



PARLIAMENT OF THE CAYMAN ISLANDS OFFICIAL HANSARD REPORT

First Meeting of the 2020/2021 SESSION
Fourth Sitting

Thursday
10 December, 2020
(Pages 1-43)

Hon. W. McKeeva Bush, OBE, JP, MP, Speaker

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PRESENT WERE:

SPEAKER

Hon. W. McKeeva Bush, OBE, JP, MP

MINISTERS OF THE CABINET

Hon. Alden McLaughlin, MBE, JP, MP	<i>Premier</i> , Minister of Employment, Border Control, Community Affairs, International Trade, Investment; Aviation and Maritime Affairs
Hon. Moses I. Kirkconnell, JP, MP	<i>Deputy Premier</i> , Minister of District Administration, Tourism and Transport
Hon. Juliana Y. O'Connor-Connolly JP, MP	Minister of Education, Youth, Sports, Agriculture and Lands
Hon. Dwayne S. Seymour, JP, MP	Minister of Health, Environment, Culture and Housing
Hon. Roy M. McTaggart, JP, MP (Via Zoom)	Minister of Finance and Economic Development
Hon. Joseph X. Hew, JP, MP	Minister of Commerce, Planning and Infrastructure
Hon. Tara A. Rivers, JP, MP	Minister of Financial Services and Home Affairs

EX OFFICIO MEMBERS OF THE CABINET

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

ELECTED MEMBERS

GOVERNMENT BACKBENCHERS

Ms. Barbara E. Conolly	<i>Deputy Speaker</i> , Elected Member for George Town South
Capt. A. Eugene Ebanks, JP, MP	Elected Member for West Bay Central
Mr. Austin O. Harris, MP	Elected Member for Prospect
Mr. David C. Wight, MP	Elected Member for George Town West

OPPOSITION MEMBERS

INDEPENDENT MEMBERS

Hon. V. Arden McLean, JP, MP	<i>Leader of the Opposition</i> - Elected Member for East End
Mr. Alva. H. Suckoo, MP	<i>Deputy Leader of the Opposition</i> - Elected Member for Newlands
Mr. Christopher S. Saunders, MP	Elected Member for Bodden Town West
Mr. Bernie A Bush, MP	Elected Member for West Bay North
Mr. D. Ezzard Miller, MP	Elected Member for North Side
Mr. Kenneth V. Bryan, MP	Elected Member for George Town Central
Mr. Anthony S. Eden, OBE, MP	Elected Member for Savannah

**OFFICIAL HANSARD REPORT
FIRST MEETING OF THE 2020/2021 SESSION
THURSDAY
7 DECEMBER 2020
11:00 AM
Fourth Sitting**

[Hon. W. McKeeva Bush, Speaker, presiding]

The Speaker: Good morning.

I call now on the Honourable Member for Savannah to grace us with prayers.

PRAYERS

Mr. Anthony S. Eden, Elected Member for Savannah: Let us pray.

Almighty God, from whom all wisdom and power are derived: We beseech Thee so to direct and prosper the deliberations of the Parliament now assembled, that all things may be ordered upon the best and surest foundations for the glory of Thy Name and for the safety, honour and welfare of the people of these Islands.

Bless our Sovereign Lady, Queen Elizabeth II; Philip, Duke of Edinburgh; Charles, Prince of Wales; and all the Royal Family. Give grace to all who exercise authority in our Commonwealth, that peace and happiness, truth and justice, religion and piety may be established among us. Especially we pray for the Governor of our Islands, the Premier, the Speaker of the Parliament, the Leader of the Opposition, Ministers of the Cabinet, ex-officio Members, Members of the Parliament, the Chief Justice and members of the Judiciary, that we may be enabled faithfully to perform the responsible duties of our high office. All this we ask for Thy great Name's sake.

Let us say The Lord's Prayer together: *Our Father, who art in Heaven, Hallowed be Thy Name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the Kingdom, the power and the glory, forever and ever. Amen.*

The Lord bless us and keep us; the Lord make His face shine upon us and be gracious unto us. The Lord lift up the light of His countenance upon us and give us peace, now and always. Amen.

And as King David said, pray for peace in Jerusalem.

The Speaker: Please be seated.

Proceedings are now resumed.

**ADMINISTRATION OF OATHS
OR AFFIRMATIONS**

The Speaker: None.

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

The Speaker: Thank you.

Honourable Members, sometimes we only get to draw Members' attention to whom we think are the most prominent, or family members of ourselves who have passed away.

Today I bring your attention to the passing of a very genuine friend and a good Caymanian, Ms. LaVerne Daykin. I am sure most if not all of you are aware by now that she passed away on Monday evening after a short illness.

To me, she was one of a kind—full of life, fun-loving, and a most genuine person. Laverne had no airs about her; she was a Caymanian all the way. She saw our faults and our nuances, but she was the first to speak up in defence of these islands on any matter.

She was a well-balanced individual. She served for years on the various immigration boards of various governments; she was a source of balance, of fairness, and one who knew the lay of the land so she could make good decisions on immigration matters that genuinely benefited people and served our islands well.

Most of us would know her family, as her late father was an icon in his own right, having the very first museum in the country, the Ira Thompson Museum; a very prominent family—her family, sisters and brothers—being outstanding citizens, pioneers in various businesses in this country.

She understood politics, and loved it. Chose whom she supported. I'll never forget, at a very important all-island political meeting held in West Bay Town Hall, by the late National Hero Jim Bodden, she and her sister were up front and they had their say. Mr. Jim said, "*shut up; you all are from George Town*" and they said, "*and you are from Bodden Town.*" She was a good person, my genuine friend.

I do not think there are any blood family to her in the House at this point in time, except that my great-grandmother was from the then district of Pro-

spect and she was from the Thompson's clan, when we traced back family to them.

Before we rise for a minute of silence, of respect, as we remember her and pass on our deepest sympathy to all of her family, her siblings, and her children, let me also put on record the passing of Ms. Pat Bazell-Taylor, affectionately Ms. Pat to us.

Here we have the passing of one of the sweetest persons to migrate to Cayman, as far as I am concerned. She came to Cayman and for years and years she served the Pirates Week's office; I believe from the beginning of it under National Hero, the Hon. Jim Bodden.

Ms. Pat was a source, had a depth of knowledge of Cayman and the work of our national cultural week. She worked with me in the early days of my Ministry of Tourism and I was always appreciative of her wealth of knowledge and her genuine care for our national festival. We certainly want to extend our sympathy to her family. Let us stand for a minute of silence in recognition of both.

Minute of Silence

The Speaker: Thank you; please be seated.

I want the House to continue to recognise that our colleague the Honourable Minister of Finance is still meeting with us via Zoom.

PRESENTATION OF PETITIONS

The Speaker: None.

PRESENTATION OF PAPERS AND OR REPORTS

OFFICE OF THE AUDITOR GENERAL CAYMAN ISLANDS – EFFICIENCY AND EFFECTIVENESS OF THE UTILITY REGULATION AND COMPETITION OFFICE (OFREG) – JUNE 2020

REPORT OF THE STANDING PUBLIC ACCOUNTS COMMITTEE ON THE REPORT OF THE OFFICE OF THE AUDITOR GENERAL ON THE EFFICIENCY AND EFFECTIVENESS OF THE UTILITY REGULATION AND COMPETITION OFFICE (OFREG) – JUNE 2020

The Speaker: The Member for North Side.

Mr. D. Ezzard Miller, Elected Member for North Side: Thank you, Mr. Speaker.

Mr. Speaker, I seek leave of the Parliament to lay on the Table the following reports:

Report of the Office of the Auditor General on the Efficiency and Effectiveness of the Utility Regulation and Competition Office (OfReg); and the Report of the Standing Public Accounts Committee on the

Report of the Office of the Auditor General on the Efficiency and Effectiveness of the Utility Regulation and Competition Office (OfReg) – June 2020.

The Speaker: So ordered. Is the Member speaking [thereto]?

Mr. D. Ezzard Miller: Yes, Mr. Speaker.

Now that the Report of the Standing Public Accounts Committee and the Report of the Office of the Auditor General on the Efficiency and Effectiveness of the Utility Regulation and Competition Office, commonly called (OfReg), have been Tabled and therefore made public in accordance with Standing Orders, I now have a moral and ethical duty to speak to the Report and to defend the Public Accounts Committee.

Firstly, this is not a report by me, the Member for North Side electoral district; neither is this a report by the Chairman of the Public Accounts Committee. This is a report of the Standing Public Accounts Committee under full agreement of each Member, signified by their signatures on the Report.

The Public Accounts Committee unanimously agreed to this Report at its meeting on Wednesday, the 7th October, 2020 on a Motion moved by Mr. Austin Harris and seconded by Ms. Barbara Connolly. There are no dissenting reports to this Report. I am only the Chairman of the Public Accounts Committee, tasked by Standing Orders to Table this Report. Now, Mr. Speaker, let me turn to the Report.

As I said earlier, this is the Standing Public Accounts Committee Report to the Cayman Islands Legislative Assembly under Standing Order 77. This report is prepared and submitted to this Parliament on the Efficiency and Effectiveness of the Utility Regulation and Competition Office.

In accordance with Standing Order 77(3), the Committee considered the following Auditor General's Report, which was referred to the Parliament—at that time the Legislative Assembly—on the Efficiency and Effectiveness of the Utility Regulation and Competition Office (OfReg) which the Auditor's Office prepared in June, 2020.

The following Members of the [former] Legislative Assembly, now Parliament, are the present members of the Standing Public Accounts Committee:

Mr. D. Ezzard Miller, MLA, Chairman
Mr. Christopher S. Saunders, MLA, Member
Mr. Austin O. Harris, Jr., MLA, Member
Mr. Bernie A. Bush, MLA, Member
Hon. Barbara E. Connolly, MLA, Member,
Deputy Speaker
Mr. David C. Wight, MLA, Member

The Committee held seven meetings to consider this Report:

Public Hearings

Wednesday, 15th July, 2020
Thursday, 16th July, 2020
Wednesday, 22nd July, 2020
Thursday, 23rd July, 2020
Friday, 24th July, 2020

Administrative Meetings

Wednesday, 9th September, 2020
Wednesday, 7th October, 2020

The attendance of the members in the meetings or proceedings is recorded in the Minutes attached to the Report; persons in attendance at these meetings were:

Office of the Auditor General

- Mrs. Sue Winspear, Auditor General
- Ms. Angela Cullen, Deputy Auditor General (Performance Audit)
- Ms. Yolanda Clarke, Audit Project Leader
- Ms. Erin McLean, Audit Trainee

Ministry of Finance and Economic Development

- Mr. Kenneth Jefferson, Financial Secretary/Chief Officer
- Ms. Anne Owens, Senior Assistant Financial Secretary
- Mr. Matthew Tibbetts, Accountant General
- Ms. Gloria Myles, Deputy Accountant General

Witnesses called before the Committee

In accordance with the provisions of Standing Order 77(4) the Committee invited persons to give information and explanations to assist the Committee in the performance of its duties.

The following persons appeared before the committee to give evidence on Wednesday, 15th July, 2020:

Utility Regulation and Competition Office (OfReg)

- Dr. Hon. Linford A. Pierson, Chairman of the Board
- Mr. Gregg Anderson, Executive Director - Energy and Utilities

Cabinet Office, Cayman Islands Government

- Mr. Samuel Rose - Cabinet Secretary and Chief Officer

The following persons appeared before the committee to give evidence on Thursday, 16th July, 2020:

Utility Regulation and Competition Office (OfReg)

- Mr. Duke Munroe, Executive Director, Fuels
- Mr. Alee Fa'amoe, Executive Director, ICT
- Mr. Malike Cummings, Chief Executive Officer
- Mr. Ronnie Dunn, Deputy Chairman of the Board

The following persons appeared before the Committee to give evidence on Wednesday, 22nd July, 2020:

Sol Petroleum Cayman Ltd.

Mr. Pierre Magnan,
President and Chief Executive Officer,
Sol Investments SEZC and Parkland International

Rubis Cayman Islands

Mr. Nicolas de Breyne,
Vice President & Managing Director

Refuel Cayman

Mr. Dow Travers,
Chief Executive Officer

Mr. Michael Alberga,
Attorney-at-Law

Brown's Esso

Mr. Johnny Brown,
Chief Executive Officer,
Brown's Group of Companies

The following persons appeared before the Committee to give evidence on Thursday, 23rd July, 2020:

Caribbean Utilities Company (CUC)

Mr. Richard Hew,
Chief Executive Officer

Ms. Letitia Lawrence,
Chief Financial Officer

Digicel Cayman Limited

Mr. Raul Nicholson-Coe,
Chief Executive Officer

Flow Cayman (Cable & Wireless)

Mr. Daniel Tatham,
Director

Mr. Giosino Colaiacovo,
Finance Manager

Mr. Rob Mayo-Smith,
Business Consultant

Mr. David Burnstein,
Senior Manager, Regulatory Affairs

Ms. Kecia Taylor,
Manager Legal Affairs, Caribbean
C&W Caribbean (Via Zoom)

C3 Pure Fibre

Mr. Randy Merren,
Managing Director

Mr. James Bergstrom,
C3 Board Member

Mr. Kris Bergstrom,
C3 Board Member

The following persons appeared before the Committee to give evidence on Friday, 24th July, 2020:

Fuels, Regulation and Competition Office (OfReg)

- Mr. Duke Monroe, Executive Director

Department of Vehicles and Equipment Services (DVES) and consultant to the National Roads Authority (NRA)

- Mr. Colford Scott, Retiring Managing Director and consultant to the National Roads Authority (NRA)

Regulation and Competition Office (OfReg)

- Mr. Alee Fa'amoe, Executive Director ICT

Practice and Procedure of the Committee

The Committee agreed that in accordance with the provisions of Standing Order 77(6), all meetings at which witnesses were invited to provide information should be held in an open forum. The decision was taken to promote openness and accountability in Government.

The Committee is troubled that some of the evidence given by the Chairman of OfReg was non-factual when he appeared as a witness before the Committee on Wednesday, 15th July. During the hearing, the Auditor General intervened to correct the facts. The Committee was further concerned that despite the Auditor General's intervention, the Chairman of OfReg continued to make the same false statement.

Before the first witness was called on Thursday, 16th July, the Chairman and the Committee requested that the Office of the Auditor General analyse the discrepancy in the facts enunciated by the Chairman of OfReg in the previous day and report back to the Committee with evidence to support the Auditor General's assertion that the Chairman's testimony was inaccurate.

On Wednesday, 22nd July, before the first witness was called, the Chairman invited the Auditor General to present her findings to the Committee. The Auditor General assented, and read into the record a prepared statement of her findings. The Committee accepted the Auditor General's evidence-based findings and there were indeed inaccuracies in the Chairman of OfReg testimony, on Wednesday, 15th July, when he appeared as a witness before the Committee.

In addition, subsequent to the Auditor General's verification of the facts using the audio tapes, a further check was made of the full verbatim transcripts of the Chairman's testimony, and the Auditor General's findings were confirmed to be accurate and correct.

The PAC wishes to strongly discourage further incidents of witnesses providing false statements to the Committee.

PAC Recommendations

On review of the Auditor General's Report, critical analysis of five days of witness testimonies, and lengthy deliberations amongst the Committee members, the PAC makes the following recommendations on how to improve the efficiency and the effectiveness of the Utility Regulation and Competition Office (OfReg).

General Recommendations

- 9.01** The PAC endorses and strongly supports the 16 recommendations of the Auditor General and her team.

Governance of OfReg

- 9.02** The Committee has serious concerns about the evidence given by the Chairman of the OfReg Board and it is of the opinion that the organisation is unlikely to make the progress

that needs to be made with the current Chair in post. The PAC strongly believes that the Government should consider appointing a new Chair for OfReg's Board as soon as possible.

9.03 The Committee is concerned that despite OfReg being a statutory authority, the Cabinet Secretary does not appear to have a strong enough oversight role as he does not have an ex officio seat on OfReg's board. The Committee recommends that the Government remove any anomalies in the legislation to allow the Cabinet Secretary's role in relation to the oversight of OfReg to be strengthened.

9.04 The PAC heard evidence from OfReg, and a number of the regulated utility service providers that the transition from the predecessor bodies to OfReg has resulted in delays in decision making, including market studies and assessments, licensing frameworks, and regulatory decisions known as administrative determinations.

The PAC has serious concerns about the delays in OfReg's decision making. The Committee heard evidence from OfReg that a number of factors contributed to these delays, including the way the Board has been operating, the duty to consult as required by the Utility Regulation and Competition Law, and the lack of access to regulatory lawyers.

The PAC recommends that the Government amends the legislation to require the time decisions are made, while ensuring that due process is followed to inform good quality decisions.

The PAC also recommends that OfReg ensures that it has access to the regulatory legal advice, and any other technical advice it needs to expedite regulatory decisions.

9.05 The PAC is concerned that the OfReg's Board has been too involved in operational decisions and that further clarification is needed on the roles of Non-Executive Directors, including the Chair and Executive Directors.

The PAC recommends that OfReg develops a clear understanding on the difference between the roles of the Non-Executive, Chair and Directors and its Executive Directors.

The PAC also recommends that OfReg amends its operating procedures to delegate decisions to the Chief Executive Officer and Executive Directors as appropriate.

9.06 The Committee noted the extended period that the Chief Executive Officer post was vacant and concurs with the Auditor General's

opinion that this resulted in a leadership gap. Despite the Chair of OfReg testifying that a succession plan for the Chief Officer was prepared, the PAC heard that other Board members were not aware of this, and the Office of the Auditor General confirmed that there was no record of this having been discussed or formally approved by the Board. To ensure this does not happen again, the PAC recommends that the OfReg Board prepares and approves a succession plan for the Chief Executive Officer's post and that it takes responsibility for implementing this.

9.07 The Committee was concerned that no performance appraisals were done or feedback provided to the Executive Directors and Acting Chief Executive Officers in the first three years and that the Executive Director's performance objectives for 2020 had not been set at the time of the hearing in July 2020.

The PAC recommends that the Chief Executive Officer of OfReg set performance objectives for the Executive Directors as soon as possible and in future years that they are to be agreed in advance of the year starting.

9.08 The Committee is disappointed that more than three years after its creation, OfReg's website is incomplete [with] many pages stating "coming soon", including basic information such as the management team and Board of Directors. At the hearing of the 16th July, the PAC heard that OfReg was in the process of commissioning a consultant to redesign the website. The PAC recommends that OfReg update its website as soon as possible and maintain the website and keep it up to date.

Recommendations concerning regulation of the fuel sector

The Committee acknowledges that the regulation of the fuel sector is relatively new; however, one of the reasons for the creation of OfReg was to ensure fairer fuel prices while safeguarding fuel quality and safety. The PAC heard that OfReg aims to encourage price reduction through competition. However, it is concerned that there is limited competition in supplying fuel with only three suppliers in the market. The PAC has significant concerns about the price of fuel in the Cayman Islands and the lack of transparency in setting fuel prices.

9.09 The PAC is disappointed that the review of the fuel sector which OfReg first referred to in 2018, that will be used to inform fuel prices

such as reasonable margins for wholesale and retail and other market decisions has still not been completed. The PAC recommends that OfReg complete the market review of the fuel sector and make recommendations, including how to reduce the price of fuel, to the Cabinet as soon as possible.

