



MINUTES
OF THE
HONOURABLE JAMAICA HOUSE
OF REPRESENTATIVES

At a meeting of the Members of the House of Representatives held pursuant to adjournment at Gordon House in the City and Parish of Kingston on Tuesday, the

8TH DAY OF FEBRUARY, 2011.

The House met at 2:17 p.m. o'clock.

Prayers were offered by Reverend Ronald Thwaites.

Call of the Roll.

PRESENT WERE:

The Honourable Delroy Hawmin Chuck, Speaker

Mrs. Marisa Colleen Dalrymple-Philibert, MP, Deputy Speaker

The Honourable Andrew Michael Holness, MP, Minister of Education & Leader of the House

The Honourable Orette Bruce Golding, MP, Prime Minister & Minister of Defence

The Honourable Parnel Patroé Charles, C.D., MP, Minister of Labour and Social Security

The Honourable Olivia Atavia Grange, MP, Minister of Youth, Sports and Culture

The Honourable Lester Michael Henry, C.D., MP, Minister of Transport and Works

The Honourable Clifford Everaldo Errol Warmington, MP, Minister of State in the Ministry of Water and Housing

The Honourable Shahine Elizabeth Robinson, MP, Minister of State in the Office of the Prime Minister

The Honourable William James Charles Hutchinson, MP, Minister of State in the Ministry of Agriculture and Fisheries

The Honourable Robert St. Aubyn Montague, MP, Minister of State in the Office of the Prime Minister

Mr. Noel George Delano Arscott, MP, Clarendon, South Western

Dr. St. Aubyn Bartlett, MP, St. Andrew, Eastern

Mr. Peter Murcott Bunting, MP, Manchester, Central

Mr. Roger Harold Clifford Clarke, MP, Westmoreland, Central

Dr. Omar Lloyd Davies, MP, St. Andrew, Southern

Dr. Morais Valentine Guy, MP, St. Mary, Central

Ms. Lisa Rene Shanti Hanna, MP, St. Ann, South Eastern

Dr. Esmond Vernal Patrick Harris, MP, Trelawny, Northern

Mr. Ian Dave Hayles, MP, Hanover, Western

Mrs. Maxine Antoinette Henry-Wilson, MP, St. Andrew, South Eastern

Mr. Joseph Uriah Hibbert, MP, St. Andrew, East Rural

Mr. Fitz Arthur Jackson, MP, St. Catherine, Southern

Mr. Derrick Flavius Kellier, C.D., MP, St. James, Southern

Mr. Desmond Gregory Mair, MP, St. Catherine, North Eastern

Mr. Clive Arthur Mullings, MP, St. James, West Central

Mr. Phillip Feanny Paulwell, MP, Kingston Eastern & Port Royal

Mr. Dean Alexander Peart, C.D., MP, Manchester, North Western

Mr. Michael Anthony Peart, MP, Manchester, Southern

Mr. Tarn Andrew Peralto, MP, St. Mary, South Eastern

Dr. Peter David Phillips, MP, St. Andrew, East Central

Dr. Donald Gladstone St. Clair Rhodd, MP, Portland, Eastern

The Most Honourable Portia Lucretia Simpson Miller, O.N., Leader of the Opposition and MP, St. Andrew, South Western

Mr. Derrick Charles Smith, MP, St. Andrew, North Western

Mr. Kern O'Mar Spencer, MP, St. Elizabeth, North Eastern

Reverend Ronald George Thwaites, MP, Kingston, Central

Mr. Franklin Robert Witter, MP, St. Elizabeth, South Eastern

STATEMENTS BY MINISTERS

The Prime Minister, the Honourable Orette Bruce Golding, made the following statement on ***Sandals Whitehouse Arbitration Matters***:

Mr. Speaker, you will recall that last week in answering questions posed by the Member from Western Westmoreland about the sale of Sandals Whitehouse Hotel, I had indicated that the sale - well I had announced at that time that I had had word from Mr. Gordon "Butch" Stewart that he would be - his company would be withdrawing the claims against the government agencies. I pointed out at that time that the sale and the withdrawal were two separate issues. Indeed, the sale was agreed on even before knowledge - we became aware of the decision to withdraw the matters.

The Member for South St. Andrew asked me whether I got that undertaking in writing. I indicated no, I had not, but I had confidence that Mr. Stewart's word was sufficient for me to be able to make that announcement. I indicated that I had every confidence that by the time the House met today that we would have that commitment in writing. I want to say, Mr. Speaker, that we now have that commitment in writing, it's on its way to me; and we will make available copies for the Opposition and for the media.

(Dr. Donald K. Duncan, M.P., Hanover, Eastern, entered and took his seat).

ANNOUNCEMENTS

The Clerk laid on the Table of the House a copy of the following:

Ministry Paper No. 8/11
Cabinet Agenda Issues – 24 January, 2011
(*Cabinet Offices*)

Ministry Paper No. 9/11

Reporting Status for Statutory Agencies and
Government-owned Companies
(Cabinet Offices)

Report of the Sessional Select Committee on
Human Resources and Social Development on the
Socio-Economic Imperatives for the Resuscitation
Of Inner-city Communities with Specific Reference to
Crime and Violence
(Houses of Parliament)

Report of the Sessional Select Committee on
Human Resources and Social Development on the
Impact of Music with Violent and Explicit Content on the Youth
(Houses of Parliament)

<u>Head</u>	<u>Certified Appropriation Accounts</u> <u>Ministry/Department</u>	<u>Financial Year</u>
5847	National Land Agency	2001/2002
1600 & 1600B	Office of the Cabinet	2009/2010
1510	Jamaica Information Service	2009/2010
2653	Passport Immigration and Citizenship Agency	2009/2010
1500B	Office of the Prime Minister	2009/2010
2832	Office of the Trustee in Bankruptcy	2009/2010

(Dr. Fenton Ferguson, M.P., St. Thomas, Eastern, entered and took his seat).

(The Minister of State in the Ministry of Labour and Social Security, the Honourable Neville Andrew Gallimore, entered and took his seat).

(The Minister of Energy and Mining, the Honourable James Robertson, entered and took his seat).

(The Minister of Industry, Commerce and Investment, the Honourable Karl Samuda, entered and took his seat).

(Mr. Colin Fagan, M.P., St. Catherine, South Eastern, entered and took his seat).

REPORTS FROM COMMITTEES

The Chairman of the Human Resource and Social Development Committee, Dr. Fenton Ferguson, laid on the Table of the House a copy of the ***Report of the Sessional Select***

Committee on Human Resources and Social Development on the Socio-Economic Imperatives for the resuscitation of Inner-City communities with specific reference to crime and violence:

Members of this Honourable House are reminded that on the 27th day of March 2008, the House of Representatives, on a motion moved by the Leader of the House, passed the following resolution:

BE IT RESOLVED that notwithstanding Standing Order No. 68 (3) and in accordance with Standing Orders Nos. 68 (1)(i) and 73C this House appoint a Human Resources and Social Development Committee comprising the following Members:

Mrs. Maxine Henry-Wilson - Chairman
Hon. Shahine Robinson
Hon. Michael Stern
Dr. St. Aubyn Bartlett
Mr. Franklin Witter
Mr. Desmond Mair
Mr. Othneil Lawrence
Mr. Tarn Peralto
Dr. Fenton Ferguson
Mr. Kern Spencer
Rev. Ronald Thwaites
Mrs. Natalie Neita-Headley
Mr. Colin Fagan

with the following Terms of Reference:

- (a) examining policy documents and statements from Ministries and Government agencies which have a bearing on the subject matter of its terms of reference;
- (b) examining legislative proposals which may have an effect on the subject matter of its terms of reference and making recommendations to Cabinet through Legislation Committee;
- (c) receiving submissions from citizens and organizing meetings between citizens, community groups, sectoral organizations, Members of Parliament and representatives of Government agencies to facilitate exchange of views on the operations of Government agencies and their effect on communities and groups in the society; and
- (d) organizing meetings with relevant organizations in order to seek such information on their activities as the public interest may demand.

On October 28, 2008, on a motion moved by the Deputy Leader of the House, *Dr. Fenton Ferguson* replaced *Mrs. Maxine Henry-Wilson* as Chairman of the Committee.

