

Reply To The Throne Speech 2009

**By H. Kim Swan, JP, MP, Leader, United Bermuda Party
November 6, 2009**

Mr. Speaker, Members of the House of Assembly,

It is an honour to rise today in this Chamber to deliver the Reply to the Throne Speech in this the 400th year of our history.

My colleagues and I share a commitment to doing whatever we can to make this island a better place for all Bermudians, to building a better Bermuda and, critically, to building the sense of One Bermuda.

What we do in this House, as the Loyal Opposition, is a measure of our commitment to that better Bermuda; using our powers of criticism to improve conditions, reveal missteps, expose unfairness, foster unity and, ultimately, to strengthen governance for the people of this island home.

It is a role conferred on us by the election of 2007. It is a role we play fully aware that nearly half the people of this country supported our plans, but it is also one in which we hold a duty toward all Bermudians, regardless of political stripe, because they deserve our best effort as fellow Bermudians.

I recognise that all of us in this Chamber want Bermuda to succeed, and that the cut and thrust of debate here, sometimes harsh, sometimes inspiring, always well intended, reflects our common desire to bring about that better Bermuda.

The challenge for us is to ensure that all decisions in this room are conceived and implemented for the benefit of the people and the island.

Mr. Speaker,

When I look over the four centuries of our history, I see the story of a resourceful people facing continuing challenge, experiencing success and failure, living with goodness and evil. I am struck by the fact that our path has always led to something better, where we adapt and learn to live together better. It is a history in which goodness has always, in the end, prevailed over evil.

Today, Mr. Speaker, the challenges continue, on many fronts.

Judging by the Throne Speech and the Premier's television address a few weeks ago, the Government wants people to believe our difficulties are the result of recession; and that all would be fine but for the harsh economic winds blowing in from abroad. But we all know that reports of crime and decline have little to do with external forces and much to do with conditions that have festered here for years.

Crime, for example, has become a big part of daily life. Since 2001, the incidence of violent crime has grown by more than 30 percent; the number of burglaries by more than 50 percent while the incidence of crimes with firearms has grown by more than 100 percent.

In public education, children and families continue to pay the price for a system that remains in crisis. The fact that half of all black males drop out of the system before graduation should be enough for anyone to realise that whatever reforms are said to be happening — and does anyone remember what they are? — they are failing the people who need them most, Bermuda's youth.

Tourism continues to lose ground. Visitors now spend tens of millions of dollars less than they once did — money that would have gone into the pockets of our people. In the first half of this year, for example, air visitors spent \$80 million less than they did for the same period in 1999. The implications of this number are severe for many — whether you are a retailer trying to keep a business afloat, an employee clinging to his job, or a hotelier wanting to protect his investment.

Since 2000, the national debt per capita has grown more than 300 percent, from \$2,477 per person to more than \$10,500. If we include last year's Bank of Butterfield guarantee, the debt burden rises by 448 percent to more than \$13,500 for every Bermudian man, woman and child. This is a legacy of carelessness that will burden our people for generations to come.

These and other facts of life in Bermuda today rightly put many Bermudians on edge about the state of the country.

Mr. Speaker,

Bermuda is slipping. It is our view that we are losing ground; losing our exceptional status in the world — a blue ribbon status gained painstakingly through the hard work of generations who came before us.

People don't need to study statistics to understand the slippage, they sense it. It is all around us today in business declines and layoffs, gangs and shootings, unpunished crime, political division, classroom dysfunction, arrogance and favouritism, fewer visitors, angry businessmen, Hollywood glitz, two sets of rules, overdevelopment of land and buildings and, let's face it, low national morale.

Unless we recognise what is happening and start holding people to account, the slide will continue.

Mr. Speaker,

It is not just United Bermuda Party members who see this.

Professor Hopkins saw it in 2006.

Police and tourism statistics reflect it every quarter.