9.10 The PAC heard evidence that a number of factors contributing to higher fuel prices in the Cayman Islands, when compared to other jurisdictions including quality of fuel, transportation, cost of living and service, compared to self-pump. However, the PAC remains unclear how fuel prices are made up and would like to see better transparency of prices. The PAC recommends that OfReg provide transparency on the mark-up of fuel prices.

9.11 The PAC heard evidence from Caribbean Utilities Company in relation to what it was charged by fuel wholesalers for freight and insurance costs to deliver the fuel from the point of purchase to the terminals in Grand Cayman. This evidence has led the PAC to conclude that there is a difference of \$2.00 to \$3.00 between the landed cost of fuel and retail prices. The PAC recommends that the Government determine what the wholesale price of fuel is, and that all retailers should be charged equivalent prices.

9.12 The PAC heard that the quality of fuel in the Cayman Islands is of a higher specification when compared to other jurisdictions and that this should not be changed as it may adversely affect the performance of motor vehicles. The PAC also heard that some fuel suppliers augment their fuels with additives to enhance performance and reduce emissions. The PAC recommends that OfReg ensure that the quality of fuel is maintained and monitors the additives used to supplement fuels.

9.13 The PAC notes that the Government's National Energy Policy 2017/2037 states that they will explore with fuel suppliers the viability of introducing limited blends of ethanol up to E10 and biodiesel up to B5, but only one supplier in the Cayman Islands, Refuel, appears to be doing this. The PAC also heard that due to a lack of joined-up policy across government, a number of barriers were in place to encourage this; for example, custom duties being charged on biodiesel additives which contribute to higher prices. The PAC recommends that the Government ensures that its legislation and policy in respect to energy and fuels are aligned across government

to encourage innovation and ensure best prices for consumers.

The PAC also recommends that the Government consider waiving duty on biodiesel and any other products that would help to move to greener fuel and contribute to its National Energy Policy.

9.14 The PAC is concerned that two of the players in the fuel market, Sol and Rubis, have significant market power as they are suppliers, wholesalers, distributors, and retailers of fuel. The PAC acknowledges that Local Company Control Licences (LCCL) are awarded by the Department of Commerce and Investment. However, OfReg is obligated to ensure that licensees abide by the laws and conditions of their licence, and the PAC was disappointed that despite OfReg's testimony that they were unaware of the way they operate, they had taken no action to determine whether this was within the law and the terms of their LCCLs. The PAC believes that further investigation is needed. The PAC recommends that OfReg determine whether Sol and Rubis are operating outside the requirements of their individual LCCLs and legislation.

9.15 The PAC heard that the Fuels Directorate only has a head count of four staff, including the Executive Director, and was operating with only two staff in place. The PAC is concerned that this may have contributed to delays in the effective regulation of the fuel sectors; OfReg should ensure that it has sufficient staffing in place to properly regulate the fuel sectors.

Recommendations concerning regulation of the ICT Sector

The PAC acknowledges that the ICT sector was liberalised in 2004 which has resulted in more ICT providers entering the market and increasing competition. However, the PAC is concerned about the limited internet services across all three Islands, resulting in a lack of choice in some areas and poor service quality.

9.16 The PAC heard evidence from OfReg that one of the ICT providers that there were problems with DataLink, a subsidiary of CUC, and Flow (Cable and Wireless) providing access to their infrastructure to help the rollout of internet services. The PAC also heard that OfReg has been reviewing the licencing framework for ICT for a number of years and as a result, the licenses for some of the suppliers had expired and had been extended on more than one occasion.

The PAC recommends that OfReg develop and introduce a new ICT licencing framework as soon as possible.

- 9.17** The Committee is disappointed that telecommunication providers have not invested in, nor developed the broadband network as the Government intended, leaving many households across the three Islands without access to sufficient internet services.

The PAC recommends that OfReg enforce the conditions of the lease agreements with internet providers, particularly in respect to infrastructure sharing to ensure that they roll out better internet services throughout the Cayman Islands.

- 9.18** The PAC is disappointed that the telecommunication providers have not maintained the infrastructure and that many of the poles and lines are in a bad state of repair. The PAC recommends that the Government amend its licence agreement for the ICT sector to include a requirement to maintain high-quality infrastructure. The PAC also recommends that OfReg should monitor the quality and safety of the infrastructure and ensure that poles and lines not in use are removed.

- 9.19** The PAC heard evidence that despite OfReg having made regulatory decisions in relation to infrastructure sharing, these have been ignored by ICT providers. The PAC recommends that the Government amend the legislation to allow OfReg to impose penalties if ICT providers do not comply with their administrative determinations.

The PAC notes from the OfReg report and witness testimony that infrastructure sharing regulations for the ICT sector have been in place since 2003; however, the PAC heard that there is resistance from the original telecommunication companies in sharing the infrastructure with the new ICT providers in the market.

The PAC is concerned that this is significantly inhibiting the rollout of internet services throughout Grand Cayman and the Sister Islands, and believes that OfReg needs to be more forceful in its enforcement of compliance with them. The PAC recommends that OfReg compel the telecommunication companies to share their infrastructure, as set out in the regulations, to speed up the rollout of internet services.

End of recommendations.

The Committee expects that the Government will respond to these recommendations within 90 days in the Government Minute.

Now, Mr. Speaker, as you, all Members of this Parliament and the listening public will have just heard that this Report makes no allegations against the Honourable Dr. Linford Pierson or anyone else. The Report of the PAC simply, appropriately, and within the confines of Standing Orders, makes, proposes, and suggests a series of recommendations to OfReg and to the Government generally, to which the Government is required by Standing Orders to respond in a Government Minute within 90 days, whether the Government accepts or rejects these recommendations.

However, I must defend the PAC against the allegations of the Honourable Dr. Linford Pierson, as he is the only witness who made any allegations before, during, and after the hearing on July 15th, 2020. Mr. Pierson's allegations that he was not treated with respect during the hearings are rather mendacious.

Here are the facts: When the Honourable Dr. Linford Pierson received his invitation to appear before the PAC, he called me several times before the PAC and I spoke to him twice and at all times, I was most cordial and respectful, although I could not agree with his request to make an opening statement, or to discuss the work of the Committee because of the limitations and restrictions in the Standing Orders.

When he arrived at this Parliament building on July 15th, 2020, he was invited into the dining room for coffee with me and Mr. Saunders, the Member for Bodden Town West and a member of the PAC Committee. He immediately turned the conversation into an adversarial one, making accusations and threats that he would take on the PAC in other media forums if we did not treat him right. We both tried to calm him down and assured him that the PAC was not adversarial in its approach at these hearings.

The Honourable Dr. Linford Pierson, during the opportunity to give evidence to the PAC, then decided to attack the Auditor General and her staff about how the performance audit was conducted. He claimed that the audit staff had not interviewed him in his capacity as Chairman of OfReg Board. The audit staff claimed that he had been interviewed during the preparation of the report, and evidence was committed.

After there was a disagreement between the witness, the Honourable Dr. Linford Pierson, and the audit staff as to whether he had been interviewed or not, the Committee asked the Auditor General to produce documentary evidence that they had met with the Honourable Dr. Linford Pierson as Chairman of OfReg. The Auditor General did the research, produced the evidence, including copies of interview notes, and confirmed they had indeed met the Honourable Dr. Linford Pierson on Wednesday, November 13th, 2019 at 10 a.m. and a meeting that was sup-

posed to have finished within an hour had gone on until 12:30. The Audit Office also produced evidence that the whole audit team, including the Auditor General herself, met with the entire Board of OfReg, including Honourable Dr. Linford Pierson on December 12th, 2019.

Faced with that evidence, the Committee then decided to redact the inaccurate statement by Dr. Pierson, not his complete testimony as he has reported. The Committee made this decision, not the Auditor General, as Dr. Pierson enumerated in many correspondences that we should not have allowed the Auditor General to be investigator, jury, and judge, as to whether they had met him.

The Committee made the decision that the evidence produced by the Auditor General [both] authenticated and confirmed that the Audit Office had met with Dr. Pierson as Chairman of OfReg on two occasions. That was also confirmed by another board member at a witness hearing after that; however, on advice from the Clerk about the redaction and in the authority that you referred to on Monday, it was obvious that it is being done, in places like New Zealand, that when these things are found, they are redacted.

The Committee, in a later administrative meeting, decided that the preferred course of action was to leave it all in the report and let the public decide on the evidence.

Mr. Speaker, in the end, no transcripts were redacted, and nothing was struck from the record. What the Honourable Dr. Pierson said on the 15th of July which was inaccurate is there for all to see, and they can hear it if they go to the government's YouTube channel. What was done was that I asked the Audit Office to fact-check what was claimed by the Chairman; and what we put in the report is facts — not opinions, not accusations, and not allegations.

This OfReg Performance Audit — the Auditor General's Report on its Performance and Effectiveness — was signed off by OfReg itself. The OfReg Board and the Executive Director all confirmed that the facts, as presented in the report, were factual. They may disagree with the recommendations, which either the Audit Office or the Public Accounts Committee drew from the facts presented with it, but the facts of the Report were agreed and accepted.

The Report makes no allegations against the Honourable Dr. Pierson.

Mr. Speaker, the Honourable Dr. Linford Pierson complained to you about my not responding to his e-mail. Both he and you would be fully aware that under the Standing Orders no member of the Committee nor I is allowed to discuss with any member of the public matters that are not public in hearings.

Secondly, the Standing Orders that cover "Select Committee" specifically prohibit any Standing Committee of this House from delegating its authority onto the Chairman and, as to his claim that I did not

treat him with the respect he thinks he deserves, is contradicted by the *Hansards* attached to this report, and you will see that I bent over backwards to allow him and show him respect. Respect he did not reciprocate during the hearings. Instead, he questioned my qualifications to be Chairman of the Committee.

Mr. Speaker, I could go on much longer and continue to refute the accusations of the Honourable Dr. Linford Pierson, but I think it is sufficient to let the report speak for itself. I am confident that the Public Accounts Committee functions well within the rules, procedures, and practices demanded and expected of such an important Committee of this Parliament. This Parliament's PAC and the way it functions are the envy of most of the countries in the Commonwealth.

All the Committee members take their duties and responsibilities seriously, and work hard and diligently to perform their tasks fairly. I wish to publicly thank the members of the Committee for their hard work and to encourage them all to continue to perform above and beyond the call of duty.

I also wish to thank the staff of this Parliament for their support and hard work, especially our new Committee Clerk, Mrs. Patricia Priestley.

Thank you, Mr. Speaker.

[Cross-talk]

The Speaker: Honourable Members, in regard to the Report which has now been laid, I had to bring attention to what was reported to me, which I will address just so that Members understand clearly what the Presiding Officer was dealing with.

I hold no brief for the Chairman of OfReg. I have worked with Mr. Pierson as a member of this House for years. I have never known him to tell a lie; I found him to be a very meticulous person, careful of his responsibility to the extent that we would say that he was too proud. I hold no brief of OfReg.

No doubt, the PAC has its right to make reports on its findings. As Presiding Officer, my concern is that any witness whose testimony is being challenged and whose reputation could be besmirched, smeared by being called a liar, as the Chairman went on again to do. If that witness feels that their character has been impugned, they have a right to be heard and for their testimony to be included in the verbatim record in full. That is my concern as Presiding Officer of this honourable House. That is a right given not only by the precedents and conventions of Parliaments throughout our Commonwealth, but also under the rule of law.

Public opinion swings to and fro; justice cannot be decided by public opinion, radio shows, or social media. My advice as Presiding Officer—and it would be so of any person being the Presiding Officer—is that a witness must be given an opportunity to hear or read allegations against them and be able to respond. Witnesses' evidence must be recorded in

full where it is not secret, in the verbatim reports or minutes.

The Member for North Side has used his privilege as a Member in this House to give a version of a matter that I cannot and will not speak to. My concern is that witnesses must be given an opportunity to hear allegations against them. I disagree that the report has not called him a liar. I mean, the Member for North Side has constantly repeated that; where does that come from?

[Inaudible interjection]

The Speaker: It is repeated in the verbatim report, if you go back to it. It certainly says that the witness was not telling the truth; not telling the truth is a liar.

My ruling stands in regard to the treatment, public and otherwise, of witnesses in committees. If witnesses complain to me as Presiding Officer, then I have to respond, particularly if it is not fully addressed in the reports. I doubt that you will hear the last of that matter, unfortunately.

I want to agree with the Member for North Side that our Public Accounts Committee has come a long way from where we found it back in 1984. The Member for North Side is the Chairman and he—

[Inaudible interjection]

The Speaker: —read the report.

[Inaudible interjection]

The Speaker: Well, as I would imagine that as part of the Committee, the Chairman does have input in a report, but I don't sit in the Public Accounts Committee, and therefore, I can make no judgments on it, and I will not. As the Presiding Officer, I value the work of the Public Accounts Committee. As I said, it has come a long, long way since we found it in 1984 and even up until 1992.

Mr. Christopher S. Saunders, Elected Member for Bodden Town West: Mr. Speaker.

The Speaker: The honourable Member for Bodden Town West.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker. I really didn't want to say anything on this subject—

The Speaker: And honourable Member, I suggest to you to leave this matter as it stands.

[Inaudible interjection]

The Speaker: Unless there is some point of order that I need to address if the Member has a point of order

on the matter. The Chairman of the Public Accounts Committee has made his report, and has spoken to it, and the fact that the Presiding Officer made remarks in regard to witnesses, and that is what I am addressing. I do not believe that we should go further with this matter at this time.

Mr. Christopher S. Saunders: Mr. Speaker, I am rising on a point of order.

The Speaker: And the point of order is?

Mr. Christopher S. Saunders: Concerning the statement that you made Mr. Speaker, I just need something clarified with that.

The Speaker: Unfortunately, honourable Member, the report—

Mr. Christopher S. Saunders: Well, elucidation is the...

The Speaker: —Has been laid, [and] your Chairman outlined what he said was your [collective] report. Unless you take issue with that, I see no sense in going further with it. I certainly do not think there is any more matter to go on this, and it will not gain the House much more than what the Chairman has already read out and what is contained in the report that the public can now read for themselves.

Mr. Christopher S. Saunders: You know what, Mr. Speaker, I will yield to your ruling; and you are right, I think the public has already realised what happened here, so I will leave it at that.

**MINISTRY OF EDUCATION, YOUTH, SPORTS,
AGRICULTURE AND LANDS ANNUAL REPORT
2016-2017 — GROWTH AND INSPIRATION**

**MINISTRY OF EDUCATION, YOUTH, SPORTS,
AGRICULTURE AND LANDS ANNUAL REPORT –
JANUARY TO DECEMBER 2018**

**MINISTRY OF EDUCATION, YOUTH, SPORTS,
AGRICULTURE AND LANDS ANNUAL REPORT–
JANUARY TO DECEMBER 2019**

The Speaker: The Honourable Minister of Education.

Hon. Juliana Y. O'Connor-Connolly, Minister of Education, Youth, Sports, Agriculture and Lands, Elected Member for Cayman Brac East: Thank you Mr. Speaker.

I rise to lay on the Table of this honourable House the Reports for the Minister of Education, Youth Sports, Agriculture and Lands. being the Annual Report for the years 2016, 2017, 2018 and 2019.

The Speaker: So ordered.

Is the Minister speaking thereto?

Hon. Juliana Y. O'Connor-Connolly: Yes, thank you.

The Speaker: The Minister of Education.

Hon. Juliana Y. O'Connor-Connolly: The Ministry of Education, Youth, Sports, Agriculture and Lands is the largest CIG Ministry with approximately 1,100 staff working in various subject areas including but not limited to education, youth, sports, agriculture, lands, libraries, Water Authority and scholarships.

The work to manage this large and diverse group requires rigorous problem solving, dedication, commitment, and collaboration. I will provide a comprehensive review of its performance, achievements, and activities during the period from 1st of July 2016 to 31st of December 2019, as reflected in further detail in the Annual Reports and annexed financial statements I just presented.

Education

Mr. Speaker, I will begin with education, which is by far the largest subject area in my Ministry.

In keeping with our mandate of making the lives of those we serve better, the Education Ministry has been visible on all three Islands as various strategic policies have been unveiled, and it is expected that those strategies will begin to show dividends in the coming years for Cayman Islands' students. The Ministry places much emphasis on strengthening its relationship with its local and regional stakeholders, especially during 2019. Some accomplishments will be highlighted as follows:

Adult Learning Institutions

The Ministry of Education provides support for adult learning institutions to increase local students' ability to access higher education.

The University College of the Cayman Islands (UCCI), a statutory body under the Ministry, implemented a new Client Relationship Management (CRM) Data Tracking and Student Survey System. This system will be utilised to compile relevant student data that will ultimately improve student retention, career outcomes and academic performances.

The University of the West Indies (UWI) appealed to contributing countries to reduce their outstanding debts. The Ministry paid our contributions of \$2,348,976 to the said University. This was done in recognition of the difficult financial state of affairs of UWI and on the understanding that discussion with the UWI open campus on funding, which had been on hold for a number of years, would be resuming.

In April 2019, the Accreditation Commission on Colleges of Medicine (ACCM), which serves as the authorised accrediting body for medical education in the Cayman Islands, carried out a comprehensive on-site inspection of Saint Matthew's University School of Medicine and concluded that Saint Matthew's University is indeed acting in compliance with all fourteen of the ACCM standards of accreditation. The ACCM approved a six-year period of unconditional accreditation for Saint Matthew's until June 2025.

Private Schools' Association

The Ministry, through its purchase agreements with the Private Schools' Association, was able to provide support for the Association's twelve members to assist with their operational costs. It was also able to increase its support for private schools in accordance with national policies, the Education Law, 2016 and the Education Regulations, 2017. This increased support included a dedicated private school licence with the Ministry of Education to assist schools in ensuring that they meet the necessary registration requirements and align their policies with national policies. Data is also collected from the various private schools to assist the Ministry of Education in decision-making policies and guidelines that affect all schools in our country.

As part of its mandate of ensuring safe schools for students, a Ministry team presented to the Private Schools' Association on child protection, specifically the national policies to ensure all schools had such policies in place.

Registrations of Educational Institutions

During the period, the Ministry also supported Inspire Cayman Training, a new TVET [Technical Vocational & Education Training] provider, through the registration process with the Education Council, bringing the opportunity for Caymanians to be trained in a number of trade disciplines as well as gaining PADI diving certification.

The Nursery Pilot Programme

In September 2019, the Department of Education Services introduced a pilot nursery programme for three-year olds at the Creek and Spot Bay Infant Schools. The programme which is geared towards providing academic and emotional learning will better prepare students to transition into compulsory education. Generally, feedback has indicated that parents are satisfied with the programme's offerings. A formal evaluation is on the way, the results of which are imminent.

Department of Education Services

The Department of Education Services (DES) is the operational arm of the Cayman Islands Ministry of Education.

It provides the resources and support to government schools to implement the various policies and procedures that have been set out by the Ministry. Led by the Director of Education Services, a Caymanian, it consists of the following sections and units: Data and Testing, Registration, Community Services, School Improvement, Facilities, and Business Services. DES also facilitates transcript requests and responses to various other inquiries.

During this period DES achieved success in the following areas: school inclusion services, deployment of counsellors, Special Education Needs Coordinators (SENCO), apprenticeship, and school assessment updates.

Primary Schools

There are eight government primary schools located throughout the three Cayman Islands with a total number of 2,651 students and a staff of 212 highly qualified civil servants, namely: Theoline L. McCoy Primary, East End Primary, Edna M. Moyle Primary, George Town Primary, Prospect and Red Bay Primary, Savannah Primary, Sir John A. Cumber Primary — of course those are located on Grand Cayman; and three additional schools at Creek and Spot Bay Primary, West End Primary, and Little Cayman Educational Services located on the Brac and Little Cayman respectively.