On the 31st day of March, 2009, the House of Representatives passed a further resolution enabling the Committee to complete the deliberations on the matters that were under consideration before the prorogation of Parliament. A similar resolution was moved in the House of Representatives on March 17, 2010.

Your Committee began their deliberations on the socio-economic imperatives for the resuscitation of inner-city communities with specific reference to crime and violence on July 22, 2010 and held two meetings, the last of which took place on January 12, 2011. Written and oral submissions were received from the following organizations:

- The Agency for Inner-city Renewal (AIR)
- The Spanish Town Citizens Against Gun Violence
- Experts 2010 Limited

1.0 OVERVIEW

Within Jamaica there are a number of densely populated areas located within the cities which are characterized by poverty and a high prevalence of crime and violence. Those neighbourhoods have been labeled as inner-city communities and are said to be the breeding ground for criminal acts.

Crime and violence continue to plague the Jamaican society and are major causes of concern. Over the years, a number of solutions have been put forward and several policies geared towards addressing the problems have been implemented. However, in the view of some individuals, those have been largely superficial because the relevant authorities have not spent enough effort in trying to determine the genesis of the problem. It has also been argued that many of the measures that were put in place to bring about transformation within inner-city communities were ineffective because of the approach taken by various social agencies, which largely focused on the weaknesses of the areas. It is therefore felt that there is a need to change the approach in addressing crime and violence and develop more effective strategies.

2.0 FINDINGS AND RECOMMENDATIONS

2.1 The Nature and Origin of Inner-city Communities/Garrisons

During the deliberations, your Committee was told that garrisons are not to be confused with inner-city communities though invariably they are the same. Reference was made to the Report of the National Committee on Political Tribalism of 1997, which defined garrisons as zones of economic and social exclusion whose primary objective was to prevent the infiltration of individuals of opposing political affiliation and to ensure that the governing party would remain in power perpetually.

It was brought to the Committee's attention that garrisons had begun to emerge across Jamaica ever since the 1960's. However, as early as 1944, it was evident that there was a strong association between politics and crime and violence in Jamaica. Your Committee was advised that with the advent of political garrisons all crime-inducing

factors worsened and that degarrisoning was vital to controlling the level of crime in the nation.

2.2 Correlates of Crime and Violence

Your Committee was advised that there were several socio-economic factors that were correlated to crime and violence. Among the correlates mentioned were poverty, low educational attainment, drug/marijuana and alcohol use, ineffective policing, easy access to weapons such as hand guns and assault rifles, and the exposure to violence over a prolonged period of time.

Your Committee was told that poverty was the main correlate of crime and that it created physiological needs and bred a sense of hopelessness and despair. It was also brought to the Committee's attention that low educational attainment was a critical factor because it lowered the probability of an individual finding gainful employment and affected the person's level of reasoning. As regards the use of drugs, the Members were told that those substances had the power to alter an individual's mood and lower the threshold for violent behaviours.

In discussing the approach of the police in the various communities across the island, it was pointed out that police strategies tend to be punitive and reactive rather than preventative and engaging and consequently there was a divide between the police and citizens which decreased the probability of criminals being incarcerated and criminal cases being solved. It was further highlighted that the easy access to weapons was a significant factor and that guns were used in approximately seventy percent of all murders committed in the country. The Members were advised that when exposed to violence over a prolonged period of time people began to accept it as a norm and it eventually would become a part of their culture. Additionally, children seven years or younger would be significantly affected because they might become fearful and on occasions experience anger and grief. It was also pointed out that there was a higher probability that those children would become involved in criminal activities in their adulthood.

2.3 Recommended Measures to Resuscitate Inner-City Communities

2.3.1 Assets Based Community Development (A-B-C-D)

The Committee was advised that when bi-lateral and multi-lateral Government agencies carry out needs analyses within inner-city communities their main focus was usually on identifying the weaknesses of those communities. Consequently, there would be a perpetuation of the negative images in which the communities had been portrayed in the past and a waste of resources. It was also highlighted that when programmes and policies are externally imposed they are usually ineffective and fail to bring about transformation. Your Committee was told that in some instances a client community would be created because the area becomes reliant on the handout of 'band-aid treatments' offered by the Government. It was therefore proposed that there be an alternative approach namely *Assets Based Community Development*, which was associated with the development of policies, programmes and activities based on the skills and natural endowment of community members.

It was brought to the Committee's attention that there was a social outreach programme namely Agency for Inner-city Renewal (AIR) which has been operating in Trench Town and the neighbouring communities which was actively working to empower residents of those areas. The Community was told of several programmes that have been implemented and how they serve to benefit the residents. Among the programmes mentioned were:

- The Miracle Club - a youth mentoring programme;
- LIVITY - a micro-business financing scheme which on-lends money with no collateral requirement;
- LIFE (Local Initiative for Empowerment) - designed to foster better relationship between citizens and the police; and
- The Micro-Finance Advisory Unit effected through a strategic collaboration with the Churches Cooperative Credit Union.

Additionally, your Committee was told that there were a number of programmes to be launched namely the Music Recording and Certification Laboratory, the Jamaica Music Institute, greenhouse farming and a food processing enterprise.

2.3.2 Job Creation and the Empowerment of Citizens

It pointed out that the residents of garrisons were a source of untapped opportunity and could contribute to economic revitalization. It was therefore proposed that the Government finds means of empowering people and create opportunities for young people to contribute to the economy. Additionally, youths should be encouraged to become involved in micro and medium businesses which would create employment for others.

Your Committee was told that eighty-three percent of all crimes in Jamaica have been committed by ex-convicts and therefore there was a need to assist those individuals in developing self respect and in finding employment.

2.3.3 PILLARS OF CAPITALIZATION

During the deliberations, your Committee was advised that there were several pillars of capitalization that could be utilized to resuscitate inner-city communities.

- **Non-partisan MPs Offices**

The view was expressed that the first and most critical step towards degarrisoning was the establishment of non-partisan MPs' offices in each constituency. It was proposed that those offices be adorned with the portraits of the Governor General and the Leaders of the two main political parties. Furthermore, they should be separate from the constituency offices and be centered on a website, which would provide information on available jobs, educational opportunities, skills training and private and public sector programmes that would be beneficial to residents.

- **Dismantling Inner-city Communities and the Creation of Centres of Excellence**

Your Committee was advised that in order for transformation to take place within inner-city communities the residents would need to be relocated to newly established neighbourhoods or be integrated into existing communities with other residents. The latter could be done to avoid the redevelopment of garrisons. It was proposed that the existing residences in the inner-city communities be transformed into technologically advanced units specialized in the development of programmes, music studios, internet cafés and the training of software programmers; all of which would serve to benefit the residents as employment opportunities would become available.

It was strongly recommended that inner-city communities for example Tivoli Gardens and Arnett Gardens, which are known to excel in the areas of sports, culture and education be converted into centres of excellence. Specific reference was made to Spanish Town and it was pointed out that there were many heritage sites in Spanish Town for example, the Iron Bridge, but because of the high level of crime in that area, the sites were of little heritage value. It was further proposed that the area be converted to a U.N. Sponsored World Heritage City.

While the Members of your Committee share the view that effort needs to be made to transform inner-city communities they do not support the relocation of residents to other communities. It is their view that no inner-city should be singled out and that effort must be made to rehabilitate residents who were responsible for creating the problems within the communities.

- **Correcting the Cycle of Poverty**

It was brought to the Committee's attention that the impoverishment of inner-city communities was largely due to what was referred to as the 'Paradox of Thrift.' That phenomenon involved the savings and investment of money and capital which would eventually flow from inner-city communities to 'uptown' investors. The concept suggests that rather than having a positive outcome, savings and investments become associated with a negative economic feature of depressed communities. The situation is further worsened by another phenomenon namely the 'high unemployment/high consumption paradox,' which is the co-existence of prevailing joblessness and high consumption. The explanation given for the paradox was that even though many residents did not earn much they had high disposable incomes because they did not pay their utility bills, taxes and rent. Additionally, they would receive remittances from overseas.

- **Community Development Bonds**

The view was expressed that Community Development Bonds could be used to finance infrastructure needs. Additionally, blue chip companies could act as fund managers and sinking funds could be used to redeem principal. An interest payment facility could also be utilized to keep interest payments.