And the Bermuda First initiative, supported by this party and the Government itself, underlined it.

Its report, which was published last week, was initiated because people saw Bermuda at a crossroads and saw that someone needed to step forward to think about how Bermuda could "ensure continued prosperity for all Bermudians."

Its report contained a survey of the island's business and political leaders, with more than two third believing the island's economy will be even worse in five years without substantial reform.

Mr. Speaker,

I want to publicly thank the people of Bermuda First, particularly Mr. Phillip Butterfield and former US Consul General Gregory Slayton, for stepping forward to help forge a level of collaboration in our politics that has been missing.

Now Mr. Speaker, Honourable Members of the House of Assembly,

What I have to say next may be controversial, but I believe it has to be said to get our national dialogue focused on the kind of change I believe we need to get Bermuda back on an upward path.

It is our strong belief that Bermuda is not progressing under this Government.

All of us on this side of the House are extremely concerned the Government is failing to move this island forward, failing to muster the commitment and the know-how to mobilise our people to manage our national challenges.

Look at the Premier's words, whether in the Throne Speech or his television address two weeks ago. They reflect a readiness to pass the buck, to say that Bermuda is controlled by Fates beyond our reach and that we should just hang on until the storms pass.

Mr. Speaker, this is a form of survival but it is not governing.

My concern is that his strategy reflects a misreading of the national character, a character developed from centuries of challenge and trial. The Government seems not to recognise that Bermuda's centuries-old skill is to manage the Fates, no matter how distant, in a manner that keeps us sailing forward. There is no recognition that this is what we do as a people, what we have always done.

Why is that?

Today should be no different than before, but I find there is no understanding that Bermuda, ever tossed by waves, ever pushed by winds, is populated by a people who know how to manage the Fates.

I detect no faith on the part of the Government that Bermudians possess the know-how and tools to manage the challenges as they come, no faith that they have the sense to keep this island on an even keel, moving forward.

This lack of faith is reflected in the fact that the Government now pays out nearly \$100 million for consultants, most of whom are from overseas. We have the largest government in the history of this island yet it farms out an unprecedented amount of work to these outside agencies, with undetectable results.

There is something wrong here, Mr. Speaker. The Government appears to have no faith in its Cabinet Ministers and backbench, no faith in its civil servants to get the job done. In the face of a 25 percent growth in government manpower over the past 10 years, the Government owes the people a complete explanation for the emergence of this burgeoning, unaccountable \$100 million shadow government.

Surrendering to the Fates — as this Premier is doing — is not in the Bermudian character we know. His words pass right by the people and into the realm of excuse.

Look closely at the language of the Throne Speech and one detects a passivity that suggests the government — purportedly led by a strong man — simply does not know how to face up to challenges.

Bermuda is better than the language coming from the Premier. Our people, especially our politicians and civil servants, are tougher, smarter and more capable than the words we hear.

We are being sold short by a Government that gives no indication it knows how to manage our national circumstance, which has never changed and which always has been taken on by its predecessors.

And so we looked forward to Friday's Throne Speech which the Premier said would be bold. When it was finished, we asked ourselves: Does this document respond to the times, to the challenges?

Mr. Speaker,

We don't see that it does.

The speech, however, did make us think Bermuda needs to change its approach to government, its approach to the business of the people if we are to perform better, if we

are to become exceptional again.

In our view, the speech did not provide any comfort the Government knows how to manage and solve the challenges before us. We did not see a plan. We did not see anything to help working families through what may well be the worst winter in many generations. This again goes to our chief concern, which is that the Government does not appear to know how to govern with positive effect.

What we did hear was spin instead of truth; gloss and self-congratulation where there should have been critical judgment. We believe people would have preferred hearing the government talk about how they are going to manage the major challenges confronting Bermuda today.

Mr. Speaker,

On this side of the House we are fixed on one major, all-encompassing question: How do we change the way we do business? How do we make sure that the system under which government operates serves the people without distraction?