Primary School Student Enrolment and Staff Complement

School Name	No. of Students	No. of Teachers
Sir. John A. Cumber Primary School	527	37
George Town Primary School	280	20
Red Bay Primary School	434	31
Prospect Primary School	351	23
Savannah Primary School	427	30
Theoline L. McCoy Primary School	279	8
Edna M. Moyle Primary School	95	15
East End Primary School	87	13
Creek and Spot Bay Primary School	96	13
West End Primary School	71	11
Little Cayman	4	1

Educational Services

Total	2,651	212
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The Curriculum

I requested and DES implemented a new National Primary School Curriculum in August 2019. Some of the curriculum's content has been duly adapted from the National Curriculum for English Primary Schools. As part of this new curriculum each primary school now affords a new Cayman-based social studies curriculum; robotics, coding, design technology, and Spanish during Key State 2 (KS 2), as well as new assessment resources to support Early Year's Foundation Stages (EYFS) and foundation subjects.

A Key Stage 2 primary school parent guide was also developed to support the implementation of the new curriculum. Teacher training to support the moderation of the new curriculum also began in 2019 and is scheduled to continue over the next two years. Several teachers across KS 1 and KS 2 have already completed modernisation training.

New Principal Appointments

Caymanian principals have been appointed at the Edna M. Moyle Primary and Clifton Hunter High School respectively in August of 2019, and another at the Theoline L. McCoy Primary School in August 2018. A Caymanian Acting Principal was also seconded to the John A. Cumber Primary School in August, 2018.

Senior High School Improvement Officers (SSIO)

Senior Improvement Officers provide support and guidance to school leaders in order to ensure that schools achieve positive outcomes. The DES appointed three new SSIOs in 2019. Two are Caymanians and the other is non-Caymanian.

The two Caymanian SSIOs are assigned to Special Education Needs and Disabilities (SEND) and Cayman Brac and Little Cayman, respectively; and the third is assigned to the Western communities. The SSIO appointed to the Western communities comes with a wealth of experience having held leadership positions in very high-performing schools in the United Kingdom.

Lighthouse School

The Lighthouse School currently has 110 registered students and a staff comprised of 15 dedicated teachers.

At the start of the 2018-2019 academic year, DES launched a Year 12 pilot programme at the institution. During the said period, seven students sat

Stage 1 English and Mathematics in the internationally recognised City & Guilds examination. Further to this commendable undertaking, two students from the Lighthouse School cohort passed the City & Guilds examination. We were very pleased with those two students, both of whom are now currently enrolled in the Hospitality Studies Certificate Programme at UC-CI.

During the 2019-2020 academic year, a group of six students passed City & Guilds Stage 1 English and Maths examination. Five of those students are currently enrolled at CIFEC.

Secondary Schools

There are four secondary schools located within our Cayman Islands, namely the John Gray High School (JGHS), Clifton Hunter High School (CHHS), Cayman Islands Further Education Centre (CIFEC) [in Grand Cayman]; and the Layman E. Scott High School (LSHS) situated on Cayman Brac. All are performing quite well.

The year 2019 saw the launch of the Everest programme in the government secondary schools after a successful 2018 pilot programme. Everest is a versatile resource that provides teachers with a simple web-based interface through which they can enter data relating to the students' behaviour and attendance. It further allows the retrieval of data in a readily accessible format and facilitates homework, learning resources and curriculum sections, features that will now allow our educators to digitise the learning process and provide distance learning. Everest is also synchronised to the School Information Management System (SIMS).

In addition to the introduction of Everest, a change in graduation dates from June to August presented the schools with an opportunity to recognise more students for additional and higher-level passes since the additional time allowed for the receipt of the external examination results; 158 students or 46 per cent of the graduating cohort received higher level diplomas in 2019.

John Gray High School

Sixty students received higher level diplomas for passing seven or more subjects in their external examinations; 25 of those students achieved nine or more passes.

Clifton Hunter High School

Caymanian educator Dr. Richard Wildman was appointed as the new Principal in 2019, and in August 2019 ten students graduated with higher-level passes in nine or more subjects. Two of those students were ranked seventh regionally for their performance in integrated science. One of those two stu-

dents ranked ninth regionally for their performance in human and social biology.

The institution was subject to a full inspection in November 2019, just a few months after his appointment. The inspections highlighted some positives from the new leadership at the school including improved arrangements to monitor the quality of teaching in the school due to the senior staff's increased involvement in lesson observations as well as the extended role of subject leaders in the evaluation of teachers within their said departments.

Layman E. Scott High School

Sixteen students graduated with higher-level certificates having received passes in seven or more subject areas. This has to be commended seeing that it is such a small school and it is difficult at times to get teachers to stay for long periods of time and the school continues to grow from strength to strength each year.

CIFEC

Students who did not obtain passes in Maths and English received the opportunity to re-sit these and other subjects while also gaining work experience opportunities and vocational training. The institution currently offers instruction in twelve vocational areas including ICT, beauty therapy, health and social care, business and work skills. Students received Business and Technology Education Council (BTEC) qualification upon successful course completion of all courses, except for its motor vehicle course, which provides students with the Institute of Motor Industry (IMI) certification.

Early Childhood Care and Education Unit

The Early Childhood Care and Education Unit (ECCE) provides services to enhance the quality of, and access to early childhood care and education in private and public settings.

In 2016-2017, the team was heavily focused on the implementation of the new curriculum and assessment for early years, and provision of financial assistance through the Early Childhood Education Programme for young Caymanian children who were the ages of three and four years before September 2017.

In 2018, ECAP [Early Childhood Assistance Programme] continued alongside the implementation of the Reception Programmes in our government schools. One Early Childhood Care and Education Officer was assigned to all the Reception Programmes in our government schools in order to provide targeted and uniform support to all reception staff.

Child Protection Training for owners, management and practitioners

The Early Childhood Care and Education Unit, in collaboration with the Programme Manager for at Risk Youth and other stakeholders, completed training of 250 early childhood practitioners and owners/managers of early childhood care and education centres as a part of the Second Step Programme for child protection.

In 2019 there was an adjustment to the means testing criteria for ECAP consistent with the 5 per cent cost of living increase received by civil servants. Before this 5 per cent adjustment, the highest monthly household income that could qualify for funding was \$4,760; further to the adjustment the highest monthly household income increased to \$4,998 thus making funding available to a more significant number of Caymanians.

Additionally, throughout this reporting period, the ECCE unit provided several professional development sessions for early childhood practitioners. The sessions focused on addressing various areas of need with the ultimate aim of improving the quality of Early Childhood Care and Education Centres. Significant amongst these was the Hanen Teacher Talk Training Programme which was facilitated by KidsAbility Cayman, funded by the Ministry of Education and delivered to 80 early childhood practitioners.

The programme proved to be an ideal training tool due to its strong research base and relevance to the Cayman Islands society. It also promises to enhance the quality of early childhood education by providing early childhood practitioners with training in language development interactions with young children, facilitating and fostering language and interaction.

The Scholarship Secretariat Unit

As detailed further in our report, the staff of the unit has now grown to five fulltime employees who are usually called upon to simultaneously process approvals for new local scholarships and new overseas scholarships, as well as submissions and disbursement of funds for returning students already on overseas scholarships.

To simplify and manage the scholarship application, a new dedicated email, scholarshipsubmissions@gov.ky, was set up for students to file submissions. The Secretariat also established a partnership with Cayman National Bank and Butterfield Bank to allow for direct and bulk deposits, respectively, of student disbursements, which reduced the number of office visits by students receiving funds and improved the Secretariat's efficiency.

Feedback following a student survey indicated concerns about the online application process. Results in the survey indicated that most respondents

found the platform 'Somewhat easy to extremely easy to navigate' (89.6 per cent) and 'Experienced no challenges' (63.6 per cent).

While the survey results were positive, the results and feedback were used to further enhance services through the provision of a new checklist and declaration form for the students. This again reduced delays and provided greater efficiencies for our secretariat team. As a result of the student feedback from the survey completed in 2017, several amendments to the online application process were also completed, with the actual printed application now reduced to one page.

The Secretariat continued to provide support to potential scholarship recipients and awardees through various town hall meetings held in both Grand Cayman and Cayman Brac. Participation in school career fairs along with meeting individual senior classes to discuss the scholarship application and career choices also occurred.

During 2019, the Secretariat acquired additional administrative support through University interns and a temporary support administrator, which allows for the scholarship database to be brought up to date with overseas scholarship awardees for the 2015-2019 academic years. The Secretariat also acquired access to the online resource known as Share File, which allows for confidential documents to be shared for application review on a secure platform in adherence to the Data Protection Law, 2019. This platform is used by interview panel members and education council members.

A deadline for processing of disbursements was also established and resulted in timely and, indeed, efficient processing of check payment requests for scholarship awardees. A heavy-duty photocopier/scanner machine was purchased to be used exclusively by the scholarship unit, which allowed for the security of the documentation process as well.

Networking Event

The secretariat hosted a celebratory event on the 1st of August with our overseas scholarship conditional awardees. The event created an opportunity for the Education Council and the Ministry to congratulate those applicants who had been successful in reaching the conditional approval stage of the scholarship process. It also provided an opportunity to thank the many dedicated professionals who assisted with the interview panel over the years.

The event also provided a further opportunity for students to network with other prospective university students. During the evening several speakers shared very useful information with attendees. Past scholarship awardees shared their experience of going off to university while the Secretariat highlighted the continued support available for both students and parents by this coalition Government. There are plans

for this event to be an annual one with the intention that it will evolve to provide additional opportunities for networking and mentoring of students.

Scholarship Promotions

The Secretariat continued to promote the valuable opportunity of local and overseas scholarships in Grand Cayman and Cayman Brac—with Little Cayman obviously not having a high school—through various school meetings, presentations and career fairs. The Scholarship Secretariat will continue to provide support to students in their career aspirations and the application process during the 2020 scholarship year by utilising the career fairs and small group sessions.

College Tours

In July 2019, Dr. Nicole Thompson, a senior staff member of the Secretariat, participated in the Ontario Colleges and Southern Universities tour. Dr. Thompson met with representatives of several of the universities allowing for networking and discussion on some of the challenges our students may face while attending those particular institutions. A visit to the Ontario Tech and Durham College, two TVET-linked colleges, was also undertaken, which allowed a first-hand view of a viable option for those students interested in TVET and vocational studies.

Public Libraries

The Cayman Islands Public Library's LIB [Cayman Islands Public Library Services] provides a critical community resource for personal enrichment, enjoyment, and education needs, and is an important component of the National workforce development and training agenda. Strategic and financial oversight is provided by the Ministry, while *Friends of the Library*, a non-profit organisation ably chaired by Mr. Mike Pilling, also supports with the finances needed for the library's ventures and various projects.

The Cayman Islands Library Services provides materials and services for community residents of all ages for personal enrichment, enjoyment, and further education needs. The library indeed has a special mission for young children and their parents to encourage a love of reading and learning from a very early age.

The Sunrise Adult Training Centre

Over the past 33 years the Sunrise Adult Training Centre (SRC) has provided vocational training and therapeutic programmes to adults with disabilities throughout the Cayman Islands. The SRC holds the distinction of being the only government-funded agency in the Cayman Islands to provide interventions

that enable empowerment, employment, and independence of its adult clients.

Cabinet approved an Outline Business Case (OBC) for a new 25,000 to 30,000 square-foot Sunrise Adult Training Facility; subsequently, there were several meetings with the technical subcommittee throughout the year. Specialist architect consultations were arranged with local consultants RLB (Rider Levett Bucknall) and the Ministry intends to go to open tender for various construction consultative design services during 2021.

Youth

Youth Services Unit

The Youth Services Unit is an equally important entity that was established under the mandate of the National Youth Policy of 2000. Its role is to act as a collaborating body among the various youth services providers to ensure there are vibrant and relevant programmes in place for the youth in the Cayman Islands. It was established under the Ministry to implement the objectives called for in the said Youth Policy for the provision of youth services.

The unit advises on youth policy, competitions and activities. In addition, the unit partners with existing and prospective youth agency providers to formulate programmes that facilitate the empowerment of our young people; sets standards and monitors the programmes of youth service providers receiving government grants; assists with the training of youth workers in our community; assists youth in accessing services offered by our Government and private entities; offers programmes that empower our youth where the need exists, and keeps abreast of all issues that impact youth empowerment.

The unit continues to monitor youth services providers and report to the Ministry; it offers life skills sessions, leadership development, and training for youth groups in order to fulfil and mandate the vibrant programmes in all of our districts. Initiatives such as the *YouthFlex Radio Show* provide a public platform for our young people to use their voice, and the Cayman Islands Youth Assembly helps the youth formulate solutions to youth-related issues.

Cayman Islands Cadet Corps

The Cayman Islands Cadet Corps (CICC) is funded by Cabinet for two main items:

- The Cadet Training Programme (CAD4); and
- The Cadet Corps Vocational Qualifications Programme (CAD6).

It delivers these outputs at the unit level, co-ordinated centrally by our headquarters. The mode of delivery is through the United Kingdom Army Proficiency Certificate for our cadets.

The Cayman Islands Cadet Corps was able to provide an internationally recognised Star 4 Cadet Crop Programme for ages 11-19 which covered all areas of cadetting, in particular core areas such as: drill, map and compass, field craft and adventure training. All cadets were able to gain marine experience as marine activities were executed throughout the year with an additional five cadets developing specialised marine skills since the acquisition of the marine vessel.

The CICC participated in all national parades and held local parades of their own including passing out, enrolment, and awards/closing parades. The Cadets Crops provided community service for over 18 activities which included clean-ups, volunteer service to other government departments and organisations, and simulation exercises for our National Emergency Operating Centre. Cadets were able to attend local and regional camps, which gave them the opportunity to apply the skills they learnt.

The Cayman Islands Cadet Crops was able to provide a vocational and technical training programme (BTEC Level I and II Diploma in Teamwork and Personal Development) to cadets who are at least 16 years of age and Star 2 qualified. As part of the regular training, participants learnt about professional CV preparation, interviewing techniques, communication, first aid, adventure training, health, nutrition and physical fitness. The band detachment was reintroduced and will be further developed.

Sports

Department of Sport

The Department of Sports focuses on the majority of financial resources of the six focus sports — athletics, basketball, cricket, football, netball, and swimming. It provides technical assistance and expertise in six disciplines through community programmes, after school programmes, school sessions, national programmes, and sports camps. The Department also maintains over 20 sports and recreational facilities ensuring they are kept in a state of readiness and safety for public utilisation, provides guidance on sports policy matters and monitors the development of sports in the Cayman Islands. Other public engagement included:

- Over 40 after-school community sport development programmes;
- Provision of coaching support for eight national programmes;
- Over 2,300 school sessions facilitated; and
- Development of six sports workshops.

Most notable in April 2019 was the Cayman Islands hosting the CARIFTA [Caribbean Free Trade Association] Games for the third time, having hosted them in 1995 and 2010. The premier junior athletic event, which was held at the Truman Bodden Sports

Complex with the Cayman Islands Government being its main sponsor, saw the participation of 500 athletes and delegates from across the Caribbean competing in 66 events. In preparation for the event CIG invested in a new track and warm up area near the netball courts; improved the lighting; and provided additional equipment storage and a large widescreen for the Truman Bodden Sports Centre. A team of 52 athletes ably represented the Cayman Islands in several events.

The Department of Sports continues to focus on support services in sports, and continues to inspire our athletes to *aim higher and reach further*, which are part of the core component of the Ministry's strategy for the overall growth and development of our youth.

Sister Islands Sports

Sister Island Sports delivers programmes to provide sports coaching and instructing primarily in the six focus sports. They are conducted to improve the health, well-being, and technical skills and fitness for young people and adults in the Sister Islands. The unit also provides sports education, training, technical advice, support services, and various stakeholders including schools, sports clubs, and communities.

The highlights under the able leadership of Mr. Mitchum were:

- Courses and Clinics;
- National level sports competitions;
- Cayman Islands Cricket Association Super League;
- Community Sports Development programmes.

Other notable achievements:

- The national teams' trials and recruiting;
- Development and community events;
- Sports tourism and international events;
- Little Cayman sports;
- National team representatives;
- Camps;
- Sport Days;

Agriculture

I told you, Mr. Speaker, I have the biggest Ministry.

Like all government departments and entities, the Department of Agriculture fulfils its mandate through the delivery of outputs that are outlined in budget statements and funded through the Annual Plan and Estimates. Outputs vary and can change over time depending on the Government's overall strategic objectives. Government sets policies through the Minister and Ministry, and the Department delivers projects, programmes, and services to support these policies.

In 2017, the department, through inspired performance and a dedicated team, posted another year of industry growth punctuated by service improvements to its customers.

The Department of Agriculture was able to continue implementation of the various programmes that had been part of the 2016 Caribbean Week of Agriculture (CWA), which was a significant achievement for the Cayman Islands as it became the first United Kingdom Overseas Territory to ever host the CWA with the theme Investing In Food And Agriculture. The event attracted over 300 delegates including Ministers of Agriculture from the region and representatives from key international and regional institutions. A delegation from the Pacific Islands was also in attendance. The event was well attended and emphasised the Government's continued support and interest in the promotion of agriculture and national food security.

In 2018, the Department of Agriculture had fewer outputs than last year, reduced from nine to three because of a compilation of the various outputs to achieve efficiency.

Since 2016, the Department of Agriculture has worked with regional and national plant protection organisations to develop updated import conditions to mitigate the risk of pest introduction in shipments of fresh-cut Christmas trees. As a result of the ongoing training, only 1 consignment of 465 trees out of a total of 2,307 had to be treated.

This work continued in 2019 where the Department of Agricultural Health Inspection Services staff completed Pest Risk Assessments (PRAs) on six quarries, which included quarries in four different countries. A PRA was also completed, and a permit granted for the importation of specialised aggregate material from Canada for the airport runway resurfacing and expansion project.

Lands and Survey Department

The Lands and Survey Department was one of the agencies transferred to the Ministry after the 2017 General Elections. The Department has settled well and has continued several initiatives to improve service delivery through increased technological use.

As a result of increased activity in our economy despite COVID, the local real estate markets continued to increase and improvement was underway to ensure that the department continues to act as a facilitator for growth by inspiring investor confidence through the protection of records relating to property rights consistent with goals set by the Deputy Governor to elevate service standards using technology to deliver faster and more efficient services.

Also in agreement with the Honourable Minister responsible for Commerce, the Lands and Survey Department pursued several initiatives aimed at embracing the concept of e-government. Key initiatives

include the e-Conveyancing project, which seeks to provide a modern system for Land Registration whereby each stage of the process can be completed electronically rather than being paper-based. This was embraced through 2018 and continues to bear dividends.

Significant work was also carried out to convert all paper records received since the inception of Lands and Survey in 1972. This work included:

1. Enhancement to the Lands and Survey Department to accommodate the digital registration of powers of attorney and letters of administration, including the automatic numbering and scanning of documents.
2. Development of the LR Indexer application through NGIS, to capture the metadata for all textual records to be converted, which will allow the application to index and upload images without the need for further data entry. To date, approximately 80 per cent of records since 1972 have been readied for scanning.
3. The development of a request for proposal which was issued to the public in September 2017. The expected execution of contract is to be done on a phased approach, with 500,000 images/records being converted by the successful bidder in 2018.
4. Deployment of additional forms in conjunction with computer services and made available to the Online Forms System.
5. Improving stakeholder relationships via the introduction of the Online Form System and offering training sessions for the use of the various forms.
6. Reviewing and developing the escrow system for payments and processing of the volumetric parcels, currently in a testing environment.