- **Equitable Distribution of Government Contracts**

A recommendation was made to the Committee that when contracts are to be awarded effort should be made by the National Contracts Commission (NCC) to select contractors who either reside in close proximity to the site at which work would be carried out or who would be willingly to invest in the areas so that the money would remain in the community. The view was expressed that even if a company had much expertise in construction they should not be awarded most of the major contracts and it was proposed that the PAYE database be used to generate information on how many contracts had been awarded to a contractor.

- **Co-generation for the Sugar Industry**

Your Committee was told that twelve of the fourteen parishes were dependent on the sugar industry for employment and that its survival was critical in preventing rural-urban migration, dislocation, destruction of families and increased crime. A recommendation was therefore made that the industry be modernized and that waste products such as the cane trash be utilized to create electricity to meet power demands.

- **Contingency Fund**

It was recommended that the Micro Investment Development Agency Limited (MIDA) create a contingency fund constituting ten percent of the loan portfolio which would serve as a savings/investment incentive to borrowers while securing their loans. It was explained that this would be implemented by offering borrowers one hundred and ten percent of the loan feasibility amount. The additional ten percent would be invested in aggregate with other borrowers' non-feasibility loans increments to obtain higher interest earnings. The principal (10%) and the interest earned would be recorded as savings to the borrowers and a fixed percentage might be drawn to provide emergency capital requirements to borrowers who had been experiencing difficulties. The view was expressed that the Jamaica Business Centre, non-governmental organizations and Churches would be proactive in using the mechanism and individuals who had been committed to repaying their loans could benefit from another loan. It was felt that such a venture would challenge gang members to change their lifestyles and enter the formal business sector. However, they would have to be provided with managerial support and be given proper training.

- **Recommitment of Government to Operation Pride**

The view was expressed that there was a relationship between the self-esteem and self-discipline demanded by landownership and the reduction in criminality. It was also pointed out that there needs to be a recommitment to regain lands using the Programmes for Resettlement and Integrated Development (PRIDE) model and that crown lands should be made available at affordable rates.

- **Life Development Centres**

Your Committee was advised that all inner-city communities, particularly those that are affected by a high level of crime, would benefit from having Life Development Centres. The centres would make provision for skills training, mentoring and counseling among

other things. It was recommended that those centres be IT-driven and should hold records containing information on the occupational status of all residents.

- **The Community Apprenticeship Programme**

It was recommended that the Community-Based Apprenticeship Programme under the HEART/TRUST NTA be expanded to provide an alternative for young people who were not involved in any meaningful activities. It was further proposed that a stipend as well as a training fee be given to trainees.

- **Locating Government Offices in Inner-city communities**

It was proposed that Government agencies and private companies be located within targeted inner-city communities and that private sector companies be given incentives for doing so. It was further recommended that the companies could be provided with security for the first five years to encourage them to invest in the communities as that would assist in breaking the cycle of poverty.

2.4 The Jamaica Community Reinvestment Act

It was highlighted that though residents of inner-city communities saved with the various banks there was very little reflows with regard to loans and consequently there was a net movement of money out of those communities, which resulted in the poverty of the residents. A recommendation was made to the Committee that an act be enacted in Jamaica similar to the Community Reinvestment Act, which was enacted by Congress in 1977 to encourage depository institutions to assist in meeting the credit needs of individuals residing in the depressed communities within which they operate.

The view was expressed that the Jamaica Community Reinvestment Act, instead of focusing mainly on banks as is the case in the US, should target all lucrative businesses in poor communities. Additionally, it should require all business operators to apply for a public hearing within the communities within which they would operate and should make a legal commitment to assist those neighbourhoods. Some presenters were of the view that the banks and the owners of businesses should invest a percentage of their profits in critical areas such as education, health, agriculture and the maintenance of the physical infrastructure of the various inner-city communities.

It was further proposed that the Jamaica Community Reinvestment Act should establish a regulatory regime which would monitor compliance with the Act. It was also recommended that the various agencies that would be involved in the monitoring process should have examiners who would grade the performance of the various businesses. Businesses that performed poorly in serving the communities within which they operate would be poorly graded and could be prevented from opening another branch, expanding its services or even changing its name.

During the discussion, mention was also made of the Urban Renewal Act, which was centered on tax incentives for private sector companies to invest in inner-city communities and it was proposed that provision be made for punitive measures and added incentives for the Act to be effective.

3.0 SUMMARY OF RECOMMENDATIONS

1. Parliament needs to send a strong signal that it is not in favour of garrisons.
2. Effort should be made to develop policies, programmes and activities based on the abilities and natural endowment of residents - an approach known as Assets Based Community Development.
3. Young people should be encouraged to develop micro and medium businesses. Job creation must be seen as a national priority and the Government should create more job opportunities and find means of empowering young people.
4. Non-partisan MPs' offices should be established.
5. Measures should be implemented to break the cycle of poverty in inner-city communities.
6. Community Development Bonds should be used to finance infrastructure needs.
7. There must be equal distribution of Government contracts.
8. A Contingency Fund must be established which would serve as a saving/investment incentive to borrowers while securing their loans.
9. There must be a recommitment to regaining lands through Operation PRIDE.
10. Life Development Centres must be established within inner-city communities.
11. The Community Apprenticeship Programme should be expanded.
12. Effort should be made to locate Government offices in inner-city areas. Private sector companies should be encouraged to have their offices located in inner-city neighbourhoods and incentives should be given for doing so.
13. A Jamaica Community Reinvestment Act should be enacted.

APPENDIX 1
ATTENDANCE SHEET
(2 Meetings)

	Present	Absent	Apologies
Dr. Fenton Ferguson	2		
Hon. Shahine Robinson		2	1
Hon. Michael Stern		2	1
Dr. St. Aubyn Bartlett	1	1	
Mr. Franklin Witter	1	1	1

Mr. Desmond Mair		2	1
Mr. Othneil Lawrence	1	1	1
Mr. Tarn Peralto		2	2
Mr. Kern Spencer	-	-	-
Rev. Ronald Thwaites	1	1	1
Mrs. Natalie Neita-Headley	1	1	
Mr. Colin Fagan	1	1	

(The Minister of State in the Ministry of Industry, Commerce and Investment, the Honourable Michael Stern, entered and took his seat).

The Chairman of the Human Resource and Social Development Committee also laid on the Table of the House a copy of the ***Report of the Sessional Select Committee on Human Resources and Social Development on the impact of Music with Violent and Explicit content on the Youth:***

Members of this Honourable House are reminded that on the 27th day of March 2008, the House of Representatives, on a motion moved by the Leader of the House, passed the following resolution:

BE IT RESOLVED that notwithstanding Standing Order No. 68 (3) and in accordance with Standing Orders Nos. 68 (1)(i) and 73C this House appoint a Human Resources and Social Development Committee comprising the following Members:

Mrs. Maxine Henry-Wilson	-	Chairman
Hon. Shahine Robinson		
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with the following Terms of Reference:

- (e) examining policy documents and statements from Ministries and Government agencies which have a bearing on the subject matter of its terms of reference;
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On October 28, 2008, on a motion moved by the Deputy Leader of the House, Dr. Fenton Ferguson replaced Mrs. Maxine Henry-Wilson as Chairman of the Committee.

On the 31st day of March, 2009, the House of Representatives passed a further resolution enabling the Committee to complete the deliberations on the matters that were under consideration before the prorogation of Parliament. A similar resolution was moved in the House of Representatives on March 17, 2010.

Your Committee began their deliberations on the impact of music with violent and explicit content on November 11, 2009 and held seven meetings, the last of which took place on January 12, 2011. Written and oral submissions were received from the following groups and individuals:

- The Broadcasting Commission of Jamaica
- The Jamaica Federation of Musicians and Affiliated Artistes
- The Media Association of Jamaica (MAJ)
- The Press Association of Jamaica (PAJ)
- The Jamaica Reggae Industry Association (JARIA)
- Dr. Donna Hope-Marquis
- Professor Carolyn Cooper
- The National Parent-Teacher Association of Jamaica (NPTJ)
- The Child Development Agency (CDA)
- Women's Media Watch (WMA)
- The Bureau of Women's Affairs (BWA)
- The Police
- The Sound System Association of Jamaica (SSJ)
- Peace and Love in Society (PALS)
- Mr. Patrick "Tony Rebel" Barrett
- Ms. Ventrice "Queen Ifrica" Morgan
- The Peace Management Initiative (PMI)
- The National Transformation Programme

1.0 OVERVIEW

There is much concern that the violent and sexually explicit content of some music being aired is without doubt having a negative impact on the nation's children. While some argue that there is no evidence to prove that such lyrics have any impact on the

behaviour of young people, research has shown that the exposure to violent and explicit lyrics can lead to adolescents becoming more tolerant of violent acts and developing negative self images and gender stereotypes. For that reason, effort must be made to encourage positive messages in the music and instead of casting blame on anyone or any social group, one must recognize the fact that the increasing production of unwholesome music is symptomatic of a much deeper social problem, namely the break down of moral values. All agents of socialization and the society at large must therefore play their role in the way forward and take responsibility for creating a suitable social environment for Jamaica's children.

