members of civil society whom have participated in this process and in that regard I would like to welcome again particularly the members of the Private Sector Organization of Jamaica whom have been part of that process.

Madam Speaker, I think it will be necessary for the Clerk to bring a table
into the House to enable the signing and therefore I move that the sitting of the House be suspended in order to enable us to have the signing of this document in the precincts of the House and in front of all the Members of Parliament and of the public who are here gathered.

The SPEAKER—The question is for the suspension of Standing Orders to enable us to sign the documents in front of the fitting Members of Parliament.

Put to the House and agreed to.

Suspension taken at Approximately 3:00 p.m.

THE RESUMPTION

The SPEAKER—The Right Honourable Prime Minister will now address us. (Applause)

The PRIME MINISTER—Although the sitting has been suspended permit me to address you as Madam Speaker. No one any longer entertains the slightest doubt that the problem of crime and violence constitutes the single greatest threat to Jamaica today.

To our democratic institutions

To the prospects for economic growth and investment

To the pace of our social development and well being

To our feeling of personal security—indeed to the most precious value of all that of life itself.

It is now generally accepted that the restoration of law and good order everywhere underpinned by the pillars of social justice and the due process of law, constitutes an imperative for the entire nation that can only be achieved by unity of purpose and action that is combined.

It is this stalk realization made the more compelling, by the increase of murders and the threatening consequences of the drug menace, which resulted in the Vale Royal Summit between the Leader of the Opposition and myself in the search for a national approach to the fight against crime and the prevalence of the gun culture.

It was widely acknowledged that such a meeting would perhaps be the last chance to pull back from the brink of the precipice. Both of us recognized that the success of our encounter would require careful preparation in advance.

Let me here pay tribute publicly to the Private Sector Organization of Jamaica led at that time by Mr. Peter Moses, (Applause), and to our two political teams for their contribution in ensuring a propitious climate for those discussions.
Let me also publicly acknowledge today, the invaluable work that was subsequently done by the National Committee on Crime and Violence, which we decided to establish in order to forge a broad based non partisan approach to reduce levels of violent crimes and to address the root causes of crime.

Madam Speaker, the existing Code of Political Conduct was drawn up in 1988. We felt that there was a need to update it and strengthen its general provisions in the light of our collective experience since then.

The National Commission, initially presided over by the then Minister of National Security and Justice, Honourable K. D. Knight convened in August of 2001, it contained representatives of the Government and Opposition, as well as representatives of the Church, non-Governmental Organizations and the Private Sector.

It was charged by the Leader of the Opposition and myself with the responsibility to develop a set of recommendations that could illicit public support and inspire confidence regarding the means to reduce crime and violence. I can say that the recommendations proposed by the Committee have kept true to this objective.

These recommendations comprise three (3) distinct but interconnected levels of intervention.

1. Establishing the legislative framework and the law enforcement capabilities to effectively deter hardened criminals;

2. Providing communities and individually an opportunity for a fresh start and or rehabilitation; and

3. Rebuilding the moral authority of elected officials who must lead the fight against crime and violence.

The final report of the National Committee on Crime and Violence made fifteen (15) recommendations, that focused primarily on the need to establish the legal operational and socio-economic framework to address the root causes as well as the manifestations of criminality.

The Leader of Opposition and myself and our respective teams had a Second Summit at Vale Royal in which we reviewed those fifteen (15) recommendations, and we took certain decisions and gave certain instructions to those who were commissioned thereafter, to put the consensus we had reached into its final form.
The recommendations which we have signed today, include proposed action to restore appropriate values and attitudes especially among our youth. To develop appropriate partnership between communities and the Private Sector, to improve Community Police relationships as well as to reduce access to illegal firearms and ammunitions.

The deliberations of the Committee and their recommendations, represent a significant milestone as we seek to create a national consensus on how best and decisively to deal with the problem of crime and violence.

The centrality of the threat to our nation makes it an absolute necessity for all well thinking Jamaicans to unite and wipe out the scourge of violent crime that threatens to undo all our efforts at nation building. (Applause).

The Government accepts that any attempt to overcome crime cannot simply be grounded in law enforcement or crime fighting strategies. It has to be a part of a continuing effort that acknowledges and seeks to address the alienating effects of social and economic marginalization and tribalism in whatever form and wherever it may exist.

We also recognize that while a solution to our crime problem requires the concerted efforts of all Jamaicans, it is incumbent upon the Government of the day to provide the requisite leadership. In this regard, we have already taken the lead and the recommendations to modify many elements of Government's current strategic crime plan, some of which are already being implemented.