The Department has entered into an agreement with the UK Hydrographic Office to achieve international charting requirements for the 'International Convention for the Safety of Life at Sea' otherwise referred to as SOLAS. The Lands and Survey Department will provide marine data to the UK for access by all shipping interests entering the Cayman waters which is a crucial safety measure. This is a part of a broader initiative under the established Cayman Coastguard Service.

Aerial drones are also being used regularly now to produce high-quality resolution, up-to-date imagery for inspection and use by various government and private sector land parcel features.

The Lands and Survey Department has introduced a licence renewal process online to accommodate over 200 persons who subscribed to receive online mapping and data services annually. It is hoped

that this new online process will result in a higher speed and greater efficiency.

Land Registry

The Land Registry continued the phased conversion of the Land Registry documents into the scanning process form for 2019 as well. Under phase 2 of the contract, an additional 256,796 images were scanned and delivered; by the end of the year, 26 blocks were digitally converted.

Land Purchases

The Lands and Survey Department is tasked with the acquisition of land for the following purposes:

1. Beach access as directed by Cabinet;
2. Preservation of habitats as directed by the Department of Environment, and subject to Cabinet's approval;
3. Provision of public space — that is parks and cemetery extensions;
4. Strategic land acquisition, as directed by the Chief Officers and subject to Cabinet approval.

During this year, terms were settled on nine land acquisitions including five oceanfront parcels.

Road Compensation Cases

In addition to those negotiations, the Land and Survey Department has provided land acquisition cost estimates on six additional proposed roads schemes with a total anticipated acquisition cost of \$10.7 million.

Communications

The Ministry's Communications and Public Relations function includes events, campaigns, press releases, press briefings, speeches, and the management of social media communications. Each of these assists in promoting the work of the Ministry and providing important information to both the public of the Cayman Islands and international stakeholders in the Cayman Islands Government remit. Press releases are consistently written for all of our units promoting their work as well as Facebook, Instagram, and Twitter posts to promote regular events and information occurring in the Ministry and/or its Departments.

Information, Communications and Technology (ICT) Unit

Mr. Speaker, the ICT unit is tasked with the management and oversight of all ICT activities across the Ministry. More specifically, it is indeed responsible

for the provision of procurement services, systems integration, ICT policy, and support for its end users.

During 2017, the ICT unit was responsible for the network infrastructure set up for John Gray High School and support services for the first Cayman Islands NCAA [The National Collegiate Athletic Association] basketball tournament that took place in November 2017. The tournament provided an estimated \$2.4 million in direct economic impact, and \$6 million in media exposure for the Cayman Islands. It provided excellent entertainment for the public and contributed to the government's outcome to improve sports tourism.

Website upgrades and the utilisation of social media that is integrated with SIMS Learning Gateway, a teacher and parent portal, were launched for all primary schools in 2017. Through these efforts, the unit is supporting greater communication between the teachers, the learners, and the parents.

The Government seeks to deliver faster, more efficient, and secure services to the public via its e-Government initiative. The ICT unit is supporting this programme through key improvements in cyber security and participation in the National Institute of Standards and Technology (NIST) project.

Mr. Speaker, support is also being provided to enhance the provision of reports on student process and achievements for parents and other key stakeholders in our community. In 2016-2017, the unit rolled out the national reporting online desktops and Student Passport system for the easier generation of reports and to improve the use of data in schools. The most significant addition to the fixed assets in 2018 was the ICT integration across the curriculum, improved cybersecurity, purchase of laptops, and minor capital projects across the schools.

Throughout the years, the ICT unit provided detailed data reports that document and explain our students' performance across the schools to support the national reporting online dashboard and the Student Passport System. The use of these systems enabled reports to be generated much easier, thus resulting in an improved use of the data emanating from our various schools.

The unit also facilitated improved stakeholder communications within the education sector, supported by the use of better online resources utilising web-based social media channels and other resolutions through the release of the Everest portal in several primary and high schools namely, John Gray, Layman Scott High School, George Town Primary and Prospect Primary. Everest was released in all schools by the end of 2019.

Finance

During the reporting period, the Ministry continues to have very good liquidity and sufficient easily convertible to cash assets in order to pay short-term

amounts owed with a solid cash position and sufficient current assets and limited current liabilities. The Ministry also has a favourable, low gearing debt-to-equity ratio — that is minimal debt in relation to the equity net worth due to the very strong equity position and minimal liabilities.

For the first time in the history of the Ministry, all financial audits are completely up-to-date, and unqualified or clean audit opinions have been maintained since 2014/2015 up to the last audit of 2019. This is a significant milestone in the financial governance of the Ministry.

Conclusion

In conclusion, Mr. Speaker, I have attempted to provide a summary of the Ministry of Education, Youth, Sports, Agriculture and Land annual reports along with audited financial statements for the period 1st of July 2016 ended on 31st of December 2018, focusing mainly on 2019.

The Ministry continues to play a vital role in the regulation of and the administration of the finances and resources placed in its various subject areas. It is therefore my prayer that future generations of Caymanians will continue to reap the benefits of the policies and programmes implemented under this Ministry's subject areas and the government as a whole.

Mr. Speaker, I thank you and all honourable Members of the House for your patience in listening to this, but I figured it was time to set the record straight for the wannabes who are saying that the Government is doing nothing in education.

Thank you.

The Speaker: Thank you for that in-depth report, Honourable Minister.

The House will suspend proceedings until 2:15.

Proceedings suspended at 12:58 p.m.

Proceedings resumed at 2:56 p.m.

The Speaker: Please be seated.
Proceedings are resumed.

PUBLIC LANDS COMMISSION CAYMAN ISLANDS ANNUAL REPORT 2017, 2018, 2019

The Speaker: The Honourable Minister of Education.

Hon. Juliana Y. O'Connor-Connolly: Thank you, Mr. Speaker.

I beg to lay on the Table of this honourable House the Public Lands Commission Cayman Islands Annual Report 2017.

The Speaker: Ordered.

Is the Minister speaking?

Hon. Juliana O'Connor-Connolly: No, thank you, Mr. Speaker.

[Pause]

Hon. Juliana O'Connor-Connolly: Mr. Speaker, with your kind indulgence, out of an abundance of caution we are seeking to lay the Annual Reports for 2017, 2018, and 2019 although they are stapled together as one bundle.

The Speaker: I thought that is what we had done in the very first instance, the three; but out of an abundance of caution so ordered.

BOARD OF GOVERNORS ANNUAL REPORT 2019 – THE UNIVERSITY COLLEGE OF THE CAYMAN ISLANDS

The Speaker: The Honourable Minister of Education.

Hon. Juliana O'Connor-Connolly: Thank you kindly Mr. Speaker.

I beg to lay on the Table of this honourable House the Board of Governors Annual Report 2019 for the University College of the Cayman Islands.

The Speaker: So ordered.

Is the Minister speaking thereto?

Hon. Juliana Y. O'Connor-Connolly: Only to say that the report is a good one. It is self-explanatory and I invite Members to peruse it at their leisure.

QUESTIONS TO HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: No questions.

STATEMENTS BY HONOURABLE MINISTERS AND MEMBERS OF THE CABINET

The Speaker: The Honourable Premier.

The Honourable Premier

National COVID-19 Vaccination Plan

The Premier, Hon. Alden McLaughlin, Minister of Employment, Border Control, Community Affairs, International Trade, Investment, Aviation and Maritime Affairs, Elected Member for Red Bay: Thank you, Mr. Speaker.

I rise today to announce that Cabinet has approved a national COVID-19 vaccination plan for the Cayman Islands this week. We have had much success with the control of COVID-19 on these shores and much now depends on us maintaining the momentum. We will build further on our achievement with this plan, and provide a strong foundation for the safe recovery of the Cayman Islands' global economic interests while safeguarding the health of our people.

We have all been waiting for the availability of a safe and well-tested vaccine against the dangerous viral disease, COVID-19. One such vaccine, with a very convincing success rate, has now been approved separately in both Canada and the United Kingdom. The *Pfizer/BioNtech* vaccine is already being rolled out in the United Kingdom — a veritable Christmas gift in a country where tens of thousands of people have already died as a result of the pandemic. Approval from the Food and Drug Administration in the United States of America is also expected shortly.

To support the Overseas Territories in the fight against this virus, the United Kingdom Government is arranging to deliver supplies of vaccinations, and it is anticipated that deliveries will start in early January. We are hopeful that Cayman will see its first batch arrive in the first week of next year. We anticipate receiving a sufficient number of vaccines in the first batch to immunise several thousand people. Additionally, Government has contracted with the coronavirus COVAX Facility organised by international vaccines agency Gavi, to provide further vaccines through this mechanism, which supports countries less able to fund vaccination programmes themselves.

Mr. Speaker, the approval of the vaccine in the UK brings us closer to ensuring the safety of those at greatest risk from the effects of COVID-19. This includes those who are older and have certain defined conditions and diseases that make them more vulnerable to the effects of the coronavirus. I will say that, while I am not yet in those ranks, I will be among the first in line to take the vaccine to lead by example and demonstrate my confidence in its safety.

A question already on everyone's lips is how the government will prioritise vaccination throughout our community. I can tell you that the National Plan's objectives align closely with those set out by such major public health agencies as the Pan American Health Organisation and Public Health England. Our goals are as follows:

- To protect the integrity of the health care system and infrastructure for the continuity of essential services by vaccinating health workers at all levels of care and other essential services established in the country;
- To reduce the severe morbidity and mortality associated with COVID-19 by protecting the populations at greatest risk from the disease; and

- To reduce transmission of infection in the community and generate widespread immunity by expanding vaccination to other groups. This will be achieved when more vaccines become available through 2021.

There is work to be done to successfully reach these objectives before the vaccine arrives, much of which is already underway. Government has already begun to implement a communication plan to answer any concerns the public may have, and to address the considerable misinformation already in the public domain. Detailed information about COVID-19 vaccinations has been available in the Frequently Asked Questions section of the Government's coronavirus website explore.gov.ky/coronavirus since last week, and further information will be forthcoming shortly.

The Health Services Authority (HSA) has ordered large quantities of syringes, needles, sharps boxes, and equipment for delivery of the doses. Specialised freezers have also been ordered by the HSA and there is already one such freezer with spare capacity able to meet our needs at Health City; therefore, senior management and Public Health teams at the HSA are confident they will be able to commence this mass vaccination programme using existing resources.

Consultation with both private and public healthcare providers has been undertaken to better inform them of the plans and allow them to offer their resources to deliver the vaccinations. Health officials believe that with all preparations in place they should be able to vaccinate some 3,000 people per week. Once the vaccine arrives on island, a number of groups have been prioritised for the voluntary vaccination. These include:

- Healthcare workers and institutional residents because it reduces the risk of spread between caregivers and those they care for, and protects those who are not able to observe physical distance because of their situation;
- Customer-facing frontline staff working at ports who are constantly exposed to the risk through travellers;
- Those over the age of 60 and people suffering from conditions liable to put them at increased risk if they were to contract COVID-19; and
- Workers who are essential for the continuity of government services.

The second stage of the voluntary vaccination programme will deliver the vaccine to essential service workers, teachers, school staff, and those living in the households of anyone in stage one of the vaccination drive.

The Ministry of Health has proposed to further opening of borders after stage two, around one month

into the start of the overall vaccination programme, by which time we should have vaccinated our most vulnerable. The following restrictions would apply for people arriving from overseas:

- All travellers entering the Islands must be able to show that they have received an approved vaccine course against the virus which causes COVID-19. This should have been completed before arrival according to recommendations by the Public Health Department. They must also receive negative results from a PCR [Polymerase chain reaction] test upon arrival.
- Persons who meet these conditions will be exempted from quarantine if living in households where the other residents have also received a vaccine.
- All people who are exempted from quarantine in this manner, including their households, will undergo repeat testing on day 5, day 10, and day 15 following the arrival date.
- Regular PCR screening will continue with safety restrictions for healthcare workers, healthcare establishments, nursing homes, and prisons.
- Those involved in hosting travellers, including all port workers, hotel workers, restaurateurs, bar workers, leisure companies, taxi drivers and anyone else working in tourism, will be required to be screened for COVID-19 disease at regular intervals.

Additional PCR testing capacity by the HSA, Doctor's Hospital, and Health City should be able to match any increase in demand. The HSA and Public Health Department will also monitor the situation and promptly request any additional human resources necessary for this goal. Rapid-testing may also be used to provide simpler access to testing for COVID-19 disease but, Mr. Speaker, I used the word *may* because it should be noted that widespread use of this in citywide sampling programmes elsewhere has shown disappointing sensitivity in that it has only picked up between 50 and 70 per cent of people who have COVID-19.

Mr. Speaker, the final stage of the vaccination programme will consist of vaccinating the remainder of the population for whom the vaccines are intended. Again, I underline that taking the vaccine is voluntary. While the vaccine has yet to arrive here, I would like to take this opportunity to encourage all those people listening to these proceedings to do their due diligence and to keep their minds open to the many benefits that participation in the voluntary national vaccination programme will offer. It is an opportunity for us as individuals to take action to protect this community that we love so much, and which has done so

much for us, while simultaneously protecting ourselves.

I will end by assuring this honourable House that government will remain vigilant throughout the process as we monitor the roll-out of the vaccination, the proposed travel changes, and the impact on our society. Should there be an indication of substantial and worrisome community transmission of COVID-19 cases in the Cayman Islands, or if we were required to move up a suppression level, preventive measures will promptly be tightened through Public Health regulations as they have been in the past. If this happens, we will see a return to the wearing of masks in public places, physical distancing, and the use of protective barriers to minimise further spread of the COVID-19 disease.

As I said, the successful development and imminent arrival of the vaccine seem like the Christmas gift we all have been waiting for; at the same time the vaccine is not yet here. When it arrives, it will greatly reduce both our chances of getting COVID-19 and the potential severity of the illness if we should contract it — if we take it; but nothing is guaranteed. We must continue to practice the preventive measures we have followed thus far, including washing hands, practicing respiratory hygiene, and following social distancing recommendations. Doing so will ensure that we in the Cayman Islands stay safe through the holidays and into 2021.

Mr. Speaker I have another short statement to make—

Mr. Kenneth V. Bryan, Elected Member for George Town Central: Mr. Speaker.

The Premier, Hon. Alden McLaughlin: Sorry.

[Pause]

Mr. Kenneth V. Bryan: Mr. Speaker, I rise—

The Speaker: The Member for George Town Central.

Standing Order 30(2)
(Short questions on statements)

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker.

I rise under Standing Order 30(2), to ask the Minister who offered the statement a short question.

The Speaker: Proceed; short.

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker.

Can the Minister repeat the sentence that I think obviously may not be in the statement he read; it came after the sentence that says: *"To support the Overseas Territories in the fight against this virus the UK Government is arranging to deliver supplies of vaccinations and it is anticipated that deliveries will*

start in early January." Then he said a sentence that didn't seem to be on the statement—

[Inaudible]

Mr. Kenneth V. Bryan: Oh, so you have a different statement than the one that was offered to us, because I always try to follow through, but you said a sentence that wasn't on this—

The Premier, Hon. Alden McLaughlin: What was the sentence?

Mr. Kenneth V. Bryan: I am trying to remember what it is. That is my point.

The Premier, Hon. Alden McLaughlin: I don't remember either.

Mr. Kenneth V. Bryan: But you read it.

The Premier, Hon. Alden McLaughlin: Huh?

Mr. Kenneth V. Bryan: You read it.

The Premier, Hon. Alden McLaughlin: I don't read the statement exactly.

[Cross-talk]

The Speaker: The Honourable Leader of the Opposition.

Hon. V. Arden McLean, Leader of the Opposition, Elected Member for East End: Thank you, Mr. Speaker.

In accordance with 30(2), I too would like to ask the Premier short questions.

The Speaker: Proceed.

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, I wonder if the Premier could tell us, if he can, that is, how many and under what arrangement will we be getting the vaccine from the UK?

The Premier, Hon. Alden McLaughlin: What do you mean by "arrangement"?

Hon. V. Arden McLean, Leader of the Opposition: We paying for them? They are paying for them? How many is it?

The Speaker: Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, there is no cost to the Overseas Territories; the UK is looking after the territories. These will be received free of cost to all the territories.

It is difficult to say precisely how many we will get, which is why I used the rather vague expression 'enough to vaccinate several thousand of our people'; and the reason is not because anyone is being coy, but these are being shipped from Belgium and whereas the UK had expected to receive 40 million doses by now, in fact they wound up with 800,000 and those the UK is currently administering are from that batch. They expect to get 40 million by Christmas, and if all goes according to plan the territories will get from that.

I am hesitant to say precisely how many because the truth is there are still some contingencies about these. The indication is, if everything goes according to plan we should have several thousand by the first week in January, but there may be some slip-page in these dates.

The Speaker: Honourable Leader of the Opposition.

Hon. V. Arden McLean, Leader of the Opposition: Thank you, Mr. Speaker.

I wonder if the Premier can tell us, albeit this is voluntary, if the entire country volunteers to take it, whether we will be in a position that we have the vaccine available to do that.

The Speaker: Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker at some point, that is certainly the goal we are working towards.

The availability of the vaccine is going to dictate those sorts of things. The one encouraging — not one, a number of encouraging things; indications are that the *AstraZeneca* vaccine will also be approved shortly and this is much easier to transport because it only has to be kept, I shouldn't say only but, at temperatures of -8 degrees instead of -70 or -75. Indications are that we might be able to get it through the United States, which generally means it is easier to get here.

This is constantly evolving... I am hopeful there is a significant uptake in the population's willingness to take the vaccine. It will take us some time to work through that first batch, and I am hoping that by the time we are through with that, other batches will have been received and we can carry on with the programme.

Mr. Speaker I am going out on a limb here, which I am not sure everyone, even within the government administration — I don't mean the elected Members will necessarily agree; but I am hopeful that if things go well, by March we could be in a position where we can start to feel quite secure about opening the borders because we would have had enough of our people inoculated to create the often talked about "herd immunity" which will protect the entire community. Again, all of these things are contingent upon how

well we are able to convince our population that the right thing to do is to take the vaccine.

Also, I spend a lot of time reading and following what is happening with this in developed countries around the world. It is going to swiftly become a requirement that you have to have taken the vaccine to enter places like the United States, the United Kingdom and many other countries around the world. That in and of itself is going to spur many people to take the vaccine, but this landscape is constantly evolving so we just have to watch and wait and do our part.

The Speaker: The Member for George Town Central.

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker.

Can the Minister say whether there have been any discussions about potential liabilities and risks for the Government, or the UK Government for that matter, for any — and I hate to bring up potential negatives or bring a downer on this; but there is major concern out there about vaccines and their safety and the fact that these vaccines have been found so quickly. I have to share the voice of persons who feel that way.

Has the Government considered or had any discussions about the liabilities to us as a country, or is the UK prepared to accept or discuss the liabilities with the Government if something goes wrong with our people through these vaccines?

The Speaker: Honourable Premier.

The Premier, Hon. Alden McLaughlin: Mr. Speaker, if something goes wrong it won't go wrong just in Cayman. It will be an international issue.