2.0. FINDINGS AND RECOMMENDATIONS

2.1 THE GENESIS OF MUSIC WITH VIOLENT LYRICS IN JAMAICA

Your Committee was told that from the days of Ska to the emergence of the dancehall culture in the 1980s, violence has been featured in Jamaican music. However, at present the lyrical content of some music is far more violent than that of the past. The Committee was informed that there was a prevalent 'G-culture,' which values guns and gangs and that the unwholesome music being produced reflects what is occurring in the society. The Members were also advised that in each decade there have been feuds between various artistes who take advantage of the rivalry to propel their careers.

Furthermore, the supporters of those artistes have allegedly committed various violent acts against each other. Of great concern is the fact that the exceptionally high level of violence in the music fraternity seems to be corrupting the moral fabric of the nation and the values of the youth. It was therefore recommended that in order to bring about social renewal one would need to examine the cultural, economic and socio-political issues that have been driving the music over the years and make a conscious effort to address them. Additionally, measures need to be implemented to dissuade disc jockeys and sound system operators from playing music with unwholesome content.

2.2 DEMAND FOR MUSIC WITH VIOLENT AND EXPLICIT CONTENT

The view was expressed that there was a demand for music with violent and explicit content. However, that demand would not have existed if such music had not been created in the first place. In trying to explain why some artistes continue to produce music with violent and explicit lyrics, it was pointed out that there were few educational and job opportunities in Jamaica and consequently many individuals strive for a career in the music industry and will produce the kind of music that sells. To discourage artistes from continuing on that path, it was recommended that the standards of music education be raised and artistes who produce music of a high standard should be given assistance so that they could promote and distribute their musical products.

Your Committee was advised that many artistes started their careers by producing wholesome music. However, due to the lack of support, they began to create songs with unwholesome lyrics and consequently gained publicity. Furthermore, many artistes were from inner-city communities and tend to produce lyrics that reflect what happens in their neighbourhoods. Of much concern is the fact that some children tend to gravitate to music with violent lyrics because they can identify with the artistes and the content of

their music. It was therefore recommended that effort be made to transform communities labelled as garrisons and that there be social intervention in such communities. The view was also expressed that by adequately funding schools located in inner-city communities one would help in the transformation process.

2.3 THE INFLUENCE OF THE MEDIA

Your Committee is of the view that the media is a powerful agent and should be held responsible for materials being aired. However, in their presentation, the representatives of the media submitted that the society had become a factory for producing music with unwholesome content and though the media was not detached from various occurrences in the music industry it should neither be blamed nor be credited for certain cultural developments. It was admitted that on some occasions media personnel had exercised poor judgment in the treatment of certain news items relating to existing feuds between dancehall artistes. However, in so doing, they were not contributing to the escalation of conflict in the society. They also pointed out that it had been theorized that some music videos negatively affect gender identity and the way in which teenagers view their bodies. However, teenagers were influenced by other factors such as cultural norms, religion and issues related to improper parenting.

The media representatives emphasized the fact that there were several wholesome and informative programmes for children on television, which displayed family values and then recommended that those be aired when they could be viewed by the target audience. They also opined that neither regulation nor self-censorship should be considered as solutions and that one had to examine the root cause of the problems associated with the unwholesome music being produced.

2.4 THE INFLUENCE OF MUSIC WITH VIOLENT CONTENT ON YOUNG PEOPLE

Your Committee was advised that in trying to ascertain whether violence influenced the content of the music or whether the content of the music triggered violent behaviour one must examine several variables. Furthermore, in trying to determine causality there should be no alternative explanation for violence, there must be correlation between cause and effect and the cause must precede the effect. Additionally, one can only determine the impact of something over time and therefore longitudinal studies would have to be carried out. As an alternative, one could study two groups, a control group and another consisting of individuals who are exposed to violent lyrics and then attempt to infer causality.

While, there were some presenters who argued that dancehall music did not contribute to any kind of violent behaviour among the youth, others presented research findings which suggested that exposure to dancehall music and rap led to some persons becoming more accepting of violence. The Members were told that the average teenager listened to approximately forty hours of music each week and that the most popular music forms in Jamaica namely dancehall and rap depicted females as sex objects and could therefore contribute to the perpetuation of negative stereotypes. Reference was made to a study on the effects of violent music on teens that was conducted in 2004 in

the United States, which revealed that music videos portrayed sexual innuendoes, acts of aggression and gender stereotypes. The findings showed that males in comparison to their female counterparts were more tolerant of violent acts and sexual advances and that heavy metal and gangster rap influenced men's attitudes towards women. It was also found that increased exposure to certain kinds of music and videos, which portrayed violence against women, increased men's acceptance of rape myths. Your Committee was then informed that young people who lack positive role models would embrace and internalize discriminatory images and various lyrical contents presented to them and therefore it was important for them to have positive role models in their homes and communities.

Those who argued that the influence of the media and music are just intervening variables pointed out that among the factors associated with aggressive and delinquent behaviours were underachievement, exposure to and the witnessing of violence, and drug/alcohol use. It was said that the difference between aggressive and non-aggressive young men related to factors such as absence of parents in the home, the absence of a male figure, the use of marijuana and corporal punishment. Reference was made to a study carried out in summer 2009 by Dr. Donna Hope-Marquis and a team from the University of the West Indies among youths ages 15-24 in four parishes. The Members were told that a case controlled methodology was used to ascertain whether there was any connection between dancehall music and violent behaviour and the results revealed that there was no significant relationship between the two. The study also showed that Adijah 'Vybz Kartel' Palmer was the favourite and most popular artiste in spite of the daring nature of his songs and that the respondents were impressed with his intellectual capacity, his fearless attitude in the face of constant opposition from authority figures and his prowess in media interviews among other things.

2.5 THE ROLE OF THE BROADCASTING COMMISSION

During the deliberations, it was brought to the attention of the Members that the Commission did not regulate music, which was played on the internet, satellite radio or that which was played at dances, carnivals, concerts or on public transportation. However, the body was responsible for regulating the three free to air television stations, the twenty-two free to air radio stations and the thirty-four cable operations in Jamaica. Of great concern to the Members was the fact that the number of local radio stations has been increasing but ample preparation has not been made to regulate them. Your Committee recommends that measures be taken to address that matter.

2.6 MEASURES TO STEM THE PROBLEMS ASSOCIATED WITH VIOLENT AND EXPLICIT LYRICS

2.6.1 CHILDREN'S CODE FOR PROGRAMMING

Your Committee was informed that in 2003, the Commission had introduced a Children's Code for Programming. However, despite that and consultations with members of the entertainment sector, there had been no improvements in the materials being broadcasted. Consequently, in February 2009, the Commission made it clear that the transmission of any recording, live song or music video which promoted and/or glorified any offence against the person or the use of offensive weapons would be prohibited.

The same applied to any audio recording, song or music video which used editing techniques such as bleeping or beeping.

2.6.2 MEDIA LITERACY

Your Committee was advised that the Broadcasting Commission had embarked upon a comprehensive review of media policy, which took account of new areas such as Internet Protocol Television, mobile TV, satellite radio and television. In addition, the Commission had collaborated with the United Nations Educational Scientific and Cultural Organization (UNESCO), the Ministry of Education, and the Joint Board of Teacher Education to launch a Media Literacy Project for primary and secondary schools. Your Committee was told that under the portfolio of the Ministry of Education and with the support of UNESCO, the Commission intends to have literacy training fully incorporated into the syllabi of all public schools in Jamaica. Furthermore, it was brought to the Committee's attention that a four module video that addressed issues such as the production of media content, the display of sexual images and violence and the use of the Children's Code for Programming had been piloted in primary schools and teachers' colleges. The objective of the video was to teach people how to identify inappropriate media content, make informed decisions and use the media as a tool for learning and self-development.