Mr. Speaker,

Perhaps there are no instant solutions, but there is a way...

We believe that government, if it is committed to doing good for the people, needs to get back to first principles before it can move forward in any substantial way. It must first anchor its work in values of good conduct, from which all policies and practices are born; values that ensure realism, honesty and public service in all endeavours.

What are these values?

Selflessness is one, wherein decisions are made solely on the basis of the public interest.

Objectivity is another, in which decision-making is open-minded and unbiased.

There is openness, in which the true reasons for decisions and actions are explained,

And honesty, in which government officials are obliged to declare any private interests relating to public duties and to take steps to resolve any conflicts in a way that protects the public interest.

There is integrity, in which the government adheres to a Code of Conduct that steers its members away from any obligations to individuals or organisations that could compromise the performance of their official duties.

And there is accountability, in which the government through an open system of scrutiny is held to account for its decisions and actions.

Mr. Speaker,

We put these values forward to help this Government find its feet, to enable it to do better work for the people, to make the right decisions.

What we are talking about here is giving the island a chance for moral leadership; leadership that does not stray from its commitment to public service; leadership grounded in good conduct; leadership that follows best practices.

Without values-based government, we are getting watered down freedom of information legislation that shuts out the past, that protects decision-makers from scrutiny of almost any kind. We get million dollar contracts that go directly to friends unrendered and massive cost overruns with no one held to account.

Without values-based government, one must wonder what guides the Government's actions. If they are not obviously tied to values of good conduct then what are the motives? Are they self-interest, personal agendas, self-dealing, power, friends and cronies? Without values-based government, questions and doubts arise.

Mr. Speaker,

Values-based government offers Bermuda a better way, a way that clears the path of temptation and conflict. We urge the Government to step back and commit itself to this system, to declare its commitment to working for the people.

Mr. Speaker,

We are fully aware it is easier to criticise than to help, so I will put forward recommendations in areas of significant concern to us: Parliamentary reform, public safety, education, health, economic planning and, finally, unity.

Mr. Speaker,

I want to address Parliamentary reform upfront because it has the power to mandate good conduct in all matters.

But the question must first be asked: Does this government believe in parliamentary reform or not? We are encouraged by recent words on the subject, but remain sceptical because they stand against a decade of lip service and non action.

Consider the Throne Speech. Its call for a Commonwealth Parliamentary Association meeting "to craft a modernised legislature and to equip Bermuda with an efficient and effective modern legislative democracy" sounds fine but it puts off what we know can be done now, and we have to ask: Why do we need a CPA conference to tell us what to do?

Mr. Speaker,

It is our strong belief that the Parliamentary system as currently set-up and used is not serving the public interest as well as it can. We believe the time is ripe for a complete overhaul of the system, from the rules of the House to real freedom of information. We believe the time is ripe for Integrity in Public Office legislation, defining corrupt practices and setting standards for disclosure of financial dealings by Parliamentarians. We believe the time is ripe for a Code of Conduct, for increased use of referenda, the right to petition, whistle-blower legislation and House of Assembly reforms that allow for direct questioning of ministers, weekly press conferences and bipartisan committees on issues of broad national concern.

The reforms properly implemented, properly followed can commit all governments going forward to a system that requires them to work with the people for the people.

To illustrate how reform can work, let's look at two issues currently before the House: gaming and health care insurance. We would start by putting this House to work, forming bipartisan committees to openly examine the challenges and issues each subject poses, holding open meetings with presentations allowed by members of the public and stakeholders; all to make recommendations to Parliament for debate.

This is what we mean by transparency, participation and, ultimately, accountability. We need to raise our standards, not just for the benefits they confer on the community but also to catch up with the modern world. We don't need to wait for a CPA conference to tell us how to strengthen the mechanics of Bermuda's democracy.