What we are certain of in terms of liabilities is that up until just now when I checked, there are more than 270,000 people in the United States dead from this disease, and more than a million across the world. We simply cannot sit on our hands and be so blinded by fear that we allow our people to get sick and die of this disease because we are too afraid to proceed with a tested vaccine which the experts tell us is safe.

The Speaker: The Member for George Town Central.

Mr. Kenneth V. Bryan: Mr. Speaker I do support the Premier's response, but I would still ask that he answer the question.

I know that we cannot sit on our hands, but has he had any discussions about potential liabilities? Please; I know it is political season but answer the question I put to him, please, because it is important that there are people out there who have the concern.

The Premier, Hon. Alden McLaughlin: Mr. Speaker I have said all I intend to say about that.

[Pause]

The Premier, Hon. Alden McLaughlin: Mr. Speaker with your permission, sir, I have another statement which is unrelated to this matter.

Cayman Islands Regiment

Mr. Speaker, I am happy to provide this honourable House with an update about the Cayman Islands Regiment. I know that despite us getting the Defence Bill through during the last Meeting there remains abiding concern among Members of the Opposition and perhaps even some opposition among Members of the Opposition to the Cayman Islands Regiment, so I am happy to impart some more good news about the regiment since I last spoke about them during that debate.

Many would have read that Second Lieutenant Nathan Dack became the second in the Regiment's short history to win Best International Student Award at the Royal Military Academy Sandhurst, following in the footsteps of Lieutenant Halston Farley who won the award while on the same course in May.

Second Lieutenant Dack passed out of the British army institution in November along with fellow Caymanian Officer Cadet Tyler Lawson and other Overseas Territories cadets following an eight-week course at Sandhurst which involved leadership, fitness, and decision-making, giving them the skills to support their regiments. The two of them are nearing the end of their time in quarantine since returning from the United Kingdom.

To date, seven officers from the Regiment have graduated from Sandhurst, and more recruits will be sent there in the future. The United Kingdom, in tandem with the Foreign, Commonwealth and Development Office will continue to arrange for and fund training of future recruits at Sandhurst.

Mr. Speaker, personally, the success of our Caymanian officers at Sandhurst and the awards received has come as no surprise to me. The resilience, dedication, and commitment of all our recruits are admirable and highly commendable. We saw that dedication as they worked in the aftermath of Tropical Storm Eta. It was a truly heart-warming moment to spend time with them and see them at work. The 17 personnel deployed during Eta were spread across all districts of Grand Cayman and were heavily involved in supporting Hazard Management Cayman in reconnaissance, delivery of vital supplies, and evacuating persons from flooded properties and transporting them to a safe location.

Right now the strength of the Regiment is 58, with 69 per cent of their number being Caymanian. In an update I received from Lieutenant Colonel Simon Watson yesterday, there are 55 candidates in the latter stages of the selection process prior to basic training, which begins in February. They range in age from 18 to 50 and of these, 67 per cent are Caymanian and

their number includes a number of candidates from Cayman Brac.

These recruits will be trained by a short-term training team from the United Kingdom military which is scheduled to arrive in late January and undertake a mandatory 14-day quarantine before kicking off the two-week course. The training team coming from the United Kingdom will also bring full supplies of kit and equipment for the new recruits as well as an additional kit for the existing reservists.

Looking ahead, Mr. Speaker, the year 2021 will involve the initial training of Cohort 2 and continued training of Cohort 1. There will also be an emphasis on the procurement of vehicles and equipment to allow the safe training and deployment of the Regiment.

Mr. Speaker, our Regiment is a reserve force whose main duties include providing humanitarian assistance and disaster relief, assisting the Royal Cayman Islands Police Service and the Cayman Islands Coast Guard when called upon, as well as to participate during ceremonial occasions. Their motto is "Prepared in Adversity" and it speaks to their purpose. Given the training already provided and being planned, this honourable House can be assured that this Government takes this motto seriously.

I again express my appreciation to the Governor and his staff and the Foreign and Commonwealth Development Office for their unwavering support for the Cayman Islands Regiment.

I am very proud of the way in which the Regiment is developing and I look forward to providing further updates as the men and women in the Cayman Islands Regiment continue to do good work and gain accolades.

The Speaker: I have statements from the Honourable Deputy Governor.

[Pause]

The Honourable Deputy Governor

Arrangements and safety measures for persons in quarantine

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, thank you.

I wish to make a statement concerning the arrangements and safety measures for persons quarantined at residence or in government-run facilities.

In the fight to protect our citizens and residents from the global effect of the COVID-19 pandemic, the Cayman Islands Government has achieved what few other countries have been able to do: contain the virus and stop community spread. As a result, we have created a safe haven in the Cayman Islands, whereby we have been able to relax many of the restrictions imposed at the start of the pandemic and for

those of us who are blessed to reside in these Islands life has largely returned to normal. With continued vigilance, we have remained free from community transmission of the COVID-19 disease, even as we moved from a full closure of our borders in March 2020, to a phased opening in October 2020.

One of the most important public health measures we employ to prevent the spread of COVID-19 is a mandatory 14-day quarantine requirement for all incoming travellers. We have retained this mandatory 14-day quarantine period even as we have increased the options for where travellers could quarantine by introducing a quarantine-at-residence option alongside the options to quarantine at a government-sponsored quarantine facility or in a private quarantine facility. Our quarantine requirement is supported by other important factors and preventative measures that include mandatory PCR testing upon arrival and at the end of the quarantine period.

In addition, persons approved to quarantine in private residences are required to wear an iMSafe bracelet, a wearable device with monitoring technology that provides automatic location monitoring and reporting, giving alerts and notifications to a dedicated monitoring team. The technology is backed with boots on the ground via a mobile compliance team established to respond to alerts and potential breaches in the established quarantine conditions. Furthermore, during the quarantine period, the mobile compliance team conducts random spot checks on persons quarantined at residence; and the call centre makes contact to check on how they are doing. Guidance and information are also provided to assist with unavoidable medical appointments and other important concerns.

Despite these precautions, in recent times the public's sense of safety and well-being has been shaken by a small number of confirmed breaches of quarantine in a private residence as well as, most recently, a government-sponsored facility. It is understandable that the public would expect, and indeed deserve, reassurance that the measures put in place to safeguard the community are sufficient and effective; hence, I would like to provide additional information in this regard which I hope will assist.

The safeguards we have implemented are robust and have kept us free from community transmission of the COVID-19 virus, but individual travellers must play their part by remaining in isolation for the stipulated period in order to keep the Cayman Islands safe. We continue to appeal to travellers to comply with the quarantine restrictions because, by doing so, they are helping to protect lives. At the same time, we give notice that breaches of the COVID-19 regulations will not be tolerated and we will seek to prosecute all confirmed violations.

We hope the fact that any person prosecuted will be liable on conviction to a fine of \$10,000, and two years' imprisonment will serve as a strong deter-

rent. As it relates to two persons who breached the quarantine requirements and received community service as part of their sentencing, I am pleased to advise the public and the honourable House that our Office of the Director of Prosecutions has decided to appeal that sentence.

It should be noted that the government provides significant security resources at government-sponsored quarantine facilities. For example, prior to the recent quarantine breach, the security arrangements at that facility were as follows:

- A security detail is on property 24 hours a day.
- Security officers are stationed on each floor where there are travellers and a security officer outside each exit — approximately 11 security officers are on the property at all times.
- One RCIPS officer is on duty at the facility at all times and an RCIPS vehicle is parked in front of the facility.
- Vehicular security patrols are conducted every 30 minutes.
- Interchanging rotation among security officers every fifteen minutes, so there is constant movement.

After an assessment of the property, and with consideration for the breach, an additional five security officers have been recruited to cover the inside blind spots at an additional cost of \$25,000 per month.

It should also be noted that following a confirmed quarantine breach, the Travel Cayman team convened an internal investigation to review and strengthen the current processes and close any gaps in the system that could potentially be exploited. For example, following a breach where it was discovered that a traveller had removed her iMSafe bracelet, an additional checkpoint was implemented at the airport to confirm that bracelets are fitted correctly to mitigate against tampering.

While one breach is too many, and puts us all at risk, it should be recognised that the vast majority of travellers do comply with our quarantine conditions. Since the 1st of October, there have been six cases associated with breach of quarantine, two of which have been prosecuted and four remain under investigation. By comparison, during that same period over 3,500 persons arrived on island, of which over 2,000 individuals received approval to quarantine at residence; by far, the vast majority of these individuals completed their quarantine without incident. In allowing persons to enter our borders and quarantine at a private residence or approved facility, it should be noted that we are not operating a prison. We rely on travellers' good character and judgement and, of course, persons escape from even the most secure prisons.

As we believe that transparency in the reporting of breaches will help to build public confidence in

our safeguards and responses, our communications team will continue to alert the public to any confirmed breaches in a prompt and responsible manner.

The Mobile Compliance Team is responsible both for conducting the vast majority of quarantine at residence accommodation inspections and conducting welfare and compliance checks of persons in quarantine at a private residence. The team is currently made up of 18 persons who have redeployed from CBC and WORC, or engaged with the Cayman Islands Regiment.

While work is being advanced to increase the staffing complement of the Mobile Compliance Team, given the volume of persons expected to quarantine at private residences in the coming weeks, supply will not meet demand. As such, the Travel Cayman programme has been exploring innovative ways of delivering the necessary welfare and compliance services.

We have been in communication with Hazard Management Cayman Islands (HMCI) to explore the option of engaging the Cayman Islands Community Emergency Response Teams (CERTs) to conduct welfare and compliance checks on persons quarantined within their respective catchments. I am happy to report that yesterday evening a proposal to engage CERT teams in the work of Travel Cayman was accepted and work has commenced to determine which CERT teams are able and willing to participate in the programme.

As early as this Saturday, teams will start to be on-boarded, and by early next week CERT Teams will be provided with a list of homes in their respective CERT catchment, where persons are in quarantine, so they can conduct welfare/compliance checks within their communities. Using these established resources, which are fully trained in disaster management, engages people at the community level in supporting the delivery of welfare and compliance checks, which not only helps to address the resource needs but also enhances the CERTs' sense of community and sustainability.

In the Cayman Islands, our Government's main priority continues to be the safety of our people. The decisive steps taken to date, including our quarantine restrictions, have kept the coronavirus at bay and are helping to protect lives while the virus rages everywhere around us. While we are taking every precaution, guided by the science and supported by robust protocols and procedures, the truth is that we rely on travellers, as well as their friends and loved ones, to play their part by remaining in quarantine for the stipulated period in order to keep the Cayman Islands safe.

I will close by acknowledging and thanking the many individuals from the following groups and agencies who work together to make travel to the Cayman Islands possible and safe for our travellers and our community:

- The Programme Board and Programme Management Office for the Phased Opening programme, with particular recognition to Programme Director, Dr. Tasha Ebanks-Garcia, who has been an absolute super star;
- The Department of Public Safety Communications, (911);
- The HSA and the Public Health Department;
- The Mobile Compliance Teams made up of Customs, Border Control and Regiment Reservists;
- The RCIPS is also doing a wonderful job;
- Cayman Airways staff who have been re-deployed;
- The Civil Aviation Authority;
- The Computer Services Department;
- The Department of Environmental Health;
- The Facilities Management Department;
- The Ritz-Carlton of the Cayman Islands; and
- Government Information Services.

I thank you, Mr. Speaker.

The Speaker: The Member for George Town Central.

Standing Order 30(2)

(Short questions on statements)

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker.

I stand on Standing Order 30(2) to ask as short question of the Deputy Governor.

In your second note at the last paragraph I heard you read *'Mr. Speaker, after an assessment of the property and with consideration for the breach, an additional five security guards have been recruited to work on the inside.'* On the statement, it says outside. I would just like to confirm whether it is inside or outside.

The Speaker: Honourable Deputy Governor.

The Deputy Governor, Hon. Franz I. Manderson: Perhaps the Member can show me where I have...

[Cross-talk]

The Deputy Governor, Hon. Franz I. Manderson: Page three?

[Cross-talk]

[Pause]

The Deputy Governor, Hon. Franz I. Manderson:

Okay; "...have been recruited to work on the outside where there are blind spots." Right.

[Cross-talk]

The Deputy Governor, Hon. Franz I. Manderson: Oh. When I was saying it? Okay.

Mr. Speaker thank you. Thanks for that. Yes, Mr. Speaker, it says, 'have been recruited to work *outside* where there are blind spots.' I thank the Member.

[Pause]

Employment Engagement Survey et al

The Deputy Governor, Hon. Franz I. Manderson: Mr. Speaker, please allow me to make another statement in relation to our employment engagement survey, HR savings across the Civil Service, and employment opportunities for Caymanian graduates.

I rise today to share with the Parliament and the general public three important and outstanding achievements by the Civil Service and the Government. To deliver such news at the end of a year that was laden with significant and unique challenges is most pleasing.

No one in this honourable House is unaware of the economic, financial, and human impact the COVID-10 pandemic brought with it. In spite of this and working with the elected Government, the Civil Service persevered and delivered exceptional results above and beyond any expectation that may have been set at the beginning of the year. On the topic of delivering exceptional results, I would like to use this opportunity to highlight extraordinary outcomes the Civil Service achieved in 2020 despite the many challenges we encountered.

The first major achievement I wish to highlight is the financial management of our human resources across the Civil Service. Mr. Speaker, you will recall that within weeks of the COVID-19 lockdown members of the public began calling for Civil Service salaries to be cut. I thank the Premier and his Government for resisting the call; to cut the salaries of the very people who were leading our fight against the pandemic would have been a disaster and a morale killer for the service.

Curtailing Civil Service spending would have delayed our economic recovery and would likely have caused some businesses to close. However, my leadership team understood very clearly that the Civil Service had to respond to the challenges the Government was experiencing in relation to a dramatic reduction in revenue. Given this, we developed innovative ways to reduce our human resources cost. As a result, today I am most pleased to announce that at the end of October the Civil Service has achieved a \$10 million reduction in HR costs.

I am pleased to say that despite this significant reduction in costs, our service levels in the areas most critical to the Government's pandemic response were not compromised. In fact, most, if not all of those areas provided higher levels of service to ensure an advantageous result in our fight against COVID-19. Mr. Speaker, I know you will agree this is an outstanding achievement. With these savings and financial support agreed in principle with the Cabinet, I am able to report on the second extraordinary outcome.

Mr. Speaker, over the past few years we have seen a dramatic increase in the number of returning talented Caymanian graduates seeking employment within the Civil Service [and] we have had some success in securing employment for them. For example, we created a trainee post in our Anti-Money Laundering Unit within the Attorney General's Chambers and employed a young Caymanian graduate. That programme has been very successful. With the Caymanian being promoted out of the trainee post, the unit is now seeking to bring in another Caymanian trainee.

We have had similar success in the Ministry of Health, the Ministry of District Administration, the Department of Community Rehabilitation, and the Prison Service; however, we are unable to achieve these results across the Civil Service.

The single barrier is funding. Departments and Ministries do not have flexibility built into their budgets to consistently offer training and development opportunities for our young Caymanians. Therefore, I am very pleased to say that all of that changed on Tuesday this week, when I received approval in principle from Cabinet to utilise up to \$1 million in HR savings to create a central fund managed by the Portfolio of the Civil Service to fund the employment and training of our Caymanian graduates and provide training for existing civil servants who wish to engage in secondment opportunities to gain experience and skills.

I wish to record my profound thanks to the Premier and Cabinet colleagues for their unanimous support. I can say without reservation that I never received a faster Cabinet approval for a recommendation. In fact, my request was for \$500,000 but, thanks to a suggestion from my colleague Minister Seymour, all members of the Cabinet agreed to the sum of \$1 million. This sum of money can make the lives of so many Caymanians better by providing employment and training opportunities. Is there any better way to spend our money?

This programme is very timely given the reduction of job opportunities in the private sector as a result of the effects of COVID-19. Beginning in the first quarter of 2021, the Civil Service will be able to provide temporary employment opportunities to Caymanian graduates who are experiencing difficulties finding work given the current economic situation. In exchange, the graduates will provide the government

with additional manpower and expertise, bolstering our existing teams and service levels.

The end goal as it pertains to this initiative is for the Civil Service, as far as possible, to retain those Caymanian graduates who prove to be high performers, by transitioning them to full-time employment as we have seen in the Attorney General's Chambers. Where this occurs, it will be an advantageous outcome for our young Caymanians and indeed the Civil Service.

Mr. Speaker, the third and final positive message today pertains to our annual employee engagement survey. Remarkably, despite this year's challenges, the Civil Service saw increases in both the response rate and the engagement score. I am very proud to say that we have achieved a record response rate of 83 per cent, which marks a 9 per cent increase over 2019's response rate of 74 per cent. Similarly, our overall engagement score increased to 72 per cent, which is 2 per cent higher than last year's score. That basically means that we have 4,138 civil servants and only about 700 of them did not take the survey. That is a tremendous achievement for us.

While we have not yet received the full results of the survey, these preliminary results are extremely encouraging and indicate a step in the right direction. I would like to give a special mention to the RCIPs who increased their 2019 participation rate by 29 per cent. In 2019 their participation rate was 55 per cent and in 2020 it was 84 per cent. I am also proud to report that 26 civil service entities achieved a 100 per cent participation rate.

As you are aware, Mr. Speaker, the employee engagement score indicates the extent to which our employees feel passionate about their jobs, are committed to the organisation, and put effort into their work. For the score to increase by 2 per cent during this most trying year is an outstanding achievement we all should be proud of.

In my view, this result indicates that the responsibilities placed on us as a Civil Service during COVID-19, namely, to keep the people of these beloved Islands safe, ignited passion within our employees. The leadership exhibited, the joint approach taken, and ultimately the results achieved during our response to COVID-19 strengthened our employees' commitment to the government. For the greater good, our employees put tremendous effort into their work in 2020 and delivered life-saving results. All these things translated into increased engagement, which showed up on the employee engagement survey as a 2 per cent increase in overall engagement.

I wish to record my thanks to Chief Officer Gloria McField-Nixon and her dynamic team in the Portfolio of the Civil Service (PoCS) who led our engagement survey project. They achieved world class results.

In closing, I would like to thank the elected Government for their continued support for the Civil

Service. I also wish to recognise the efforts of our civil servants who continuously provide me with good-news stories like the three I shared today. It is because of their hard work, their ideas, their professionalism, their drive, and discipline that the Civil Service can continue on its journey towards becoming a world class organisation while making the lives of those we serve better.

I thank you, Mr. Speaker.

[Desk thumping]

The Speaker: Honourable Minister of Commerce.

**The Honourable Minister of
Commerce, Planning and Infrastructure**

Reallocation of funds under section 11(5)

Hon. Joseph X. Hew, Minister of Commerce, Planning and Infrastructure, Elected Member for George Town North: Thank you, Mr. Speaker.

I wish to make a statement as to the circumstances and reasons why the Ministry of Commerce, Planning and Infrastructure, CPI, had to request a reallocation of funds from within the 2020 budget under section 11(5) of the Public Management and Finance Law (2020 Revision).

Mr. Speaker, Cabinet granted approval to the Ministry of CPI to re-appropriate funds in the amount of CI \$1,372,968 from the 2020 budget to various appropriations within the Ministry. At the time of the two-year budget submission, the Ministry was confident that it would be able to deliver on all the projects that were budgeted for the year 2020; however, some projects demanded more resources than anticipated. Primarily due to the COVID-19 pandemic, construction prices on island have increased as much as 30 per cent. This reflects higher labour and material costs and has been verified by the Ministry through the analysis of other projects as well as in consultation with the independent quantity surveyors.