The Broadcasting Commission proposes that they be given a legal mandate to develop a structured programme of media literacy to educate people about how the media was shaping their understanding and to further develop and refine music training from preschool to the post-secondary level. It was further recommended that there be a programme for tangible and high level public recognition of outstanding Jamaican artistes who have created and continued to create music of hope and inspiration.

During the deliberations, it was also recommended that the Caribbean Institute of Media and Communications and the Caribbean Production and Training Centre could implement media literacy programmes. It was felt that music, including the playing of instruments must be taught in schools and that there would be choirs formed that would participate in various events.

2.6.3 CITIZENS MONITORING PROGRAMMES

Your Committee was informed that the Broadcasting Commission had implemented a citizen-based monitoring programme with the aim of engaging willing Jamaicans in assisting the Commission in monitoring radio and television stations. As such, the Commission had trained 150 volunteer monitors from across the country between April and October 2009. Prior to that, media houses had been able to play borderline or risqué material for weeks or even months simply because no complaints had been made about them. However, following the directives of the Commission, there was an effective monitoring mechanism and the music landscape had changed because there were penalties for breaches.

2.6.4 LOCAL CONTENT FUND

It was strongly recommended that there be a Local Content Production Fund devised to encourage the production of local content of high quality. In addition, there should be a specialized and dedicated content regulator, which would be responsible for the range of content across traditional and non-traditional media.

2.6.5 EFFORTS MADE BY THE MEDIA ASSOCIATION OF JAMAICA

The MAJ has advised your Committee that they had written a letter to the Minister of Transport and Works and subsequently effort was made by the Transport Authority and the police to ensure that there would be no display of pornographic DVDs on public passenger vehicles, which transported children. Additionally, the representatives of MAJ told the Committee that they had been working with the National Transformation Programme in the Office of the Prime Minister, Crime Stop and Peace and Love in Society (PALS) in an effort to alleviate the situation and had offered over six million dollars worth of airtime for the promotion of law and order, public education and efforts to remove illegal DVD and CD players and tints from public buses. However, the offer has not yet been accepted.

2.6.6 CODE OF PRACTICE

Concerning the means of addressing content being aired in the public domain, your Committee was told that there was collaboration between the MAJ and the PAJ to draft a Code of Practice, which was being reviewed by journalists. Additionally, the MAJ and the PAJ had established an entity, which would be responsible for applying sanctions whenever there was a breach of the Code.

2.6.7 CODE OF ETHICS

It was proposed that a team consisting of representatives of the music industry, media professionals, representatives of parents groups and religious and educational institutions should develop a Code of Conduct and a Code of Ethics for all media practitioners. It is strongly recommended that individuals who breach those codes be penalized.

2.6.8 RATING SYSTEM

It was recommended that there be media review policies and subsequent rating systems for music, movies and images for public viewing. Additionally, there should be regular seminars for media practitioners and artistes where knowledge on standards, ratings and the role of the media are discussed.

2.7 THE ROLE OF THE FAMILY, THE CHURCH AND THE SCHOOL

The view was expressed that young people who were nurtured by caring parents tend to be more developed educationally and psychologically and were better socialized. Your Committee was told that children would benefit greatly from parental support and that effort should be made to ensure that they are surrounded by positive role models. It was also submitted that parents have a responsibility to supervise their children and to ensure that they were not being exposed to unwholesome material. Furthermore, they should be penalized for neglecting their children. A proposal was

made that representatives of the print media and the various high commissions and embassies could work together to publish a paper which would deal with the issue of proper parenting.

The Members were told that there had been a declining dependence on religion as the basis for the nation's value system and that a number of negative occurrences have taken place as a result of cultural penetration. It was therefore recommended that effort be made by the Church to provide positive role models and teach good values.

It was submitted that the various agents of socialization should teach children to resist violence even if they are exposed to it. Special effort should also be made by counselors and teachers to encourage individuals from low socio-economic backgrounds to pursue higher education. Furthermore, more effort needs to be placed on teacher training and teaching students how to play various musical instruments. Additionally, homework and other programmes such as those implemented by the Violence Prevention Alliance should be implemented to keep children off the streets outside of school hours.

2.8 THE ROLE OF THE POLICE

Your Committee was told by the police that several measures have been taken to reduce the distribution of unwholesome music and to protect the nation's children from exposure to negative influences. The Members were advised that there has been mass confiscation of illegal CDs. However, such CDs can be quickly and cheaply reproduced and therefore it is challenging to control their distribution. Furthermore, because of the advanced technological age, children will be able to access music via the internet and on their phones.

It was brought to the Committee's attention that the police have been enforcing the provisions of the various laws even though they have been met with hostility. Additionally, they have removed children from dances and night clubs and in some instances have charged their parents with child neglect under the Child Care and Protection Act. It was recommended that the licences of club owners who allow underage patrons in their clubs should be revoked.

Your Committee was assured that the police would ensure compliance through the restriction of permits for holding certain events and that they would continue to arrest and charge key entertainers who breach the law. That would send a message to young people that such entertainers should not be idolized. It is the recommendation of the police that social groups should make greater effort to implement programmes to change the values and attitudes of young people. They advised the Committee that the police operated various youth clubs across the country, which provided various activities and programmes within which young people were engaged. However, there needs to be more social intervention on the part of the various social organizations to bring about transformation. Additionally, in order for laws such as the Towns and Communities Act,

the Obscene Publications (Suppression of) Act and the Copyright Act to be effective the fines must be increased in order to deter people who were in breach of the law.

2.9 THE ROLE OF THE PRIVATE SECTOR

Your Committee was told that the private sector has a role to play in the fight against music with violent content and therefore should not promote music events with artistes who endorse criminality. It was pointed out that sections of corporate Jamaica were to be held responsible because they often overlook positive artistes and use artistes known to produce unwholesome music to promote products such as aphrodisiacs. It was therefore recommended that their advertisements be censored.

2.10 CENSORSHIP AND THE ROLE OF THE STATE

During the deliberations, the issue of censorship was brought to the fore and the question of who would be the arbiter arose. The view was expressed that even though freedom of expression is important, people must be held responsible for materials being produced and while the State should play an active role particularly in behaviour modification, it should not establish rigid, dogmatic standards. However, there is a need for legislation to govern those who release the various forms of music with offensive content. It was further recommended that the Political Code of Conduct be amended to ensure that inappropriate music would not be played at political rallies or during campaigns.

2.11 ENTERTAINMENT ZONES AND THE ENTERTAINMENT ENCOURAGEMENT ACT

A recommendation was made that there should be various entertainment zones across the country to host various events. It was further proposed that there be youth-friendly entertainment zones where young people would be able to interact in a safe social environment free of drugs and alcohol. Additionally, there should be an Entertainment Encouragement Act.

2.12 THE WAY FORWARD

The view was expressed that it was the responsibility of the Government to establish further mitigation measures to ensure that there would be no further degradation of the psyche and safety of Jamaicans, particularly children.

In trying to arrive at a solution for the existing conflict among various artistes in the music industry and to ensure that the lyrics they produce would be wholesome, it was pointed out that effort should be made by all to ensure that good values and attitudes be promoted. Additionally, there is a need for legislation to govern those who are responsible for releasing music with lewd or sexually explicit lyrics. It was also recommended that media personnel, sound system operators, promoters and others should stop the airing of music with violent and sexually explicit lyrics. Furthermore, the leaders of the main political parties with the support of the private sector and influential individuals should invest in the music industry and music programmes in schools in order to address the social deficiencies of the people.

The representatives of the media assured the Committee that they would be willing to work with the Broadcasting Commission, Government Ministries and the relevant bodies. The Members were also advised that JARIA had been making more effort to regulate itself and would require the help of the Government and the security forces in doing so.

Your Committee is of the view that there needs to be a more integrative approach in tackling the problem and that there should be continuous dialogue among the key stakeholders. A recommendation was made that sensitization and public education were necessary in order to change people's mindsets. However, that could not be achieved in the short term.

