

# Section IV

## Post-Restoration Impact *of the* Legislative Council *of the* Virgin Islands (1950-2000)

<b>Representation at Last</b> .....	259
Hugo Vanterpool	
<b>The Constitutional History of the Virgin Islands</b> .....	262
Ermin Penn	
<b>Constitutional and Political Development in the Virgin Islands 1950-2000</b> .....	275
Gerard St. C Farara, QC, LLB	
<b>British Virgin Islands Land Ownership and Development</b> .....	280
Verna Penn-Moll, MBE	
<b>Twenty Five Years: A Look Backwards</b> .....	284
McWelling Todman, CBE	
<b>The Standing Orders of the Legislative Council of the Virgin Islands 1950-2000 and the Relationship Between the Judiciary and the Legislative Council</b> .....	289
Dancia Penn, OBE, QC	
<b>Women in the Legislature</b> .....	293
Rita Frett-Georges, MBE	
<b>The Other Side of Representation</b> .....	297
Medita Wheatley	
<b>Involvement of the Financial Services in the Legislative Process</b> .....	299
Richard Peters	

<b>A Review of the Royal Virgin Islands Police Force</b> .....	<b>302</b>
Vernon Elroy Malone, QPM, LLB, CPA	
<b>Development of Air Transportation in the BVI as Reflected on Local Stamps and Postal History</b> .....	<b>313</b>
Dr. Giorgio Migliavacca	
<b>Infrastructure and Environment 1950-2000</b> .....	<b>320</b>
Bertrand Lettsome	
<b>A Brief Account of Educational Growth 1950-2000</b> .....	<b>323</b>
Charles Wheatley, OBE, Ph.D.	
<b>Social Development</b> .....	<b>326</b>
Eugenie Todman-Smith, OBE	
<b>Cultural Activities</b> .....	<b>331</b>
Hon. Eileene Parsons	
<b>Health at a Glance</b> .....	<b>335</b>
<b>Health Collage 1921-1993</b> .....	<b>337</b>
Rita Frett-Georges, MBE	
<b>Health Perspectives in the BVI</b> .....	<b>348</b>
Dr. Irad Potter	
<b>Her Majesty's Prison at a Glance</b> .....	<b>358</b>
Ashford Frett	



## REPRESENTATION AT LAST

---

by Hugo Vanterpool

**T**he cry leading up to the restoration of the British Virgin Islands Legislative Council, first made itself heard during the 1940's, climaxing in 1949 with the famous Road Town demonstration. The Legislature had been dissolved in 1902, leaving the BVI as a Presidency, under the larger colony of the Leeward Islands. This was an amalgamation of the British colonies in the Leewards, comprising St.Kitts, Nevis, Anguilla, Antigua & Barbuda, Montserrat and the British Virgin Islands into one colony. It was the British Government's attempt to rationalize the governance of her colonies into the most cost effective way seen as feasible at the time.

The administrative cost of running the colonies was thus kept to a minimum indeed, though in the case of the British Virgin Islands, this was done at the distinct expense of development. The level of stringency in administrative cost had reached such a point, that the presidency by the late 1940's was very inadequately manned. So much so that one man carried the burden of three or four. The Commissioner was also the Doctor as well as Magistrate, while performing other minor duties. This must perforce have resulted in inadequate administration, particularly of health, education and social services, and development of roads and infrastructure. The populace were reportedly so dismally well behaved, that the demand for legal and judicial services was very low.

In such a situation where both the per capita income and the gross domestic product were lower than the West Indies average, one could understand the desire of His Majesty's Government to keep Administration cost to its minimum. However, the people had had enough of such stringent fiscal behaviour by 1949, and the cry for representative Government erupted with such force, that it would appear that immediate action was taken to grant their request.