Mr. Speaker, Cabinet granted approval for funding the construction and completion of the Bodden Town Church of God multi-purpose hall, to be used as a disaster hurricane shelter. The Ministry of CPI received \$2.04 million for this project; however, upon evaluation of the tender received, it was recognised that the project required an additional sum of \$550,000 above the budgeted amount of CI\$ 2.04 million to complete the main building. It should be noted that these works do not include paving the parking lot, which may be required in late 2021.

As a part of the National Energy Policy's solar initiative, the Ministry of CPI is incentivising the installation of solar panels for low or affordable-income homes. As a result, the Ministry is sponsoring the installation of approximately seven solar panel systems on homes under the National Housing Development

Trust. In addition, the Ministry has earmarked CI \$50,000 to fund several smaller infrastructure projects such as a small solar panel system on a bathroom block in a community park in George Town. These smaller projects are an important initiative of sustainability and provide employment for small local contractors.

Mr. Speaker, the Ministry received an increase to appropriation TP 76 - Assistance with Infrastructure Development, for the completion of the Bodden Town Church of God main building and the installation of the solar panels in the amount of CI \$600,000, which reduces appropriation EI 71 - Equity Investments for Purchase of Entity Assets by CI \$600,000.

It was agreed by the Government that the Ministry, in particular the Facilities Management Department, procure security services to increase the number of Caymanians providing such services to the Government Administration Building. A tender process was completed and the tenders received were far higher than the amount provided for under the 2020-2021 facilities management budget. Hence, the Department was in need of additional funding for the contract to cover a shortfall in operational funding in the current budget. It should be noted that if the contract goes beyond the end of 2021, the Ministry will need additional funding in the 2022-2023 budget.

In order to cover the shortfall in funding for the security services contract, the Ministry received an increased appropriation for PAH 10 - Management of Government Properties in the amount of CI \$450,000, which reduces appropriation PAH 20 - Licensing, Monitoring and Enforcement of Specified Business Types by CI \$225,000; and also for PAH 16 - Licensing of Drivers and Vehicles by CI \$225,000.

The Ministry's Chief Officer and Senior Management team conducted a comprehensive financial capability review of all the departments under the Ministry of CPI and recommended the creation of a Centralised Management Support Services Unit (CMSS) in the Ministry that would provide finance and accounting functions to the four departments under the Ministry, namely, the Department of Commerce and Investment, Computer Services Department, e-Government Unit, and the Facilities Management Department, which did not have their own dedicated finance staff, were not large enough, or processed the critical mass needed to justify the creation of their own finance teams.

It was determined that the CMSS Unit would consist of six employees, and would be separate and apart from the Chief Financial Officer and the Finance Team for administrative and operational purposes. In order to provide the requisite head count for the unit, some existing finance-related posts were identified within the departments and funding from these posts would be used to establish a unit with the balance being funded via existing new posts which were re-

allocated to this unit. This funding was formally transferred to the Ministry of CPI from the relevant departments.

The Ministry received an increased appropriation, PAH 1 - Advice and Support to the Minister of Commerce Planning and Infrastructure, in the amount of CI \$322,968, which reduced appropriation PAH 18 - Technology Support Services, by CI \$194,736 and PAH 10 - Management of Government Properties, by \$128,232.

Mr. Speaker, the aforementioned exceptional circumstance transactions, which were approved by Cabinet for the Ministry of Commerce, Planning and Infrastructure during the 2020 financial period, did not cause any non-compliance with the principles of responsible financial management. I would like to take this opportunity to thank the Members of Parliament for their continued support.

Thank you, and may God continue to bless these Cayman Islands.

The Speaker: The Member for Bodden Town Central.

Honourable Minister, I am sure you know that I will be having a conversation with you shortly.

Mr. Christopher S. Saunders: Bodden Town Central, Mr. Speaker?

The Speaker: Bodden Town West.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker.

[Laughter]

Standing Order 30(2)
(Short questions on statements)

Mr. Christopher S. Saunders: I rise on Standing Order 30(2) just to ask the Minister a brief question.

The Speaker: Permitted.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker.

First of all, I want to thank the Minister with regard to having more Caymanians employed in the Government Administration Building from a security standpoint. For security purposes, I will not ask him the number of security guards; but out of curiosity, can the Honourable Minister tell me a rough range and, more importantly, which percentage are Caymanians.

Thank you.

The Speaker: The matter of the range... What do you [mean]?

Mr. Christopher S. Saunders: In terms of the number of security staff — more than 50, less than 50?

The Speaker: No; that would still give—

Mr. Christopher S. Saunders: Yeah, but just...

The Speaker: —an understanding of how many you got. The first one, I think, you should go—

Mr. Christopher S. Saunders: Yeah. Just the percentage is fine.

The Speaker: The percentage. Honourable Minister.

Hon. Joseph X. Hew: Thank you, Mr. Speaker and thank the Member for the question.

It is about 60 per cent and initially the goal was to try to get all the forward facing and the more regularly scheduled staff to be Caymanian.

The Speaker: Member for Bodden Town West.

Mr. Christopher S. Saunders: Thank you, Mr. Speaker. I reiterate my thanks to the Minister.

Out of curiosity, are there [similar] initiatives in other government departments across the board, because something we were looking at was getting more Caymanians in government buildings, especially on the security side, like at the ports and so forth. Has there been any update or can the Minister speak to that?

The Speaker: Honourable Minister.

Hon. Joseph X. Hew: Thank you, Mr. Speaker and I thank the Member for the question.

Unfortunately, I do not. Facilities Management falls under our Ministry and it has always been a point of discussion even since the previous administration, so we had been working on it for a while; [but] I don't have a response for other Ministries.

PERSONAL EXPLANATIONS

The Speaker: None.

OBITUARY AND OTHER CEREMONIAL SPEECHES

The Speaker: None.

RAISING OF MATTERS OF PRIVILEGE

The Speaker: None.

OTHER BUSINESS

PRIVATE MEMBERS' MOTIONS

**Private Members' Motion No. 1/2020-2021
Protection Of Marine
Environment/Shoreline**

The Speaker: Leader of the Opposition.

Hon. V. Arden McLean, Leader of the Opposition:
Thank you, Mr. Speaker.

I beg to move Private Members' Motion No. 1/2020-2021 in my name, entitled 'Protection of Marine Environment/Shoreline' which reads:

"WHEREAS the area along the OPY area of the George Town waterfront commonly known as "Red Spot" has been used as an outdoor fish market for decades by local fishermen to clean and sell their daily catch to locals, residents and visitors alike;

AND WHEREAS this activity has become an integral part of the Cayman culture and should be preserved for all to enjoy;

AND WHEREAS in recent months there has been disagreement between the fishermen and the ownership of the property on occupancy thereof;

AND WHEREAS the fishermen have petitioned government to assist with brokering an agreement between the fishermen and the ownership of the property to ensure this area remains a part of the cultural landscape and secure their livelihood;

AND WHEREAS this property does not have any realistic developmental value because of its size and because of the applicable setback requirements;

BE IT THEREFORE RESOLVED that the Government considers exercising its authority under the relevant legislation to enforce and defend any and all existing prescriptive rights enjoyed by the public or alternatively to compulsorily acquire the said property for the public use in the interest of cultural value and for the purpose of preservation of a long-established activity by members of the public."

The Speaker: Is there a seconder?

The honourable Member for Savannah.

Mr. Anthony S. Eden: I beg to second the Motion, Mr. Speaker.

The Speaker: The question is: **"BE IT THEREFORE RESOLVED that the Government considers exercising its authority under the relevant legislation to enforce and defend any and all existing prescriptive rights enjoyed by the public or alternatively to compulsorily acquire the said property for the public use in the interest of cultural value and for the purpose of preservation of a long established activity by members of the public."**

Honourable Leader of the Opposition? Are you ready to move on your Motion?

Hon. V. Arden McLean, Leader of the Opposition:
Thank you, Mr. Speaker.

Mr. Speaker, let me begin by making it abundantly clear that I thought long and hard before bringing this Motion to this honourable House.

I grew up like all of us in this country and I have always viewed and enjoyed the shoreline of this country as free citizens with respect for private property and the privacy of those who own — the proprietors; but, Mr. Speaker, there are certain areas of this country that we have all viewed as having cultural values and points of interest that have gone down through generations as being kept in our minds and our history, as areas that we should preserve for future generations to carry on that culture and the ability to utilise.

Many of us in the mid-late 90s, 1998 I believe, when we started naming roads in this country, were a little apprehensive about it because hitherto there were very few roads that were named. They were referred to by location and someone living on the roads that you would identify, or some tamarind tree and coconut tree or mango tree or grape tree. There is a long history of it being engrained in us that these areas were identified because of the cultural values.

Mr. Speaker, I know other means for identifying a particular boundary. When I went to an all-age school in East End, those of us from East End always had this rivalry with those from Gun Bay because they thought, believed— and continue to believe, it is a cultural thing; that Gun Bay was different from East End. Well, they were two different settlements and vast undeveloped land was between them. We would always chase the people from Gun Bay up to where we would call 'Sam Rankine Tamarind Tree'. Sam Rankine owned that property and that tamarind tree remains today, so when the people of East End speak of 'Sam Rankine Tamarind Tree' you know exactly what value it has. It was the dividing line between East End and Gun Bay.

Mr. Speaker, I dare say there are similar memories of all us who grew up in this country that have been etched in the annals of history albeit many times in our own memory, but they have served to remind us of where we came from and who we are.

Now from a personal perspective, my dad owned a transport truck when I was a kid with which he would pick up different merchandise from George Town to take the East End; and I have fond memories of a number of areas in George Town like everyone else does, particularly those from George Town like the Premier, who grew up down here. Then I have fond memories, through listening to Warren Conolly, who served many years as a legislator and Vestryman, of what the waterfront meant to this country and to all of us.

One of the things I recall is that the waterfront was where the country was managed from. It was where the Vestrymen and magistrates and politicians would gather in the morning and talk to their constituents, on the wall at the waterfront which has been called Red Spot since before all of us so, Mr. Speaker, I would dare say it has some cultural values that we should never erase from our people's memory.

Mr. Speaker, I believe that it should be in the hands of the people. I recognise that it is privately owned. I recognise that when it is private and absolute one has every right, within reason, to do as they please with their property; however, when the property has such cultural value, such cultural significance to a country, I believe the Government should at the very least try to secure it so that it can be kept in perpetuity for generations and generations to come. I spoke briefly about how 'Sam Rankine Tamarind Tree' in East End divides East End and Gun Bay. That has been preserved by virtue of the creation of a public right of way, and it sits right in the middle of it. No one owns it, and hopefully long may it survive.

From the time I came to George Town on my father's truck, Red Spot was there. The Smiths who had their commerce right on the other side of the road would always be over there on the wall. There are many George Towners, I recall, who would sit on that wall. There are many who, I recall, when the market was out there — I still do not know why we didn't leave it as the meat market. That is what it was. As time goes on, the one easy way to erase a People, is covering that country's cultural icons.

We all remember World War II and what was tried there. To wipe out and take the people off the face of the earth. One leader tried destroying all the art and artefacts of a country. Those are valuable icons to preserve, to ensure that generations from now will know, and they will stand out in the minds of generations from now. It is already a part of our memory, but where will we be a hundred years from now? Thus, the reason I want to ensure and request that the Government does whatever is necessary to preserve Red Spot.

All my life I have seen people clean fish there, all my life. It was not as commercially driven as it is now; a few fishermen would pull up their boats there, and it is a little broader now... Mr. Speaker, I didn't know who that property was for. I certainly did not even think it was someone's. I thought it was a scenic coastline owned by the Government.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Well, I don't know, it might have been. I don't know who Dora is, but the records will reflect that during the cadastral survey it was registered in the name of one Alfred Dacosta Bird. Of course, I did not know Mr.

Bird. That was done on April 1971, and at that time it was registered as [being] 0.09 acres.

On the 16th day of August 1973, one Alfred Dacosta Bird of George Town in consideration of CI \$20,000 sold such property to one Christopher Dorian Johnson and Kenneth Spraggon, each owning half—

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: — as joint proprietors.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: No; joint proprietors it was.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: It was joint proprietors. They each were shareholders and then, sometime between 2005 and 2006, one Christopher D. Johnson was made full owner of the property by virtue of affidavits and death certificates and the like of one Spraggon. Hence, the property is privately owned by one Christopher D. Johnson. Legitimately, also.

Now Mr. Speaker, I should say that it was not finalised until 2017. Rectification of the register was done on the 14th day of September, 2017. Why...

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Yeah, it was, but the rectification was done in 2017.

During the COVID experience we had here I think Public Health and the Minister for Commerce, in their infinite wisdom, recognised that there was insufficient land for people visiting there to keep a six-foot distance and so they moved the fishermen to the South Terminal by the George Town dock.

It is my understanding, and I may be wrong, that upon returning there have been discussions and disagreements as to the occupancy of that piece of property by the fishermen. I do not know what kind of arrangements have been made by the owners and the fishermen over the years, but certainly they have been there long enough. If there have been no arrangements then prescriptive rights could probably come into play, but be that as it may, I believe the Government needs to acquire that piece of property.

Now, the Government has provisions at its disposal to be able to do that, and those provisions are made available under the Land Acquisition Law, 1995. When you say "compulsory", most people believe that the Government doing a compulsory acquisition is a bad thing, but I do not believe it is a bad thing. Compulsory acquisition is used sparingly by any government because you do not want the government

using the big stick on its citizens all the time, but when it is in the interest of the public and for public purposes, all should know that the Government has the right to acquire the property for public purposes— I believe in America they call it imminent domain. In particular, in this case, where it has such cultural value to this country, I believe we should purchase it.

Now, compulsorily acquiring does not mean that the Government goes in and takes it, and that is the end of the story. The Acquisition Law does not allow government to do that. The Acquisition Law allows government — and I should say this Law needs to be updated, because it says the Governor needs to do it, but of course it is Cabinet now — to go in and do surveys and notify the public, and the owners of the property, that the government is going to acquire it in the public interest.

Now let me read just a couple of the provisions in the Land Acquisition Law (1995 Revision). Part III [Sic.] says:

“3. Whenever it appears to the Governor that land in any locality is likely to be needed for any public purpose, a notification to that effect shall be gazetted and the Governor shall cause copies of such notification to be exhibited at suitable places in such locality.”

Mr. Speaker, “Entry for purposes of survey”.

“4. (1) Notwithstanding anything contained in any other law, as soon as a notification has been published and exhibited in accordance with section 3 it shall be lawful for any officer, either generally or specially authorised by the Governor, and for his servants and workmen-

- (a) to enter upon, survey and take levels of any land in such locality;**
- (b) to dig or bore into the sub-soil;**
- (c) to do all other acts necessary to ascertain whether the land is adaptable to the public purpose;**
- (d) — ”**

The Speaker: Honourable Member, we have reached that hour and I call on the Premier.

Moment of Interruption—4.30 p.m.

Suspension of Standing Order 10(2)

[Cross talk]

[Laughter]

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

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

The Speaker: The question is that Standing Order 10(2) be suspended to enable the business of the House to continue after the hour of 4:30.

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

AYES.

The Speaker: The Ayes have it.

Agreed: Standing Order 10(2) suspended.

The Speaker: The Leader of the Opposition continuing.

[Cross talk]

Hon. V. Arden McLean, Leader of the Opposition: I can't wait to see that one; can't wait to see that one. Mr. Speaker. I was on:

“(d) to set out the boundaries of the land proposed to be taken and the intended line of work, if any, proposed to be executed thereon;” and likewise and likewise.

Under section 7 of the Law, “Negotiations for purchase”, it says:

“7. (1) Whenever a declaration has been made under section 6 the Governor shall, without delay, enter into negotiations for the purchase of the land to which the declaration relates upon reasonable terms (which shall include early possession).”

(2) “It shall not be necessary for the Governor to await the publication of the declaration before he endeavours to conclude an agreement under this section.

(3) Nothing in this section shall be construed as prohibiting or delaying the procedure hereinafter provided for the compulsory acquisition of any land.”

“Power of Governor to direct compulsory acquisition”

“8. Where a declaration has been made and published as required by section 6, and where in respect of the land to which the declaration relates the Governor is satisfied that

- (a) it has not been possible to conclude a satisfactory agreement under section 7;
- (b) the negotiations in connection with any such agreement have been or are being unduly delayed; or
- (c) it is not in the public interest to enter into such negotiations,

the Governor may, by order under his hand, proceed to acquire and to enter upon and take possession of the land compulsorily in accordance with this Law.”

The Law goes on to say that it may go to court and the different factors that must be taken into consideration before the matter is concluded.

“Matters for the consideration of the Court”

“12. In determining the amount of compensation to be awarded for land acquired under this Law, the Court shall take into consideration -

- (a) the market value of the land at the date of the publication of the declaration relating thereto under section 6;
- (b) the damage sustained by the person interested by reason of the taking of any standing crops or trees which may be on the land at the time of the taking possession thereof;
- (c) any damage sustained by the person interested, at the time of the taking possession of the land, by reason of severing such land from his other land;
- (d) any damage sustained by the person interested at the time of the taking possession of the land, by reason of the acquisition injuriously affecting his other property, movable or immovable, in any other manner, or his earnings;
- (e) if, in consequence of the acquisition of the land by the Governor, the person interested is compelled to change his residence or place of business, the reasonable expenses incidental to such change; and
- (f) any damage bona fide resulting from diminution of the profits of the land between the time of the publication of the declaration under section 6 and the time of the taking possession of the land.”

Mr. Speaker it is not like people do not get paid for their property. It is just that the Government needs it in the interest of the public good.

“Payment of compensation”

“27. (1) On the making of an award under section 11, [that is when the court awards it] ‘...payment of the compensation awarded to the persons interested entitled thereto according to the award, and shall pay it to them unless prevented by one or more of the contingencies mentioned in subsection (2).

(2) If they do not consent to receive it, or if there is no person competent to alienate the land, or if there is any dispute as to the title to receive the compensation or as to the apportionment of it, the Governor shall deposit the amount of the compensation in Court:

Provided that any person admitted to be interested may receive such payment under protest as to the sufficiency of the amount:

Provided further that no person who has received the amount otherwise than under protest shall be entitled to make any application under section 17:

Provided also that nothing herein shall affect the liability of any person who may receive the whole or any part of any compensation awarded under this Law to pay the same to the person lawfully entitled thereto.

(3) Notwithstanding anything in this section, the Governor may instead of awarding a money compensation in respect of any land, make any arrangements with a person having a limited interest in such land, either by the grant of other lands in exchange, the remission of land revenue on other lands held under the same title, or in such other way as may be equitable having regard to the interest of the parties concerned.

(4) Nothing in subsection (3) shall be construed to interfere with or limit the power of the Governor to enter into any arrangement with any person interested in the land and competent to contract in respect thereof.”