3.0 SUMMARY OF RECOMMENDATIONS

Your Committee would like to recommend the following:

- Strict measures must be implemented to deter disc jockeys and sound system operators from playing music with unwholesome content.
- The standards of music education must be raised and artistes who produce music of a high standard should be given assistance so that they can produce, promote and distribute their music. Those artistes could also assist in promoting good values and attitudes.
- The Broadcasting Commission should continue to monitor the various programmes that are aired on local radio and television stations.
- A Local Content Fund should be established.
- The Code of Ethics which was drafted by the MAJ and the PAJ should be implemented. A team including media professionals, parent groups, representatives of the music industry, the religious community and educational institutions should develop a Code of Conduct and a Code of Ethics for media practitioners. Persons who violate such Codes should be sanctioned. Additionally, all regulations governing material for broadcast must be enforced and media houses that breach those regulations should be penalized.
- Media houses, television stations and other organizations should maintain a high standard with regard to the content of materials that they air/advertise. Furthermore, one should enforce media review policies and rating systems for music, movies and images for public viewing. There should be regular seminars for media personnel and representatives of the music industry where knowledge on standards, ratings, social issues and the role of the media should be imparted.
- All agents of socialization particularly the Church should teach children ethical principles and provide positive role models. There should be greater accountability on the part of parents and guardians and they should be penalized

for neglecting their children. The Government and the society at large must promote positive values and protect children from negative influences.

- Laws on indecent exposure, profanity and similar offences should be revised and be enforced. The fines in the various Acts should be increased to deter perpetrators. Offenders must be penalized when they breach the law
- The Noise Abatement Act should be revised to make provision for entertainment zones. National concert halls and multipurpose facilities should be established throughout the island to serve as venues for music events.
- The Obscene Publications (Suppression of), the Towns and Communities and the Copyright Acts should be enforced. The Cybercrime Act and the Child Pornography Act should be in operation to address the production of pornographic materials.
- Artistes who use explicit language in the dancehall or at various shows should be fined according to the extent of the offence.
- There should be collaboration among the print media houses and the various High Commissions and Embassies to publish a paper which would address the issue of parenting.
- There must be air time reserved for structured teaching programmes for parents.
- Policies and programmes must be implemented to strengthen families and communities.
- People should not support music events unless they are of a high standard.
- There needs to be social interventions within communities labelled as garrisons and schools in these communities should be adequately funded.
- Age requirements should be enforced at public gatherings at night and operators who admit underage individuals should be penalized. Additionally, there should be stricter penalties including the revocation of licences for club owners who violate the law.
- Media literacy programmes should be developed in collaboration with the Caribbean Institute of Media and Communications and the Caribbean Production and Training Centre. Music should be taught in all schools and children must be taught to play instruments. Choirs should be created and there should be cultural exchange among schools.
- The Political Code of Conduct should be amended to make provision for prohibiting music which is inappropriate for use at political rallies and during political campaigns.

Additionally, government agencies should not endorse programmes and activities that directly or indirectly support those who create and/or promote violent lyrics.

APPENDIX 1
ATTENDANCE SHEET
(7 Meetings)

	Present	Absent	Apologies
Dr. Fenton Ferguson	7		
Hon. Shahine Robinson	3	4	3
Hon. Michael Stern	3	4	3
Dr. St. Aubyn Bartlett	4	3	
Mr. Franklin Witter	6	1	1
Mr. Desmond Mair	5	2	2
Mr. Othneil Lawrence	5	2	1
Mr. Tarn Peralto	2	5	4
Mr. Kern Spencer	-	-	-
Rev. Ronald Thwaites	5	2	2
Mrs. Natalie Neita-Headley	3	4	-
Mr. Colin Fagan	5	2	1

NOTICES OF MOTIONS GIVEN ORALLY

Mr. Desmond Mair gave notice that at the next meeting of the House he would move:

WHEREAS the duties of the Members of the House of Representatives preclude them from, in many instances, attending their private business appropriately;

AND WHEREAS in order to adequately represent and serve their constituents, many Members inevitably abandon their private endeavours and/or profession;

AND WHEREAS Members of Parliament, not having security of tenure, in many instances find themselves in challenging financial circumstances upon retiring from representational politics:

BE IT RESOLVED by this Honourable House that a review be done of the *Retiring Allowances (Legislative Service) Act* in order to ensure that retired Members of Parliament receive a pension that, at all times, is adequate and commensurate with the level of service they gave to our country.

Dr. Fenton Ferguson gave notice that at the next meeting of the House he would move:

BE IT RESOLVED that the Report of the Sessional Select Committee on Human Resources and Social Development on the socio-economic imperatives for the resuscitation of Inner-City communities with specific reference to crime and violence, which was laid on the Table of the House on the 8th day of February, 2011, be adopted.

(The Minister of Water and Housing, the Honourable Dr. Horace Chang, entered and took his seat).

Dr. Fenton Ferguson also gave notice that at the next meeting of the House he would move:

BE IT RESOLVED that the Report of the Sessional Select Committee on Human Resources and Social Development on the impact of music with violent and explicit content on the Youth, which was laid on the Table of the House on the 8th day of February, 2011, be adopted.

QUESTIONS AND ANSWERS TO QUESTIONS

Reverend Ronald Thwaites gave notice that at the expiration of 21 days he would ask the Minister of Tourism the following question:

Part 1: When will Tourism Enhancement Fund (TEF) contributions be collected from cruise ship passengers?

Ms. Lisa Hanna asked the Minister of Youth, Sports and Culture the following question:

Part 1: Will the Minister list all contracts issued by the Ministry of Youth, Sports and Culture on and above J\$250,000 from September 2007 to the present?

(Mrs. Sharon Hay-Webster, M.P., St. Catherine, South Central, entered and took her seat).

(Mrs. Natalie Neita-Headley, M.P., St. Catherine, East Central, entered and took her seat).

The Minister of Youth, Sports and Culture, the Honourable Olivia Grange, responded as follows:

A detailed list of all contracts issued by the Ministry of Youth, Sports and Culture valued at J\$250,000.00 and above from September 2007 is provided. **See Appendix one.**

The Minister of Education and Leader of the House, the Honourable Andrew Holness, moved for the recommittal of the item “**Statements by Ministers**”.

Seconded by: Mr. Desmond Mair.
Agreed to.

STATEMENTS BY MINISTERS

Dr. Omar Davies asked the Prime Minister questions on the Statement the Prime Minister previously made on *Sandals Whitehouse Arbitration Matters* and on a letter received from the Honourable Gordon “Butch” Stewart. **See Appendix two.**

PUBLIC BUSINESS

The Minister of Industry, Commerce and Investment, the Honourable Karl Samuda, on behalf of the Minister of Finance and the Public Service, moved that a Bill entitled “*An Act to Establish a body to be known as the Jamaica International Financial Services Authority for the promotion and development of Jamaica as a centre for international financial services; and for connected matters*” be now read a second time.

(Mr. George Anthony Hylton, M.P., St. Andrew, Western, entered and took his seat).

Dr. Omar Davies; Mr. Peter Bunting; the Minister of Water and Housing, the Honourable Dr. Horace Chang; the Minister of State in the Ministry of Industry, Commerce and Investment, the Honourable Michael Stern; Mr. George Anthony Hylton and Mr. Clive Mullings also spoke on the motion.

(The Minister of Tourism, the Honourable Edmund Bartlett, entered and took his seat).

(Mr. Robert Pickersgill, M.P., St. Catherine, North Western, entered and took his seat).

(The Minister of Agriculture and Fisheries, Dr. the Honourable Christopher Tufton, entered and took his seat).

(Mr. Luther Buchanan, M.P., Westmoreland, Eastern, entered and took his seat).

(Mr. Othneil Lawrence, M.P., St. Ann, North Western, entered and took his seat).

(The Minister of State in the Ministry of Energy and Mining, the Honourable Laurence Broderick, entered and took his seat).

(The Ministry of Health, the Honourable Rudyard Spencer, entered and took his seat).

(Dr. Kenneth W. McNeill, M.P., Westmoreland, Western, entered and took his seat).

(The Deputy Prime Minister and Minister of Foreign Affairs and Foreign Trade, the Honourable Dr. Kenneth Baugh, entered and took his seat).

Seconded by: Mr. Franklin Witter.
Agreed to.

Clerk read Bill a second time.

The House resolved itself into a committee of the whole House to consider the Clauses of the Bill.

Clauses 1 – 15 agreed to.