The Peace Management Initiative that was launched in January of this year, represents a major attempt to bring peace to troubled communities and provide them with a fresh start. We have already started to see some positive results, we will be extending that initiative to other communities right across the country.

Policing reform is also high on our agenda. The Jamaica Constabulary Force has embarked upon a major programme of modernization and reform that will make the force better equipped, better trained and more professional than it has ever been.

We have also established a committee that will be responsible for parliamentary oversight of security matters, because those who are responsible for security must be held accountable, and Parliament as the Supreme Body must be aware of their operations and the extent to which they are meeting the targets that have been set.
In our first Vale Royal meeting, it was evident that there was a need to restore the position of the Political Ombudsman which had been abolished when we created the Public Defender. And so we confirmed our commitment in the document to reappointment of a Political Ombudsman.

I am pleased to report that placed before Cabinet yesterday, was the draft legislation that will enable the restoration of the Office of Political Ombudsman and that Bill will be presented to Parliament next week for its consideration.

Madam Speaker, the Citizen Security and Justice Project funded by the IDB to the tune of Twenty point Five Million US Dollars (US$20.5M) is another example of action already being taken by the Government. That project includes:

The development of an integrated National Crime and Violence Strategy; the strengthening of the criminal justice system; capacity building, both of the Ministry of National Security as well as the Ministry of Justice. Community action by non-Governmental Organizations to implement violence prevention initiatives; And a national social marketing and public education campaign that will be designed to influence attitudinal changes towards crime and violence.

In addition to these initiatives, the two major political parties have agreed to amendments to the agreement and declaration of political conduct that was jointly agreed by the two (2) major political parties in 1988.

This Code of Conduct, rejects the use of violence or intimidation to further political objectives; it advocates the exclusion of any individual found guilty of criminal conduct from candidacy for political office.

It incorporates a new provision that expressly prohibits the use of public funds for political bribery. This must be deplored whether those funds are derived from public projects or private donations. (Applause). The document also includes a Code of Ethics designed to guide the resolution of suspected breaches of the Code.

We believe it is incumbent on the political leadership of this country to ensure that it does not become implicated in the wave of crime and violence. Political leadership combined in effort is essential to the solution. We must avoid being part of the problem. (Applause)
As President of the Peopled National Party, I give my commitment to the nation, that no person found in breach of the Political Code of Conduct will be granted safe haven in this party. (Applause).

As Prime Minister, on behalf of the Government, I declare unequivocally that we will not attempt to use our Law Enforcement Agencies as a pawn for political purposes nor will we condone its indulgence in oppressive action. (Applause)

Our Law Enforcement institutions are the ultimate guarantors of human security without which progress is simply impossible. It is high time for all Jamaicans to show respect to the institutions by which we are governed, for law and order as well as respect for each other. (Applause).

Madam Speaker, there have been previous solemn occasions to witness earlier signing ceremony, I regard it as extremely fitting and appropriate that this signing ceremony where we have attested to the National Committee's Report on Crime and Violence as well as agreement and declaration on political conduct, that this ceremony should take place in Parliament, which is the supreme power in our country. This is truly a historic occasion. Let it serve as a beacon, let it provide fitting testimony that we who sit in this hallowed Chamber, no matter on which side of the aisle, firmly pledge to build a nation where freedom reigns and our people can dwell together in peace and harmony. (Applause).

The SPEAKER—Right Honourable Leader of the Opposition? (Applause).

Mr. SEAGA—I thank you. Madam Chairman.

There is now concurrence between both Parties that crime must be treated as a national consensus. This signing confirms that intention. This report deals with crime as well as issues which are peripheral to certain issues, to central issues, but which are believed to be root causes of crime. For instance, it is beyond question that the state of the economy and the level of education are not peripherals, but root causes. To fight crime, therefore, we cannot get away from the requirement to increase jobs and other economic opportunities if these root causes are to be dealt with effectively.

Along these lines are other peripheral social conditions. Of special significance is the stigmatization of communities which prevent residents, particularly young people from obtaining jobs and advancing their careers. The solution is to give
troubled areas the opportunity for a fresh start by prevailing on the media to use postal areas for reference to locations of crimes rather than the identity of communities, except in cases which dictate a necessity to be explicit. This is still to be dealt with by the President of the Private Sector Organization of Jamaica, who undertook to address the subject with the media.