“Money deposited in Court”

“28. (1) If any money is deposited in Court under section 27(2) and it appears that the land in respect whereof the same was awarded belonged to any person who had

no power to alienate the same, the Court shall-

- (a) order the money to be invested in the purchase of other lands to be held under the like title and conditions of ownership as the land in respect of which such money shall have been deposited was held; or
- (b) if such purchase cannot be effected forthwith, then in such approved securities as the Court thinks fit, and shall direct the payment of the interest or other proceeds arising from such investment to the person or persons who would, for the time being, have been entitled to the possession of the said land, and such moneys shall remain so deposited and invested until the same be applied-“

Mr. Speaker, it goes on with other provisions. Now, that says that nothing will be taken from anyone without proper compensation. The state cannot take land without the proper value applied. The advent of the cadastral surveying in the late 60s, early 70s brought us to the point where we know the value of every piece of land in this country. They all have boundaries, and we can determine a value on those properties.

For the purposes of this exercise, let me read from the Development and Planning Regulations. When a piece of property is properly earmarked and ownership is known, whether it is the Crown or otherwise, there are certain things that can be done on it and certain things that cannot be done on it; but all things to be done on it or not done on it are recorded in the Development and Planning Law or Regulations for development in this country. Whether it is to plant a flag post or put a chair on it or anything else, any development on that property must go through a planning process and application process. Now some lands, because of their location, have no developmental value i.e. nothing can be built thereon because they are not large enough to meet the planning criteria for development.

In the case of this piece of property, for the benefit of all, let me read from the Development and Planning Regulations (2020 Revision), page 13, section 8(10) — and these are the requirements for development within George Town:

“8. (10) The following provisions apply to waterfront property—

- (a) in Central George Town, within the area enclosed from a point on the waterfront map reference MM593 331 (Eden Rock), — you know where Eden

Rock is— thence in a northerly direction along such waterfront to map reference MM597 344 (Whitehall Bay), [that is by Lobster Pot] thence due east to the edge of the road reserve of North Church Street, thence southerly along the western road reserve boundaries of North Church Street, that is coming back south, Harbour Drive and South Church Street to map reference MM 594 331, that is Eden Rock again thence due west to the point of commencement, that is back down to Whitehall Bay, new buildings or additions to existing buildings may be permitted but any such buildings (including ancillary buildings, structures and walls) shall not at any point be closer than 75 feet to high water mark; but this restriction shall not apply to any works carried out by the Highway Authority established under the *Roads Law (2005 Revision)* where the works are for the protection of the existing road against undermining or scouring by the sea or to any works carried out by the Port Authority established under the *Port Authority Law (1999 Revision)* where the works are for the improvement or repair of the George Town port facility;”

Mr. Speaker, that means your closest setback is 75 feet. The closet your building can come to the high watermark is 75 feet, including ancillary buildings too. I would venture to say that piece of property, Red Spot, is about 10 feet from the high watermark, because in George Town waterfront the boundary is to the road and your property starts from the road out to the high watermark. We have all driven by there. The high watermark on one side of it is the iron shore; the high watermark on the other side is the little beach down there — Mr. Speaker, you could not lay down a piece of two by four on that piece of property lest you get yourself in trouble.

You could not plant a flag post on it, because you *gah* yourself in trouble. You cannot put a bench on that because you *gah* get yourself in trouble from a developmental perspective, so it has no developmental value. It certainly has financial value, but it also has cultural value to the people of this country and its future generations. It has a value for the livelihood of our people, many of whom make their livelihood there. It has a tourism value; and it seems it also has a Governor's value, because every Governor comes 'bout they clean fish.

[Laughter]

Hon. V. Arden McLean, Leader of the Opposition: They don't stay long after that, so they better be careful.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: What I am saying, Mr. Speaker, is that each and every one of us at one time or another has gone there to buy fish.

I recall when I was a Minister I was asked by a foreign journalist what I was going to do about the fishermen selling spoiled fish out there so I said well, how would I know they are selling spoiled fish. They said, well, that is the rumour. I said, well, there is a way of testing to see if it is spoiled, you know? They said, well, what is it? I said, use the thermometer my mother used... and I stuck my finger in the air. They said, what is that? I said, stick it with your finger; you will know. If it is spoiled, it's going to be soft. If it is firm, it is not spoiled.

It has been there for a long time, you know. As I said earlier, longer than all of us. The only thing that can be done there is for the NRA, [National Roads Authority] to repair that wall. That is the only thing that can be done on that piece of property from a construction perspective. I believe the government needs to pay the people for it.

Now, I understand, I am hearing these rumours that they have gone into some agreement — and I am sure the government will get up and say... I heard the Premier say he is going to show me the errors of my ways. I am waiting for that. Think I am afraid to know, or to admit that I made an error? No, I am not. He knows that.

I understand the Government has gone into some agreement with the owner, to give it to the people in perpetuity — but the fishermen have to come off of it; so, you are going to bequeath me something for the public... Are the fishermen not the public, too? They are a part of the public, you know? Everybody has a home in this country. Even if they don't have a cover over their head, they are members of the public. They are people. They are the people of this country; therefore, they must — sometimes they do not — but they must share equally in the spoils of the country.

If you are giving it to the people, Mr. Speaker, who do you think is going to take care of it? The money is from this Legislature, you know? Where do you think that money comes from? Hello — the public. We must spend the fishermen's money to maintain it in perpetuity, but they can't go on it? No. Pay them for it. Whatever it costs, pay them for it because there is no financial value that can be placed on cultural values. None. It is easier for us to negotiate our way through potholes all over this country and go and purchase that piece of property than to leave it under someone else. It is necessary, absolutely necessary for public use, yet the negotiations have not reached the point at

which the person will sell — Gazette it, and let's take the property. Of course, they will go to court. Somebody has got to give up at some stage.

We will fight for the separation of powers. We are prepared to use public funds to fight for everything but our right to give our people and maintain their culture. Mr. Speaker, all I am saying is let us consider paying the person for it. That is all it is; and if they will not agree... You know, doing it by the compulsory acquisition process all it is, is notifying the people that we need the property for this purpose and we would like to have it. We need to tell the public through the gazette process why we are doing this with their money.

Now this law needs to change too, because of the old English in it — I would hope the AG could get his people to put some modern legislation in place so people can understand it.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Huh?

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: I seem to be doing well?

No, Mr. Speaker, I believe it is necessary for us to do it and pay the people for it. It has value to them too. Everything in life has a value and if you want it you have to pay that value. Now they cannot be unreasonable. That value extends to everything in life, and if the Government wants it, we have to pay. I recall when the Premier and I were in Cabinet.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: I ain't going that far.

The Minister of Tourism, Mr. Clifford, from Bodden Town, brought a paper for us to acquire a piece of property adjoining the public beach in Bodden Town.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Coe Wood Beach.

You were there; my good friend from Savannah. It was you and him, yeah, and no one could find the owners, but we found that the last known address was somewhere in Asia, so we advertised it in that country for months. We did the evaluation and deposited the money into a bank for the arrival of a claimant. I would venture to say that money is still there, Mr. Speaker, but we took possession of the property. Compulsory acquisition.

I do not know what has transpired since then so I will not venture into that, but that is how it is done. The person was not here. We could not find him. Prior to leaving Cabinet, I was told there was information that he was deceased and it would stay there until such time.

I had the fortune of being involved with a lady, right in town too, who wanted to bequeath to the country. We did not finalise it, but it was me she called to do something about it. I do not think it has been completed yet and it has cultural value too, so I would encourage anyone, all of us in the government, to try and get that done.

Right now, with that piece out there, I believe the Government needs to do the publication and go into negotiations with the owner of the property. That is what compulsory acquisition is about, not that you are not being paid. The government needs to decide that it wants that property for public purposes, for the use of the public, Gazette it, and go into negotiations with the owner. It is what needs to happen.

Let me borrow a word from my good friend from Savannah: pussyfootin' around with this has got to stop.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? *[Pause]* Does any other Member wish to speak? The Honourable Minister of Commerce.

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

Since the honourable Member from East End went into some history on the fish market and how we got to today...

Mr. Speaker, during the shelter in place over the summer, as we were emerging out of that and re-opening the economy, I was contacted by the commercial fishermen asking if they would be able to return to fishing. I consulted with the authorities and it was determined that there was a need — there was certainly a shortage of fish in the supermarkets and if you could get it, it was quite expensive; and if they were licenced, under the regulations we would be able to issue the approval for them to operate, so I set out to contact them all and met with them.

We put together a team in DCI to contact each one and to get them all licenced. I think two out of the seven or eight already had a commercial fishing or distribution licence. Within a matter of a week or so we were able to get them all licenced and approved for them to return to fishing. I was again contacted by the commercial fishermen who said that they rely on the fish vendors on the waterfront to sell the remaining fish that they do not sell to the supermarkets, hotels and restaurants and, considering the hotels were all closed, they would have excess fish and would really rely on these fish vendors to move the remainder of the fish.

In fact, I had been contacted at the same time by the Member for George Town Central. I then contacted one of the representatives from the fish vendors and discussed it with them. We presented a proposal to the authorities to reopen the fish market at what is being referred to today as Red Spot. We drew out a plan and they felt that they would not be able to exercise proper social distancing, both for the customers and the vendors themselves.

Subsequently, I set out to negotiate with the Port Authority on the South Terminal where we felt we could lay it out whereby they would have the ability to wrap the line around the rotunda and they would have the six-foot social distancing. We could put the tables six feet apart along the dock as well. In fact, the vendors were very supportive and volunteered to be tested beforehand, which we did. This also allowed the commercial fishing vessels to come and offload. We put up a fence separating them from the vendors and allowed them to offload the fish there for the vendors. It all worked rather well at the time.

I was then contacted by the owners of Red Spot, Mr. Johnson, to ask whether the fishermen, the vendors, were going to remain where they were or if they would be returning. I said I had heard that they were desirous of returning to Red Spot. I then asked him to come in for a meeting and we discussed government purchasing the property from him. He felt he did not want to sell the property. He wanted to create what he considered an area for the public to use that property; clean it up and put seating, et cetera, and a little plaque with the cove's story.

I said I would discuss it with the vendors and I would look at opportunities to relocate them if they were so interested. I called a meeting with the vendors here because we were in the House at the time. It was later reported in the press as a protest, but in fact it was an organised meeting that I called. I presented the options to them, some said absolutely not, some said those were interesting, but at the end of the meeting it was decided that I would go back and speak with Mr. Johnson and say to him that they were desirous to stay there and we would then go from there negotiating how it would happen. Unfortunately, it received negative publicity and Mr. Johnson pulled out of the discussions.

After much back and forth, and with the Premier's assistance, we were able to re-start discussions with Mr. Johnson and we were able to come to an agreement with him that saw the property being put in a trust for the use of the people of the Cayman Islands in perpetuity. He had other concerns on that particular spot that were valid. He suggested that perhaps the fishermen would relocate to the same cove, but on the opposite side where he has property bordering with the Thompson family. I went and discussed this with the fish vendors. We agreed that we would develop the opposite side for them, and we would also develop restroom facilities and parking across the street.

Mr. Speaker, this was welcomed by the vendors then. In fact, let me reverse and say that the representative from George Town Central was also included in the discussion, as the particular site lands square on the border of George Town North and George Town Central. We had discussions with them, and they agreed we would speed up the plans for public bathrooms across the street and dedicated parking for the fish market. They found this acceptable and it solved a few problems for them; firstly, obviously having the restrooms, and secondly, they were having congestion issues due to the parking lot next to them belonging to the Cabana restaurant, which was desirous of reserving those parking spaces for its clientele.

We all agreed that whilst we could go down the long road of fighting in Court for prescriptive rights; and the Member painstakingly took time to read the Law to us, explaining the process and that it could end up in Court and that it is not so much the — I think he used the term ‘big stick’ — but that you would pay the person. I agree with all of that, but what we ended up with was a solution where the property is still going to be held for the people of the Cayman Islands. One of the few conditions on that trust would be that there would be no commercial activities, because he wanted everyone to feel free to go and use it; to sit and watch the sunset whatever they wanted to do there without having hassle with commercial activity.

We contacted the Thompson family, who were 100 per cent supportive as well and so — it is a different block and parcel on the other side, Mr. Miller. Someone asked how they would then sell fish. We all came to an agreement; I have accepted to develop it under the George Town revitalisation. The process has already started, [we are] looking at how we can best do that as well as “early-ing up” plans for restrooms and parking across the street which would service the fish market.

The Government felt, or I certainly felt, after much hard work and some very tense days dealing with this matter, that we had found a solution that suited everyone where we did not have to use a big stick, we did not have to end up in court in long protracted negotiations and perhaps battles, but we ended up having a cultural spot secured for the people of the Cayman Islands for perpetuity and we ended up with a suitable location, or an acceptable location I should say by the fish vendors, with the supporting parking and restroom facilities right there next to a pedestrian crosswalk as well.

We have started the process of finalising those agreements. We would also include that the properties or wherever the market is would have the necessary insurances to protect the vendors, et cetera. The fish vendors actually ask whether we could also put together a set of rules and guidelines, a code of conduct for the market, et cetera. They are all 100 per cent supportive of the opportunity to have a

restart to develop a proper fish market for them to be able to continue to make a living in the way they have enjoyed over the last several years there as a fish market.

Not to belabour the point, Mr. Speaker, that is simply where we are as a Government. We have negotiated a solution and have entered into an agreement in good faith with the property owner. We have a solution that is satisfactory to all parties involved, and therefore at this time we cannot accept the Motion as presented by the Member.

Thank you, Mr. Speaker.

The Speaker: Does any other Member wish to speak? The Member for George Town Central.

[Cross talk]

Mr. Kenneth V. Bryan: Mr. Speaker, I rise to give my contribution to the Motion before the honourable House, Private Members’ Motion No. 1, brought by the Honourable Opposition Leader.

I was hoping this topic would not have to come to the Parliament at this particular point due to what the Honourable Minister said earlier in respect to the efforts to avoid using the long stick. I do respect the Leader of the Opposition’s intent in respect to bringing the Motion to the House, but as the representative under whom this parcel of land falls squarely, I am obligated to speak on this Motion. I will not go over the history of the location because I think the Honourable Leader of the Opposition adequately did so — as a matter of fact, I learnt a few things from the early part of his contribution.

Mr. Speaker, I want to take this opportunity to say that the Minister and I have talked greatly about this topic as I was really upset at the start of the discussion about the fishermen not being able to go back to the location. I had to remind myself that I am a representative of the good people of George Town Central and the people of the Cayman Islands and sometimes you get more with honey than with vinegar so, although I was upset, I took the time to try to mend fences with the Minister who is charged particularly with the revitalisation of George Town. As the Minister rightfully said, he, the fishermen, and I had many discussions regarding the best course of action moving forward.

The Leader of Opposition is 100 per cent correct in respect to what the Government can do to acquire this property, but I think it is incumbent upon all of us as Members to see if we can exhaust all resolution options with the least amount of conflict because no land owner wants to feel the strong arm of the government even though I do agree that sometimes it is necessary.

Before I go on, I want to summarise the ending of what my contribution will be about, but then give some information afterwards. I do believe that we

should give the Minister and this administration the necessary time to resolve the matter; to show that we are Members of Parliament willing to work together with those who are landowners for what is in the best interest of the country. If that is exhausted and there is no resolution, then, on behalf of the good people we represent, we will take the necessary steps to get the end result we want.

I think the Minister's contribution gave a good summary but despite myself giving him the leverage to control the matter, I am limited on information in respect to the whole deal that was agreed simply due to the fact that I was not involved in the negotiations. The negotiations I was involved in were directly with the fishermen themselves, the men on the ground, the grassroots people. I was not in the meetings when the discussions and agreements [took place] as to what the deal would look like, so I am subject to the Minister's statements as to what will ultimately be the end result. Exactly what he said to this honourable House is what he repeated to me after having negotiations on behalf of the fishermen downtown and the good people trying to secure this cultural and historical location for the benefit of the people.

Now, Mr. Speaker you heard the Honourable Minister talk about the landowner wanting to put the land in a trust in perpetuity for the good people of the Cayman Islands but not wanting the actions of selling fish to be particularly on the parcel of land which is identified under the lands and survey law as parcel OPY5. We have heard the negotiations are to suggest that the fishermen move to the south of that property where the landowner also holds a parcel of land.

I am happy to say that I grew up right around this area. Growing up, I spent many of my days right there on that corner watching my father sell fish. As a child coming home from George Town Primary School on Mary Street, after getting out of school I knew I could run down by the bay and say, *daddy give me five dollars so I can go by Mr. Gould's shop to buy candies*. I have fond memories of seeing what fish were brought in — the big tunas and big old groupers before we put more controls on the grouper population.

My point is that I know this area very well and the area to the south which we have heard the indication for them to move to has a different landscape than the area to the north where they reside in respect to their fishing activities. The iron shore to the south is rather high off the ground, which creates much difficulty given the nature of how they're performing now, which offers that cultural and historical element of a Caribbean island that is also important to our tourism product.

I want to lay on the Table of this honourable House an affidavit that has been sent to the Registrar of Lands, Ms. Sophia Williams, to register a claim to this property which I understand has been generated by members in the community —

The Speaker: Can I have a copy before you attempt to lay it?

Mr. Kenneth V. Bryan: Mr. Speaker just a procedural matter.

As you can imagine, I am still growing in my role as a representative. Can you clarify? When you say you need the report before I speak to it, do you need to examine it first or do you get it, and I can continue to speak to it?

The Speaker: Honourable Member, this is several pages long. Are you going to quote from it? From the document?

Mr. Kenneth V. Bryan: Yes, Mr. Speaker.

The Speaker: Well, if you are going to quote from it... not all of it?

Mr. Kenneth V. Bryan: No, Mr. Speaker, definitely not all of it. Some parts of it just for reference.

The Speaker: Well, let me follow. Continue and I will follow. If you are skipping from page to page, please quote the page because it is several pages long.

Mr. Kenneth V. Bryan: Thank you, Mr. Speaker, and I will do so.

Mr. Speaker, the document is a letter sent to the Registrar of Lands on November 25th, 2020. It reads:

"Dear Madam,

RE: George Town Commercial Section parcel OPY5 known as Dora Bay/Red Bay claim— "

The Speaker: Red Spot.

Mr. Kenneth V. Bryan: Red Spot. Sorry.

"—Red Spot claim by adverse possession pursuant to the Limitation Law (1996 Revision) and section 136 of the Registered Land Law (2018 Revision)."

Mr. Speaker, I am just going to read the first part of the letter and then go over some parts of the rest of it. It says: *"Attached is our affidavit for the claim for adverse possession of the subject parcel of land to be registered in our names. Also, attached are witness statement by Mr. Herbert Brown Byrd, better known as Mr. Blinky, Joseph Ladner Watler, certified honourable and Luis —"*

The Speaker: Cert. Hon. Cert. Hon. It is Ladner Watler, Cert. Hon.

Mr. Kenneth V. Bryan: *"Cert. Hon and Mr. Luis Ricardo Tatum."* I apologise for the abbreviation. Lack of

knowledge about the Cert. Hon. I thought the abbreviation was for certified and honourable but —

[Inaudible interjection]

Mr. Kenneth V. Bryan: Certification Badge of Honour. Learned something new today; thank you Mr. Speaker and to the Premier.

“Other witness statements and supporting evidence will be submitted to you. This letter, the affidavit, and the witness statements are submitted in support of this claim for adverse possession of parcel five. We look forward to your acknowledgement of this claim and should you require additional information please do not hesitate to contact us.”

Now, I present this to the House so all Members realise the significance because there is much historical value within the document. There are affidavit claims of how long people have been fishing there. It has pictures and, just for your reference, Mr. Speaker, a picture from 1994 and if my memory serves me, I know the fishermen have been fishing there since I was five years old, which would be 1985, that I recall my father fishing out there.