Mr. Speaker,

Real reform requires courage to open oneself to public scrutiny. We do not see that courage in this Government. We nevertheless urge it to step away from the way it is conducting the people's business and commit itself to a system that opens it to the sunshine of public scrutiny.

Mr. Speaker,

I want now to turn my attention toward crime. The first observation I want to make is that this Government, despite its talk, is not serious about fighting crime.

In recent years we've heard declarations of intent — SWAT teams, anti-gang legislation, witness protection, parental responsibility legislation — but nothing has shown up on the desks of legislators.

Alongside these non-developments, the Government cut the Police budget, cut overseas training, failed to open the St. George's Police Station in the face of a crime wave, allowed Police manpower to fall 10 percent below its mandated levels and left its officers without a contract for three years, allowing morale to hit rock bottom until they took to

the streets for an unprecedented protest march, all the while trashing our anti-crime programme as Draconian.

Today, in the face of lethal and corrosive trends in crime, the Government's best effort has been to pick a fight with the Governor for operational control of the Police.

In the first instance, it must be understood that this fight with the Governor would not give Government operational control of the police because it is the purview of the Commissioner. And so we wonder: Does this government not understand that fact? Or is it planning to politicise the Police Service, giving itself the power to arrest anyone it wants, or to prevent Police from investigating the people they do not want investigated.

Is this what Bermuda wants?

Mr. Speaker,

We are concerned these manoeuvrings carry the potential to completely neuter the nature of policing in Bermuda. We are more concerned, though, that their practical effect is to help this government avoid its responsibility.

We think all Bermudians would agree that their government should be doing what it can to control crime. And so the news the government is refusing to sit down with the Governor and the Police Commissioner for regular meetings is mind boggling, and one more example of a government more willing to dodge and hide than to fulfil its elected role to work for the people.

People don't want finger-pointing and blame games in law enforcement. They want focused, cooperative work between all the agencies. This, after all, is the biggest issue facing Bermuda today.

Mr. Speaker, Honourable Members of the House of Assembly

Our first recommendation is that the Government take its seat at the table. Sit down with the Commissioner and the Governor. Help devise strategies and plans to better manage and direct crime fighting resources. Show you are working the system for the benefit of the people.

We are pleased with the appointment of a new Commissioner and wish him the best, but our best will not help him if the Government is not at the table, pulling its weight.

Our second recommendation is that Government should ask for a formal Force Review. It is way overdue and will reassure Bermuda that Police strategies, force levels, equipment and budgets are appropriate for the tasks they face now, 10 years into the 21st Century.

Mr. Speaker,

No comment on crime can be made without reference to the criminal justice system. We do not believe it is working; indeed we believe the system is breaking down. We see it in criminal cases thrown out of court, unsolved murders, and a collapse of public confidence in the system that manifests itself in a community-wide unwillingness to cooperate with Police.

As a matter of national importance, the government must address the dysfunctions in the criminal justice system. In the meantime, my colleague Mr. John Barritt has tabled a Bill to give the Crown the same right of appeal in criminal cases as now held by defence counsel. In this we hope to arm the Crown with the ability to appeal cases that have slipped through their grasp; such as the Kellon Hill and Rebecca Middleton murder cases.

Mr. Speaker,

Two and a half years ago, in May 2007, Premier Brown and then Education Minister Horton presented the Hopkins Report on our public education system to the Bermudian public. Professor Hopkins revealed that the system was "on the brink of meltdown." The Premier himself admitted that "our children are not being properly equipped to compete and in some cases are lacking in the basic skills required to function effectively in the 21st century." Educators, politicians and parents all agreed: we faced a crisis of major proportions.

Recently, two more reports have highlighted deficiencies in our public education system.

The Bermuda First Report issued "a call to action," stating that, "Education is justifiably one of the top priorities of Bermuda's government." It connected educational opportunity for individual Bermudians with "economic growth, fewer drains on government resources and improved social outcomes such as lower crime rates."