Communities are vital partners in the fight against crime. If they are stigmatized they will lack motivation and credibility in their efforts. Communities need to be recognized as building blocks. The Citizens, Security and Justice Reform Project is an attempt to bring community residents together in peacemaking and as participants in the judicial process.

It would be nice to say that this project is proceeding to reach out in all the troubled communities, but this is not the case, because of the omission from the programme of the two (2) communities which are perceived to be the most troubled and violent prone, Tivoli Gardens and Matthews Lane. Perhaps this is a recognition of the prevailing peace process which has endured in this area for more than five (5) years which make them unnecessary participants. If so, this has deprived these communities of benefits and demotivated their residents by virtue of their exclusion.

If communities are to be fully enlisted in the fight against crime, there is a need to keep them informed on, how they are progressing. Unfortunately Police statistics on crime are broken down by police divisions, which consists of many communities. It is time now to provide community-based records to enable residents to know how they are progressing or failing and to take heart or redouble their efforts to succeed.

Communities can be the most vital source of guidance to police efforts to deal with crime. Sadly this has not been the case, because the same communities which could be allies of the security forces often find themselves pleading for justice. This is a root cause of the ineffectiveness of the efforts to fight crime and restore peace. As the Chief Justice, Lensley Wolfe has publicly stated, "there can be no peace without justice".

The justice system is in need of the same corrective treatment to deal with shortcomings and provide real solutions to give confidence to residents that justice is for all. While these are issues that are critical to a review of the problem of crime, there are even more fundamental issues. The question which arises is, fundamental to whom? It is well known
that Jamaica is a plural society, divided along lines demarcated by Uptown, Downtown, urban, residential, versus inner-city and rural communities. Middle and Lower income versus lower income and other criteria.

This agenda sees what is fundamental through the eyes of one or the other Jamaica. The Uptown urban residential Jamaica of lower middle to upper income class background or the Downtown inner-city rural community, working class, lower income Jamaica.

The difference is in how the system works. Where the economic system fails to provide adequate economic space for inner-city people and rural community residents, they create their own space. The informal economy. It lies outside of the formal economy and cannot be measured, much to the detriment of assessing the true performance of the economy. The drug trade, the market system of vending food, drink and haberdashery, goods, trades and petty services comprised the small informal economy. Where the formal education system provides quality space for one Jamaica only, the inner-city people and rural community residents used their rough education and wits to find a way to make progress, sometimes in an illegal way.

Where the formal system of justice is poor and unjust, inner city people, in particular, create their own justice system. It is in this society, based on an informal economy operated by a roughly educated people who develop their own rules or 'runnings' backed by crude but enforceable justice, when the rules are broken, that alternative systems emerged. Tribalism emerges in these circumstances as a natural and effective means of sharing in the formal system. The same is true, if the cake fails to grow and there are insufficient slices to allow a taste for all. Where one system does not provide true Justice and protection the inner-city people in particular, create their own system. This is the environment in which the Don emerges as the provider of crude, but swift and sure Justice and effective protection. To one Jamaica the Don is to be destroyed, to the other there is no alternative form of justice or protection. The formal criminal justice system to them is brutal and corrupt, with the forces of law and order acting as agents of partisan terror and death.

The presumptions of this agenda are based on the view points of one Jamaica only, the objectives are to get rid of tribalism. But those who will participate in the discussions to achieve these ends are the very ones who created the system
which has produced an inadequate economy, too weak to be shared for all and a perverted system of justice which fails to offer protection for all. This, therefore, should be the focal point of the agenda. It represents a departure from 'treading' the same ground again and repeating the same worn portfolio of proposed solutions. The real fundamental issues of concern should be, why the formal economy is not integrated with the informal system and why it fails to provide the growth necessary to ensure a slice of the cake for all. Why the education system provides for only twenty per cent (20%) of the students to receive quality education and twenty per cent (20%) to graduate as non-literates each year. Why is the criminal justice system failing to provide justice for all? When these questions are answered and solutions will be found for governance, for economic stewardship and for leadership in civil society. We must discuss their failure to provide the space for all that is the basis of a stable society. It reduced antagonisms that breed tribal warfare. It is the society which shares the economy for all, it provides quality education for all and dispenses justice for all. It creates from two, one Jamaica and truly one people. The answers, therefore, are not down there, they are right here.

If that one Jamaica is not objective, the objective of what to be achieved by these talks, Jamaica will continue to be a country of antagonism and suffering, victims of vengeance and victors of spoilt.