The Schedule was amended as follows:

In Section 2 (1), renumber subsections (b), (c), and (d) as subsections (c), (d) and (e) and insert the following as the new subsection (b) –

“(b) is a member of a Parish Council, Council of the Kingston and St. Andrew Corporation or a Municipal Council;”

Amendment agreed to.

The Schedule as amended agreed to.

The Title and Enacting Clause agreed to.

The question that the Chairman do report the Bill to the House was agreed to.

The House resumed.

The Bill having been reported to the House with one amendment, the Minister of Industry, Commerce and Investment moved that the Bill be read a third time.

Seconded by: Mr. Derrick Smith.
Agreed to.

Clerk read Bill a third time.

Bill passed with one amendment.

The Leader of the Opposition, the Most Honourable Portia Simpson Miller, continued debate on the motion that a Bill entitled “*An Act to Promote and Strengthen Measures for the Detection, Prevention, Investigation and Prosecution of Corrupt Conduct; to provide for the offence of corrupt conduct and offences relating to corrupt conduct; to provide for the establishment of a department of Government to be known as the Special Prosecutor for Corruption with special responsibility for the detection, prevention, investigation and prosecution of corrupt conduct; to repeal the Corruption (Prevention) Act and the Parliament (Integrity of Members) Act; and for connected matters*” be now read a second time.

(Mr. Ernest Smith, M.P., South Ann, South Western, entered and took his seat).

Mr. Peter Bunting; Reverend Ronald Thwaites; the Minister of Water and Housing; Mr. George Anthony Hylton; Mr. Robert Pickersgill and Dr. Donald K. Duncan also spoke on the motion.

Further debate on the substantive motion was, by leave, deferred.

ADJOURNMENT

At 6:10 p.m., the Minister of Education and Leader of the House, moved that the House do now adjourn to Wednesday, February 9, 2011 at 2:00 p.m., o'clock.

Seconded by: Mr. Tarn Peralto.

Agreed to.

The House adjourned accordingly.

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Delroy H. Chuck, MP
Speaker

Appendix one

Report of Contracts issued by the Ministry of Youth, Sports & Culture

Period: September 2007 – December 2010

No.	Contract Date	Contract Description	Name of Contractor	Methodology	Contract Value	Principal Site of Contract Performance
1	January 8, 2008	To supply office furniture	Today's Office	LT	\$3,848,480.50	Head Office – Ministry of Youth, Sports & Culture
2	January 9, 2008	To supply & install laminate flooring	Dougall Flooring	Emergency	\$392,083.21	Head Office – Ministry of Youth, Sports & Culture
3	January 12, 2008	To supply cyber centre solution	Fujitsu Transaction Solution	LT	\$3,809,539.40	Portland Youth Information Centre (NCYD)
4	March 18, 2008	To provide computer equipments	Appliance Traders Ltd.	LT	\$1,995,250.00	Head Office – Ministry of Youth, Sports & Culture
5	May 9, 2008	To supply and install office furniture	Stationery & Office Supplies	LT	\$1,847,737.00	St. James Youth Information Centre (NCYD)
6	June 10, 2008	To supply computer equipments & supplies	Ultimate (Jamaica Ltd.)	LT	\$2,303,533.44	Jamaica Anti-Doping Commission (JADCO)
7	June 10, 2008	To provide security services	King Alarm Systems	LT	\$424,279.61	Jamaica Anti-Doping Commission (JADCO)
8	June 12, 2008	To supply office furniture	Stationery & Office Supplies	LT	\$1,440,873.00	Jamaica Anti-Doping Commission (JADCO)
9	July 1, 2008	To supply stationeries	Campbell's Office Supplies	LT	\$271,135.00	Jamaica Anti-Doping Commission (JADCO)
10	October 5, 2008	To supply computer equipments and supplies	INC Ltd.	LT	\$253,297.60	Access to Information Unit (ATI)
11	October 21, 2008	To provide novelty items for Public education campaign	Affinity Promotional Group	LT	\$374,990.00	Access to Information Unit (ATI)
12	October 21, 2008	To supply Photocopier	Copiers & Consumables	LT	\$960,000.00	Jamaica Anti-Doping Commission (JADCO)
13	October 21, 200	To remove glass louvre windows & demolition of walls	Hillmarks Construction Ltd.	ST	\$828,000.00	Jamaica Archives and Records Department (JARD)
14	November 10, 2008	To provide accommodations for Budget Retreat	Bahia Principe Clubs & Resorts	LT	\$1,214,662.50	Head Office – Ministry of Youth, Sports & Culture
15	November 24, 2008	To provide venue rental for PM Youth Awards	Emancipation Park	GG	\$412,230.00	Head Office- Ministry of Youth Sports & Culture
16	November 28, 2008	To provide entertainment production services for PM Youth Awards	Jambiz International Ltd.	DC (artistic)	\$6,615,896.00	National Centre for Youth Development (NCYD)
17	December 9, 2008	To provide advertisement on JUTC buses	City Graphics Ltd.	SS	\$756,000.00	Access to Information Unit (ATI)
18	December 15, 2008	To supply printed items: pamphlets/doping forms/booklets	BCNS Printers	LT	\$626,003.00	Jamaica Anti-Doping Commission (JADCO)
19	December 15, 2008	To provide novelty items for "don't need to dope to cope" campaign	Sun Island	LT	\$707,460.00	Jamaica Anti-Doping Commission (JADCO)
20	December 16, 2008	To provide electronic advertisement for "don't need to dope to cope" campaign	Zetcom TV Production	DC	\$3,600,000.00	Jamaica Anti-Doping Commission (JADCO)
21	January 23, 2009	To supply Nissan Navara Motor Vehicle	Fidelity Motors Ltd.	LT	\$2,202,000.00	Head Office- Ministry of Youth Sports & Culture
22	March 9, 2009	To provide desktop computers equipments	Appliance Traders Ltd.	LT	\$2,259,003.75	Head Office- Ministry of Youth Sports & Culture

Note

DC - Direct Contract SS - Sole Source LT - Limited Tender ST - Selective Tender

Report of Contracts issued by the Ministry of Youth, Sports & Culture

Period: September 2007 – December 2010

No.	Contract Date	Contract Description	Name of Contractor	Methodology	Contract Value	Principal Site of Contract Performance
23	March 24, 2009	To supply & install Dexion shelving	Neveast Supplies Ltd.	LT	\$2,508,147.20	Jamaica Archives and Records Department (JARD)
24	March 24, 2009	To supply audiovisual equipments & materials	Cariporter Ltd.	ST	\$5,311,912.00	Jamaica Archives and Records Department (JARD)=
25	July 7, 2009	To provide office furniture	E.H.C Industries	LT	\$721,502.00	Head Office- Ministry of Youth, Sports & Culture
26	July 7, 2009	To provide office furniture	Neveast Supplies Ltd.	LT	\$1,680,800.00	Head Office- Ministry of Youth, Sports & Culture
27	August 4, 2009	For airfreight charges of parts and insurance	Toyota Jamaica	SS	\$391,224.00	Head Office- Ministry of Youth, Sports & Culture
28	August 21, 2009	To provide janitorial services and toiletries for a one (1) year contract period	Minott Janitorial Services	LT	\$871,848.00	Head Office- Ministry of Youth, Sports & Culture
29	September 17, 2009	To provide a service contract for maintenance of photocopy machine (Bizhub)	Advance Integrated Systems	LT	\$351,000.00	Jamaica Archives and Records Department (JARD)
30	October 12, 2009	Modification works of the Marcus Garvey Youth Information Centre	Olette Enterprise	ST	\$4,251,252.00	Marcus Garvey Youth Information Centre (NCYD)
31	October 15, 2009	To provide accommodation services for National Youth Parliament	Altamont Court	LT	\$700,800.00	National Centre for Youth Development (NCYD)
32	October 15, 2009	To provide transportation services for National Youth Parliament	Jamaica Transport Service	LT	\$793,000.00	National Centre for Youth Development (NCYD)
33	October 22, 2009	To supply & installation of dexion shelves	Tropicair	LT	\$436,335.74	Head Office- Ministry of Youth, Sports & Culture
34	November 19, 2009	To supply Toners and inks	Lutec	LT	\$656,486.36	Head Office – Ministry of Youth, Sports & Culture
35	November 19, 2009	To supply Uninterrupted Power Supply (UPS)	Powertech	LT	\$1,120,909.27	Head Office – Ministry of Youth, Sports & Culture
36	December 1, 2009	To provide audio visual and technical services for PM Youth Awards	John Swaby Entertainment	LT	\$1,500,000.00	National Centre for Youth Development (NCYD)
37	December 3, 2009	To provide services for the Prime Minister Youth Awards	Jambiz International Ltd.	DC(Artistic)	\$6,030,000.00	National Centre for Youth Development (NCYD)