Professor Mincy's Report on young black Bermudian males revealed a 50 percent dropout rate for this key demographic group and highlighted the fundamental importance of keeping young black Bermudian men in school. The report identified a clear correlation between "education attainment gaps" and lower income levels and unemployment.

Mr. Speaker, what could be clearer? The education system is still in crisis, and the individual success of our students, the stability of our communities and the secure future of our country all depend on fixing it.

Mr. Speaker, what do responsible governments do when faced with a crisis? They act quickly and decisively.

As a case in point, look at the way the US and UK governments addressed the global economic crisis. They understood the urgency, and they moved quickly to confront the challenge.

They made tough decisions and passed stimulus packages in record time. Many US politicians demonstrated political courage in voting for bailout legislation, knowing that it might reduce their re-election chances, but they chose to act in the best interests of their country.

Here in Bermuda, in the midst of an education crisis, it's business as usual. As the Throne Speech politely describes it, "the pace of reform has been steady and sought to minimise disruption to students."

Professionals who were assigned to effect change in our public education system either left in despair or resigned early, citing a lack of political will to make hard decisions. There is a depressing sense that the Ministry of Education, severely criticised over two years ago in the Hopkins Report, has quietly slipped back into old habits.

Leadership of the reform process has suffered from remarkable inconsistency at every senior level, from minister to permanent secretary to chair of the Board of Education. The PLP Government is now on its ninth consecutive education minister in 11 years. Buy-in to education reform is incomplete, and trust among the stakeholders has been shaky at best.

Mr. Speaker,

The effective education reform Bermuda and our children so desperately need requires difficult political decisions. It requires a sense of urgency, not inertia. Where is the bold action? Where are the tough decisions? Where is the plan, and more importantly, where is the follow through?

Don't look for any of the above in the Throne Speech. The shortlist of education initiatives are vague and certainly do not represent the bold action promised by the Premier.

Long before the Hopkins Report, the United Bermuda Party, along with educators, parents and many of our political colleagues across the aisle, called for education reform. The United Bermuda Party platforms in particular recognised the need for

? A fully integrated technical curriculum

? Expanded preschools

? Focusing on the quality of teaching

? A serious commitment to professional development

? An independent standards board to restore trust in educational testing results

? The need to lengthen the school day to provide more time for sports, music, arts and

remedial support, and

? More effective discipline methods pioneered in charter schools.

Last week we called for serious consideration of a single-sex school for boys to help address the 50 percent dropout rate for young black males. We have been quick to praise the government for undertaking positive initiatives, such as the recently adopted Cambridge curriculum.

But one programme here and another programme there do not add up to comprehensive education reform.

Mr. Speaker, in 2003, after the PLP's first five years in power, their election manifesto suggested that their government was on course to make the public education system "first rate, first choice and first class." Now, after 11 years, education reform under the PLP government is too slow, too little and soon it may be too late.

Mr. Speaker,

The idea of a National Health Strategy is sensible, but it is neither new nor timely. Frankly, the new PLP Government in 1998 could have and should have produced a comprehensive health strategy following the recommendations of the Oughton and Anderson reports on Bermuda's health care system. They had the tools and resources but chose not to act.

Now, 11 years later, the call for a National Health Strategy follows in the wake of a massive, billion-dollar commitment to rebuild the hospital and hot on the heels of the introduction of FutureCare, a commendable but seriously flawed attempt to provide all seniors with affordable health care for the rest of their lives.

We recognise the conceptual value of a strategy that will "provide a framework within which all project and policies will fit," but given the huge scope of both the hospital rebuilding programme and FutureCare it is likely that this strategy will be devised to fit these initiatives as opposed to fitting them into its framework.

In other words, the trains have already left the station, leaving us to question the real benefit of this belated initiative.

Mr. Speaker, we note the Government's declaration that it will not stand for callous and discriminatory practices that threaten access to health care for the most vulnerable.