The report deals substantially with the role of Members of Parliament. It calls for political leadership to commit a set of values and a code of conduct consistent with the vision of a safe, peaceful and prosperous Jamaica. This we have done today in signing the revised Code of Conduct. The revisions of the code are small in number, but far-reaching in effect. They require that every effort be made to discourage road blocks which prevent citizens from going about their lawful business.

Candidates, or persons acting on behalf of candidates, should not used funds derived from any source public or private to improperly influence electoral choices. These are new provisions to deal with current problems which are affecting social and political stability. The original Code of Conduct has many other provisions dealing with non-violence and non-intimidation, safety of private and public property, avoidance of confrontation, public utterances, freedom of access, avoidance of defacing of buildings or installations and Code of
Ethics. These were settled in an historic signing at King's House between myself and Michael Manley in 1988.

If there are weaknesses in the capability of this code in ensuring conduct which is in compliance with the objective set out, it is to a significant extent, due to the lack of credible and effective leadership in adjudicating complaints. The adjudicator plays an extremely important role in enforcing right and correcting wrong. This is what will make the Code of Conduct more than a document of words without weight. To give effect to this importance the adjudicator is appointed to the post of Political Ombudsman, which carries the enormous power of subpoena of witnesses. So far no Ombudsman has been selected although this position is critical to the administration of the forthcoming general election, having been built into the new system of detecting and dealing with complaints and breaches at the highest level of the electoral machinery. We must ensure an early appointment. This historic day is a product of the work and dedication of the political leadership in the system of governance, the business leadership of the country and the leaders of civil society.

The nation must express its deep gratitude to all the participants, and in particular, the role of Mr. Peter Moses, former President of the PSOJ, who has been instrumental from the beginning, in last August, when the PSOJ brokered the participation of both Political Parties. (Applause)

I wish also to pay tribute to our two (2) hard-working public servants, the Honourable Peter Phillips and Mr. Derrick Smith who have guided this process to success which we all hope will endure for the betterment of Jamaica. (Applause).

Dr. Phillips—Madam Speaker, I rise to speak. We are at an end of this particular segment of the day's proceeding here.

I would like to again thank the Right Honourable Prime Minister and Right Honourable Leader of the Opposition, all the Members of the Private Sector Organization of Jamaica whom have contributed very much to this historic occasion and to all of those from the Senators and other Members of the public, Members of the Diplomatic Corps who are here with us in witnessing these events this afternoon.

In suggesting that we end this section of the proceedings. Madam Speaker, I should just the take opportunity to indicate that we have in our midst today
Mr. Peter Piot who is head of UN/AIDS and he will be invited to speak to us on the circumstances of the AIDS epidemic which threatens the entire globe.

We are inviting all of those who would wish to remain for that section of the sitting. But while we break we understand that there may be some who have urgent and legitimate business elsewhere and may want to leave.

So Madam Speaker, once again I want to express thanks to you, to the Clerk and her staff, and to everyone who has made this possible. Thank you very much. (Applause).

The SPEAKER—As the Minister has said, we are closing this section of the session so that those who have urgent business and wish to leave. However we are inviting all those who can make it possible to remain and be in attendance while Dr. Piot speaks to us.

(The House suspended its sitting at 3:40 p.m.).

(The House resumed its sitting at 3:45 p.m.)

The SPEAKER—We are going to have the second section of this sitting and I am going to ask Mr. Junior to introduce our special guest who is going to address us. Minister Junior.

Mr. Junior—Madam Chairman, thank you very much, Colleague Members of Parliament, Distinguished visitors in the Well and in the Gallery. It is my pleasure this afternoon to introduce to you Dr. Peter Piot who is under Secretary General of the United Nations and Executive Director of UNAIDS.

Professor Piot held the position of Professor of Medicine and Microbiology at the Tropical Institute of Medicine in Antwerp Belgium, he has been a consultant to the World Health Organization, has done extensive research in Sexually Transmitted Infections and AIDS in Africa. He has over five hundred (500) publications to his credit and he is in fact one of the persons who discovered the Ebola virus.

He has lent his support and the full weight of this office to us in Jamaica and the wider Caribbean in our fight against this dreaded pandemic. And it is my pleasure to ask him to address this gathering this evening, prior to our debate on the resolution speaking to the strategic plan on AIDS for Jamaica.

Dr. Piot. (Applause).

Dr. Piot—Madam Speaker, Right Honourable Prime Minister Patterson, Honourable Ministers of Government, the Right Honourable