Note

DC - Direct Contract / SS - Sole Source / LT - Limited Tender / ST - Selective Tender

Report of Contracts issued by the Ministry of Youth, Sports & Culture

Period: September 2007 – December 2010

No.	Contract Date	Contract Description	Name of Contractor	Methodology	Contract Value	Principal Site of Contract Performance
38	December 14, 2009	To supply & install office furniture	Neveast Supplies Ltd.	LT	\$1,945,000.00	Marcus Garvey Youth Information Centre (NCYD)
39	February 10, 2010	To supply servers	Dell Inc.	DC(Original Equipment Manufacturer)	\$4,983,022.80	Head Office- Ministry of Youth, Sports & Culture
40	March 18, 2010	To supply stationery supplies	Campbell's Office Supplies	LT	\$319,620.00	Jamaica Anti-Doping Commission (JADCO)
41	March 18, 2010	To provided ADOBE software	SSP Aptec	LT	\$317,700.30	Jamaica Anti-Doping Commission (JADCO)
42	March 18, 2010	To provide service contract for AC Units	Geddes Refrigeration	LT	\$824,480.00	Jamaica Records & Archives Department (JARD)
43	March 26, 2010	To provide consultation services for web developing	Trevor Forrest	LT	\$1,080,000.00	Youth Development Programme (NCYD)
44	March 26, 2010	To provide consultation for architectural services	Plexus Ltd.	LT	\$3,900,000.00	Youth Development Programme (NCYD)
45	March 26 2010	To provide consultation for IT services	Patrick Thompson	LT	\$430,109.76	Youth Development Programme (NCYD)
46	January 6, 2010	To provide security services	King Alarm Systems	LT	\$1,074,063.00	Head Office- Ministry of Youth, Sports and Culture
47	March 18, 2010	To provide services contract for A/C units	Geddes Refrigeration Ltd.	LT	\$824,480.00	Jamaica Archives & Records Department
48	June 6, 2010	To provide security monitoring systems	Technology Plus	LT	\$414,918.00	National Centre for Youth Development (St. Ann's Bay Youth Information Centre)
49	October 28, 2010	To Supply Cyber Centre Solution	Fujitsu Caribbean (Ja.) Ltd.	LT	\$2,976,370.01	National Centre for Youth Development(Marcus Garvey Youth Information Centre)
50	October 28, 2010	To provide Information Technology upgrade	MediaNet Ltd.	LT	\$2,260,210.13	National Centre for Youth Development(All Youth Information Centres)
51	November 11,2010	To provide security monitoring systems	Hawkeye Electronics Security Ltd.	LT	\$430,302.64	National Centre for Youth Development(Manchester Youth Information Centre)
52	November 11, 2010	To provide closed circuit television security monitoring system and access control system	Guardsman Alarms Ltd.	LT	\$480,059.53	National Centre for Youth Development(Westmoreland Youth Information Centres)
53	November 18, 2010	To provide networking equipment structured cabling installation service	LAN Integrators Ltd.	LT	\$389,457.83	National Centre for Youth Development(Manchester & Westmoreland Youth Information Centres)

Note

DI - Direct Contract; SS - Sole Source; LT - Limited Tender; SI - Selective Tender

GORSTEW LTD

*35 Half Way Tree Road
Kingston 5*

February 4, 2011

Hon. Bruce Golding, MP
Prime Minister
Office of the Prime Minister
1 Devon Road
Kingston 10

Dear Prime Minister,

RE: Sandals Whitehouse Arbitration Matters

I refer to our recent discussions regarding the various issues that are currently the subject of arbitration between Gorstew Ltd. and ANDCO, UDC, DBJ/NIBJ in relation to the Sandals Whitehouse Hotel.

Prime Minister, for the sake of good order, I wish to take this opportunity to state the considerations that have influenced our current position on the arbitration issues.

The arbitration, which we initiated against the aforementioned parties, was not done in a frivolous manner, but rather represented legally justifiable claims supported by substantial costs, which our group incurred as a result of the delayed opening and incomplete hotel. As you are aware, the Hotel still requires further expenditure to rectify construction defects.

Indeed, while we still regard the claims in relation to Sandals Whitehouse as strong including the brand damage claim and our claim for special damages of US\$28.9M as well as our claim for the cost overruns which the contract addresses, we have made the decision to withdraw these claims for the benefit of the taxpayers and the National interest.

We have given long and careful consideration to the dollars we have lost on this project and the time and money invested in pursuing our claims. However, in deciding to forego our rightful claim, we hope that out of bad, some good will come.

Therefore, notwithstanding the circumstances, Gorstew Ltd. now wishes to discontinue and relinquish all claims against the aforementioned entities that are the subject of the arbitration. However, in the interest of posterity, I do consider it important to explain our rationale for the decision to bring closure to these issues:

1. Gorstew Ltd. recognizes that Jamaica needs to focus on positive initiatives, which will create jobs that will assist in the country's overall economic development.
2. We also recognize that the arbitration, at this point in our history, is counterproductive and out of step with our common vision to further develop South Coast tourism.
3. In late 2010, recognizing the negotiations for the sale of the Hotel were coming to a close, we also wanted to bring closure to the arbitration, which would be costly for all parties and, most importantly the taxpayers.

GORSTEW LTD

35 Half Way Tree Road
Kingston 5

February 4, 2011

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4. Gorstew Ltd. had always intended to use the settlement in the arbitration to give back to the Whitehouse community and further invest in South Coast tourism. Gorstew Ltd.'s sincere intention to reinvest the proceeds of the lawsuit is clearly demonstrated by previous national investments, including the "Save the Dollar" initiative during the 1990's. This initiative revalued and stabilized the unprecedented devaluation of the local currency at a cost to the hotel group in excess of US\$23 million dollars. In addition, the group's philanthropic arm, the Sandals Foundation, has contributed millions of dollars every year to schools, communities and the environment throughout Jamaica. In 2011, we plan to further our efforts in the Whitehouse region by providing a permanent site for the Cullodon Early Childhood Institution.

In further keeping with our commitment to Whitehouse and adjoining regions, we are taking steps to develop a world-class Championship golf course next to Sandals Whitehouse. Last week, internationally acclaimed golfer, Greg Norman, who has constructed some of the finest golf courses in the world, scouted the grounds for a future golf course design.

We are also extremely excited to reinvigorate the Auchindown historical site which plays an important part in Jamaica's heritage. This site will serve as a great tourism attraction showcasing the glory days of eighteenth century Jamaica.

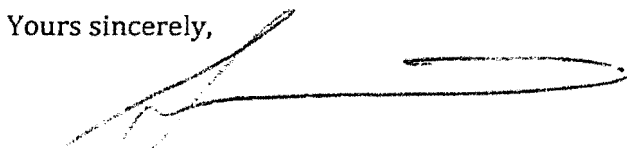
Lastly, with all of this proposed development we feel it necessary to facilitate the construction of a modern aerodrome in Westmoreland similar to the Ian Fleming International Airport recently opened in the Ocho Rios region.

All of the above proposed plans, as well as the overall economic potential of other planned developments, have created a strong enthusiasm among the people of Westmoreland and adjoining parishes. The mood is, "Let's get on with the job!" It is against this background and in the spirit of moving forward, that Gorstew Ltd. is foregoing our right of claim.

In summary, PM, we respectively concur that the sale of the Sandals Whitehouse Hotel is a separate issue from the claims between the parties. Therefore, we give you our undertaking to discontinue our claims, which, in turn, we would require the Government entities to similarly discontinue their counter claims, with all parties paying their relevant costs.

We look forward to the sale agreement of the Sandals Whitehouse Hotel in due course so that we can pursue our common vision of further developing the South Coast as a major tourism destination for the benefit of Jamaica.

Yours sincerely,



Gordon 'Butch' Stewart OJ, CD, Hon. LLD
Chairman