Then you have other pictures as the land updates. You have the 2018 map, the 2008 map, you have pictures, as you heard the Honourable Opposition Leader talk about, of Governors going there to be a part of our culture and experience what we are as Caymanians. It gives significance to the identity of that location and what it means to us. On page nine you can see a very, very old picture from the early 80s of older fishermen with some of the names of the persons who were fishing there in what looks like elephant pants. That is how old the picture is. I believe the style of elephant pants was in the 70s, no? Could be even older.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Bell bottom.

Bell bottom pants. My point is that the picture gives you an indication of how old and how long the good people of Cayman, and particularly those of George Town, have been using this location.

Just as a matter of reference, believe it or not, there is a picture within the study books that we offer to the children at our government primary schools talking about culture and heritage, with a picture of my young father holding up a grunt. I remember when, because they did not have that book at the First Baptist Christian School my children attended, some of the educators gave me some of those books to give to the school. It was so cool to say to my children to look through it and hear one of them say, *that nah grandfather?* I was hoping to find the book, but couldn't find it last night; that location is even used as a reference in educational exercise books that we have to show its significance.

Whoever was involved in putting this document forward — I won't call any names, but there are advocates; people out there who protect the cultural and historical interests of the people, who try to help the citizens, and I want to say thanks to them for doing so. Now it is in the record books of this honourable Parliament.

Mr. Speaker, I say all of that only to highlight the significance of this. As a Member of Parliament it is important that I recognise the rights of all persons to their lands, but as a community and as a family of people we also have to recognise the importance of our identity, of who we are, and I want to encourage the landowner to continue with the negotiation that is in the best interest of the people. I do not think the idea of moving them from that location to the other one may be the best solution.

I personally believe if the owner wanted to show a commitment to the good people of the Cayman Islands together, as a family called Cayman, it would be best to just transfer the land; protect it for the people. Not the Government because the Government can sell land, but protect it for the people for whatever use they have been using it for. To say they cannot have commercial activity there is illogical in my humble opinion because the commercial activity is what they have been doing for over 40 years, since I have been alive. Though I say that, I want to give support to this Government to exercise negotiations so we do not have a situation where it comes to compulsory acquisition.

We are all in this together, including the landowner who has been part of our Cayman family for some — I cannot recall exactly how long he has had that property now, but I know he is a Caymanian, maybe not generational like all of us in this honourable House, but he is part of our family now. I think for us all to live in harmony, allow the negotiation process. I think the owner has already made a step forward in that attempt to keep the harmony amongst us all by showing that he is willing to support the protection of our historical elements on that location.

I want to offer the Minister and this Government my continued support until all options are exhausted, but I think we should renegotiate or reconsider the concept of moving them from one side to the other. I was not there during the discussions to know why the determination to move them from one side to the other was made, but I recognise that moving them to the other side, where the high cliff rock would be, is somewhat less efficient in respect to the offerings of the local fishing market.

I know the Minister said the fishermen were in agreement with it, but I am glad to say that I talk to the fishermen almost every day. I take pride in staying in my community and talking to those on the ground, the average person, every day because they are who we represent; and the feedback I received from them was, *yes we agreed to it because we want to ensure*

we get something as opposed to ideally what would be the best case [which is] they stay exactly where they are on that particular parcel, but with the necessary improvements which may cause concern for the landowner.

I think the Minister already highlighted that there are easy ways to resolve the insurance concerns. Now, if the land was sold, which ultimately is the easiest way to do this, and I know all Members of this honourable House would be willing to commit the necessary funds to acquire it, then the landowner would no longer have to worry about any risk of claim of injury to anybody there, though I was hoping that this Motion would not have to come into the public domain and award the Minister the necessary time to do the negotiation; which is what the government does every day regardless of which government it is — hold negotiations on behalf of the people to keep the balance of harmony and they have to be given adequate time to do it.

Since we are here, I think it is important that we recognise the best solution is the full acquisition without any restrictions whatsoever so the good people's representatives, the elected Members of this House and the next term, can make the necessary decisions on what is best for the cultural and historical norms of the people as long as it cannot be sold, and I would respect the request to say, *if I sell it to you it can't be sold to anyone else; it will always be for the people*.

[Inaudible interjection]

Mr. Kenneth V. Bryan: Mr. Speaker, though I respect the concept of a Trust, I do have reservations in that respect. I do not think there has been any dispute from anybody with whom I have had any discussions about the topic of the fish market that it is not an important location to the country as a whole.

You see, Mr. Speaker, in my wrapping up I want to say this: We have been slowly allowing the small things, the little freckles on our face that make us who we are... Now you may look at Kenneth Bryan, and if you look closer there is a little scar on the side of my face. Now, if that scar goes away I am no longer Kenneth. What I'm trying to get at is that, as the little things that identify who we are as Cayman are slowly swept away, then we are no longer going to be Cayman.

In my analogy approach, that little spot is not just a scar on my face; that little spot is like an eye on your face. It is so important to the identity of Cayman particularly, when we speak about cruise tourism and stay over tourism because at some stage I know everybody in this honourable House has seen a Caucasian man out there with his fishing pole in the hopes of catching a tarpon to go back home and say, *I was in the Cayman Islands and I caught a big one, honey*. I

know we all have seen it, and we cannot allow it to be erased.

The more we allow these little things to be chipped away, the more we lose our identity. I think it is one for which my first [reaction] was, 'boy, this is rubbing me the wrong way.' I had to step back and say, *you know what, we can solve this problem with some honey*; hence, at this particular point, I will not be supporting the Motion for it to be done by compulsory acquisition.

[Inaudible interjection]

Mr. Kenneth V. Bryan: However, I will give a little warning — maybe not the best word to use because it creates a negative connotation.

I will say this: if a good solution is not found in the best interests of the people, and the good people of the Cayman Islands re-elect me as a representative of this House; if we cannot find the best solution after all options are exhausted, which I know we will, then I will be the frontrunner in respect to what this Motion is intending to accomplish. I will leave it in the capable hands of the Minister and this administration to prove to the people of the Cayman Islands that before this administration is done, they can find a solution with the landowner that the good people of the Cayman Islands can be proud of, that we can get past this little concern of diminishing our country's identity. That is how I see it.

Mr. Speaker, unless you ask for any more, that is my contribution and I thank you for the opportunity to speak.

The Speaker: Member for George Town Central, are you still intent on laying the paper?

Mr. Kenneth V. Bryan: Yes, Mr. Speaker. I intend to lay it.

The Speaker: Okay. I have no problem with it.

Mr. Kenneth V. Bryan: Thank you very much, Mr. Speaker.

[Pause]

The Speaker: Does any other Member wish to speak? The Member for North Side.

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

The cultural significance of Red Spot is well-known. I have several members of my constituency who fish during the week and come to Red Spot on a Saturday and Sunday to sell their fish and I have had representation from them that the government needs to acquire this property. I understand from the Minister's response that he is in the process of negotiating a Trust Agreement with conditions attached to it, to

allow different people to use this spot in perpetuity. I am not comfortable, Mr. Speaker, with those kinds of agreements. I like the certainty of government ownership and our forefathers put the Acquisition Law in place for exactly this kind of use.

After the compulsory acquisition, if compulsory acquisition is necessary, I was interested to hear that the government's first option was to buy the property so that it owned it, and that its first option thereafter was not some kind of agreement for use of the property. I like their first option of buying the property so that the people own it and it cannot be sold unless it comes to this Parliament for permission to sell it — unless it is for educational or agricultural purposes and I cannot imagine anyone planting cassava or building a school down there.

In my constituency, many years ago we had an agreement with a developer where the public beach in Cayman Kai was a wonderful hundred-foot lot right next to the Rum Point restaurant. While I was the representative in the 80s, the developers, although people had been using it for several years as a public beach, got a good price for the piece of property and sold it. When I found out about it, I met with the developers and expressed my mild dissatisfaction with that transaction and leaned on them to transfer all of what they intended to be public lands to government ownership, and that's how we got the Kaibo campsite and the public beach above and below Cayman Kai. It is government property.

My concern about this is what changes can be made to these Trust agreements. I am not a trust lawyer so I don't know, but I would suspect that if there are conditions attached to it those conditions can be renegotiated in the future. The only concern I have with the Leader of the Opposition's Motion is that now we know there are two parcels of land involved — OPY5, and I was told yesterday at Lands and Registry there was an OPY6. I do not see it on the maps that the Member for George Town Central has just Tabled, but I see an OPY7. Maybe we need to amend the Motion to compulsorily acquire both OPY5 and OPY7 whereby we would then have total control of the whole small bay, because I and the people of my constituency who go there to sell fish are very concerned that the topography of the southern end, which I believe would be OPY7, does not lend itself to the same kind of facilities that they have on OPY5.

If you look at the map that the Member for George Town Central has just Tabled, it is quite clear that it is not the same size, but much smaller. The distance from the road to the water is quite a bit less and I think there would be some difficulty in accommodating the number of people who use that place to sell fish, particularly on a weekend. During the week there are usually just one or two guys there, but there are times on a weekend when it gets quite crowded.

I also support the Minister's pledge, shall I put it that way, that the government is willing to build re-

strooms and parking on the other side of the road; but that does not reduce my concerns about having a Trust agreement for the property as opposed to Government owning the property.

I believe there is safety and security in the government purchasing the property and I support the Motion brought by the Leader of the Opposition to purchase the property, and not rely on some generosity in a Trust agreement, from a private landowner, of what they will allow or prevent on the property in the future.

Thank you, Mr. Speaker.

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

If not, I will call on the Mover for his right of reply. The Leader of the Opposition, the Member from East End.

Hon. V. Arden McLean, Leader of the Opposition: Just making sure I get the time right. It is quarter to six?

[Crosstalk]

Hon. V. Arden McLean, Leader of the Opposition: Oh, you can take it now because you *gah* get it, too.

The Speaker: In accordance with that warning, I think we had better take our evening break.

[Laughter]

[Crosstalk]

The Speaker: We shall come back at 6:15 p.m.

Proceedings suspended at 5:48 p.m.

Proceedings resumed at 6:25 p.m.

The Speaker: Please be seated.

Proceedings are resumed. The Leader of the Opposition.

Hon. V. Arden McLean, Leader of the Opposition: Thank you, Mr. Speaker.

I think I will ensure we leave before the Premier has his appointment. Evidently the Government has decided that putting this piece of property in trust for the people of the Cayman Islands is—

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: — better than acquiring it in the interest of the people.

We didn't hear anything about how that Trust is going to be structured. Whether it is charitable or it will have beneficiaries. Whether provisions will be put in place to ensure that it never goes back into private hands or that private people do not challenge the trust. That concerns me. I have serious concerns about it. Knowing the value of that piece of property to the people of this country, we must pause and wonder why the Government does not employ the compulsory acquisition process.

The Minister got up and said that he had reached an agreement with the fishermen to put them up on the iron shore on the other side. I would really like to know how that is going to work — and it is conditional upon Mr. Johnson putting caveats in the Trust that there be no commercial activity. I would like to know whether the seven George Town Members have any value for their people, or if they will not do anything to protect others and have no empathy for their own people.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Whether the Premier says it is ridiculous or not, the fact is that they have alternatives that they can use as opposed to moving the fishermen.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: No, you won't.

You can take possession of it. If they want to take it through court, they take it through court; the Law says that!

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Yeah.

Mr. Speaker, but I must tell you—

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: We know why that's there.

We know why that's there. Mr. Speaker, I must tell you though, as disappointed as I am in the Government, I am more disappointed in Mr. Johnson.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: It makes no difference to me at this stage.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Well, make it go south; then it comes back north.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: I will be the reason why. People like you think that I don't care.

The reason I brought it is because I care; I brought it because the Minister gets up here and says that he has an agreement with the fishermen, yet I was just on the phone with some of them again, so don't come blowing smoke at me!

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: *Unna* want to talk about politics? Mr. Speaker, I keep telling them I came in here in 2000.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: You can say what you want, Deputy Premier. I don't see a steeple here, you know.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Well, you can send who you want Premier.

My concern is that the residents, the fishermen, came to me. I signed a petition at my house just recently to support them remaining there, yet suddenly you all come here and got an agreement with them. We see that they submitted an adverse possession to the Registrar on the 25th of November, yet they've got an agreement; the Government has an agreement? Let's see it. The fishermen and I must trust... without seeing anything?

You know who is playing politics with it, Mr. Speaker? It's them. This Government. Eight years they've been in, they did not put any toilets there. All of a sudden now, they're going to build big toilets. Advance the construction of the memorial park they're planning just to facilitate the fishermen; and then we get the Member for George Town Central following them blindly, too.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: It's seven of them in George Town. Come here saying their first option was to buy it but the person doesn't want to sell it. That's all well and good.

Mr. Speaker, I'm very disappointed in Mr. Johnson, having been here all these years, and having become very successful in his own right off this country (because he was living no place else), and you're going to tell me a little piece of land which he paid \$20 thousand for in 1973; he can't give it to the country or sell it to the country and put a plaque there

saying it was donated by him to preserve cultural value?

What is this country worth to people like that who come here and build their own success here? What is it really worth? Yet, I must be vilified for trying to preserve it. That's the problem now. For a fistful of dollars we preserve nothing in this country. It is all about who can get what they need or what they want while the people suffer. Then those of us who try to expose these things are not patriotic; we are playing politics — we don't know what we are talking about. Really? That's how it works?

If this country means no more to them than that, then they are not worthy of being in this country. All of them. Every one of them should be ashamed of themselves and about "it is going south". What is going south? Look at all these affidavits from the fisherman, from other people, and I'm wrong for bringing them because I am disrupting, I'm upsetting the apple cart. Apples? There may be apples, but they're rotten to the core.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Yeah, they're sweet. They used to be at one time, yeah. Mind you, I would advise you to be careful with those remarks. That's my advice because you don't want me to turn loose on you. I promise you that, because I have been there in this House, in advocacy for the people of this country, so be very careful. I'm not threatening anyone, I am just making you a promise.

Mr. Speaker, I am now calling on Mr. Johnson to give this piece of land to the people of this country free of any encumbrances, in order that we can maintain that cultural value. It is he who must face his peers. This matter should never have reached here. It should have been resolved a long time ago. I don't know the value of the property, but you're going to tell me that we, as reasonable citizens...

Why do we want those fishermen to move from there? Somebody really needs to tell me that. If they're on the other side of the bay, we can build the bathrooms in the same place, you know? It is only probably thirty- or forty feet difference. We can build the bathrooms — but we're throwing them on the iron shore, which is three or four feet down to the water. Is that what this Parliament means? Is that what the people of this country mean to this Government but in particular, to the seven Members from George Town?

Then they go and tell people it was me who made it go south. Go tell people that. It is their prerogative, but I don't know whether it's going east, north, south, or west with the direction they're going in. They're going around in circles like chickens with their heads off, but when I try to do something for the people of this country I am the bad boy. You know what the difference is? That I go there nearly every weekend. I sit down and talk with them, so I can em-

pathise with each one of them. Go there and spend time with them!

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, the same way they threaten to tell the people that if it goes south, it was me who did it, I *gah* tell the people that it didn't have any direction from the beginning. It certainly wasn't north. I hope it is successful, but if it does go south as a result of me, at least I proposed an option.

You are telling me we've got our people having to file for adverse possession. You know one of the biggest problems in this country is we don't recognise everybody's value; there are only certain people who have value in this country. We understood their value during COVID, like the waste collectors and the fishermen, and I thank them for arranging for them to go there. The only time we recognise people is when there is an absolute need, which is sad; then we try to use them to promote ourselves, to say we can solve a little problem for them.

Mr. Speaker, I am upset that I have had to go to the point of bringing this to Parliament. Seeking the government's approval to help our people. The occasional time I have a constituent go there, Mr. Speaker, the occasional time; but whether it is my constituent or not, they all have a value in this country and here we are acquiescing to moving them from there.

That is what we have done. That is what we are negotiating, according to the Minister — that there will be no commercial activity on it. Come on. You *goin'* tell them it's me? I *goin'* tell them how they got thrown on the iron shore, too; I promise you that. These people are crying out to maintain their livelihood, and we're going to negotiate for one little piece of land you can't plant a flag post on? Every one of them involved should be ashamed of themselves, including the owner.

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: You can get up and object anytime you want. I can counter you, too.

Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Yeah, tedious repetition, he said. That's what he's doing out there and getting nowhere. Repeating themselves, going around in circles without heads. We will see who votes for and against. I suspect they don't want me involved, so all the George Towners will vote 'No'; but the people will hear it, because they have to vote on the microphone this evening and we *gah* determine who is who. Since I'm the bad boy, we will see who said 'No'.

Thank you.

[Crosstalk]

[Crosstalk]

The Speaker: Honourable Members, be it therefore resolved that the Government considers exercising its authority under the—

[Inaudible interjection]

[Laughter]

The Speaker: Let's start this over. The question is...

Be it therefore resolved that the Government considers exercising its authority under the relevant legislation to enforce and defend any and all existing prescriptive rights enjoyed by the public or alternatively to compulsorily acquire the said property for the public use in the interest of cultural value and for the purpose of preservation of a long-established activity by members of the public.

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

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, can we have a division please?

The Speaker: Please divide, Madam Clerk.

[Crosstalk]

Division No. 43 of 2020-2021

AYES: 7

Mr. Bernie A. Bush
Mr. D. Ezzard Miller
Mr. Alva H. Suckoo, Jr.

Mr. Kenneth V. Bryan
Mr. Anthony S. Eden
Mr. Christopher S. Saunders
Hon. V. Arden McLean

NOES: 11

Hon. Alden McLaughlin
Hon. Moses I. Kirkconnell
Hon. Juliana Y. O'Connor-Connolly
Hon. Dwayne S. Seymour
Hon. Roy M. McTaggart
Hon. Joseph X. Hew
Hon. Tara A. Rivers
Capt. A. Eugene Ebanks
Hon. Barbara E. Conolly
Mr. David C. Wight
Mr. Austin O. Harris, Jr.

[Crosstalk]

The Speaker: Results of the Division: Ayes 6 and Noes 11— [SIC]

[Inaudible interjection]

The Speaker: —1 absentee [SIC].
The Motion has been negated.

Agreed: Motion No. 1/2020-2021 failed.

ADJOURNMENT

The Premier, Hon. Alden McLaughlin: Mr. Speaker, the Government will deliver a result that everyone can be happy with.

Mr. Speaker, I move the adjournment of this honourable House until 10 a.m. tomorrow morning.

The Speaker: The question is that this honourable House be—

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: Mr. Speaker, the Premier can't get up...

I'm sorry sir, but the Premier cannot get up and comment on matters which have already been dealt with and resolved in this House —

[Inaudible interjection]

Hon. V. Arden McLean, Leader of the Opposition: —And then move the adjournment.

He had every opportunity to speak but that's him; he wants what he wants and does what he wants, yet on Monday he got up and talked about how we need to change the Standing Orders so there can be fairness that everyone here can have the opportunity to speak. The Standing Orders allowed him the opportunity to speak; now he jumps up during the adjournment because he is called upon to do the adjournment. He needs to do better.

[Crosstalk]

The Speaker: The question is that this honourable House do stand adjourned until 10 a.m. tomorrow morning.

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

AYES.

The Speaker: The Ayes have it. This honourable House stands adjourned until 10 a.m. tomorrow morning.

At 6.53 p.m. the House stood adjourned until 10 a.m. Friday, 11 December, 2020.