The United Bermuda Party wholeheartedly endorses this noble sentiment, but we want to make it clear that the reason why so many seniors lost their health coverage over the past year was the Brown Government's own mishandling of the FutureCare programme.

It was the Government's own decision to drop HIP coverage for those over 65 that left

many seniors with no affordable health care insurance.

And it was Government's decision to discriminate against more than 60 percent of Bermuda's seniors by restricting their access to the FutureCare programme.

There is a deep and cynical hypocrisy behind the finger-pointing accusation that insurance companies were responsible for problems with FutureCare. This is a manufactured fight to distract the public from the Government's own failure to plan and implement FutureCare properly.

The United Bermuda Party believes that FutureCare is fundamentally flawed. Even the Government knows that FutureCare in its present form is unfair, unaffordable and unsustainable. It's unfair to seniors who were excluded from enrolment and confused by Government's inadequate communications. It's unaffordable because there was not enough money in the budget to include all seniors. It's unsustainable because the long-term cost of FutureCare up to one billion dollars a year — could seriously undermine Bermuda's financial stability.

We encourage the Government to embark on a serious FutureCare makeover that will improve seniors' health-insurance options without creating overwhelming financial problems for current and future generations. And this time, we hope they will include local insurance companies, health care providers and even the United Bermuda Party as partners in this endeavour.

Finally, Mr. Speaker, we are pleased to see that the Government plans to make significant changes to the mandate of the Bermuda Health Council. Most people would be hard pressed to identify what the Council has accomplished over the past few years, despite having cost the taxpayer over \$5 million.

Mr. Speaker,

We are deeply concerned there is no mention of the economy in the Throne Speech beyond the observation that it is proving resilient in the face of recession and that the government would foster conditions to help people realise "continued success."

This is all that is said to Bermuda at a time when businesses are reeling, when St. George's has become a commercial ghost town, when hundreds of Bermudians have been either laid off or seen their paycheques reduced.

Mr. Speaker,

Bermuda deserves more respect, more engagement from this Government.

Over the past two years we have been deeply critical of this Government's management of the economy — from its failure to prepare for the demands of recession, to its spendthrift ways, to its careless management of public building projects. We are now at a

point when these failures and oversights are coming home to roost. We are extremely concerned there is little money left to meet the Government's operational commitments and the new cost demands of recession — from unemployment assistance to countercyclical spending on public projects that can keep people employed as the private sector slows.

The Government says Bermuda is weathering the storm of recession, but this is a premature statement. History has taught us that Bermuda lags whatever activity is coursing through the US economy. This leads us to believe that 2010 is going to be a very difficult year with hotel closures, construction projects ending and retail operations hanging by a thread

The Government's word that all is OK does not give comfort. That it has not used this speech to tell people there is a plan to meet the current situation is something that should concern all Bermudians.

We would have expected it to assure the public that it is in position to help those who are struggling, through social assistance or, more importantly, through job-producing projects. But we heard nothing and so are left where we began: with serious concerns that no one is at the helm and that no one in this Government feels accountable.

Mr. Speaker,

Over the past couple of weeks the Premier has used words that can promote unity amongst our people. We support this new side of the Premier but do so fully aware that it plays against a career that has done more to divide Bermudians than anyone we know who has held a senior position of responsibility in government, particularly in his role as the leader of Bermuda.

We nevertheless encourage this new face of the Premier, to continue with the message of One Bermuda because it is good for the future well-being of the island, in all its endeavours.

One Bermuda is our goal in the United Bermuda Party. Because we know that if we are together as one people, if we pull in the direction for a better life for our families, our neighbours, our friends and fellow citizens then we can reach that higher place, where mutual respect and support is the currency that binds and brotherly love and understanding is its reward.

We encourage everyone to believe in One Bermuda — to live it — because it represents our salvation and hope for a better future.

Thank you.