However, in 1947 Mr. H. R. Penn who was selected to sit on the Executive Council as an unofficial member, was sent to St. Kitts where a Closer Union Conference of the Colony of the Leeward Islands was being held. He reported that he submitted a resolution which among other things asked for continued free use of US currency, and for an elected Legislative Council for the British Virgin Islands. This Resolution received the support of the Leeward Islands body and was unanimously carried. By 1949 it had already been passed by the Secretary of State for the Colonies. Implementation was however delayed by the Commissioner Mr. J.A.C. Cruickshank who felt that there should first be established Village Councils, and that the Chairmen of the Village Councils should form the Legislative Council. When the residents of the British Virgin Islands took to the streets in 1949, it was considered high time to drop all the nice preparation and press on with immediate plans to establish the new council.

The March of 1949 is regarded as the catalyst which propelled the Government to act to establish the long talked about Legislative Council. It was led by Mr. Theodolph Faulkner of Anegada, followed by Mr. I. G. Fonseca and Mr. Carlton deCastro of Road Town, Tortola and over fifteen hundred (1,500) residents of Tortola joined in the March. Considering the size of the population at the time, this number was seen as a substantial representation of the will of the people.

A petition was immediately sent off to the Governor of the Leeward Islands requesting the re-establishment of the Legislative Council. This last act on the part of the people, could only be

interpreted as a serious anxiety to have the Secretary of State's decision implemented. Thus it was that the stage was set for the first election of the century in the British Virgin Islands in November of 1950.

A committee, appointed by Commissioner Cruickshank, met and adopted a constitution modelled off the Montserrat constitution. It called for four members to be elected at large, two unofficial members to be appointed by the Governor and two official members, with the Commissioner as President.

Election was held in November, 1950 and the following persons were elected at large.

Mr. Isaac G. Fonseca  
Mr. Howard R. Penn  
Mr. Carlton deCastro  
Mr. J. Charles Brundell-Bruce

Nominated Members

Mr. J. Olva Georges  
Mr. Benjamin A. Romney

The Commissioner J. A. Cruickshank was President.

The British Virgin Islands at last had a representative Government restored after 175 years with a break from 1902 to 1950. It was now left to see how such representation would be used for the benefit of the territory.

There was plenty to do. The Governor of the Leeward Islands, acknowledged the poor social and economic state of the Colony in his inaugural address on 5th December, 1950 when the new Council was sworn in. He pointed inter alia to:

(a) the need for the Colony to develop closer trade and commerce with the United States Virgin Islands, no doubt because he recognized that the direction of trade for the British Virgin Islands leaned more towards St. Thomas than towards the Leewards.

(b) the need to develop the meat and livestock industry for which a market existed in St. Thomas.

(c) the general improvement of the public services; and

(d) the need for technical advice on engineering problems relating to roads, bridges etc. In short he was calling for a sound development plan to be drawn up for the British Virgin Islands, for the very first time in the century. With such a plan the British Virgin Islands could hope to benefit from a general grant of some £20,000,000 Britain had put aside for the development of all its colonies in the region.

Of special interest in the Governor's address was the call for legislators to recognize the emergence of tourism with its great potentials for employment and earnings, which would eventually contribute substantially to the Gross Domestic Product of the colony. The necessary



infrastructure it was recognized would have to be put in place, to facilitate its development.

The Legislative Council was being called upon to initiate plans and programmes for a broad based economic development. It was clear from the beginning that the responsibility for this development would rest with the Legislature, as the people's representatives and not so much with the London Colonial Office via the Colony of the Leeward Islands.

Indeed a few years later the Colony of the Leeward Islands ceased to exist as preparation was made for it to join the wider West Indies Federation. The British Virgin Islands with its new taste of representative Government, opted to stay out of the Federation, arguing for preferred closer ties with the United States Virgin Islands. It argued that if conditions were so poor when it was part of a smaller Colony of the Leeward Islands, it would be much worse, when it became swallowed up in a larger Federation of the West Indies. Britain granted its request and allowed it in 1956 to become a Colony in its own rights, answerable directly to the Colonial Office in London. This advancement could perhaps never have been achieved, without representative Government. These islands were already making very important decisions, that would affect development for decades to come: decisions that were considered very unpopular at the time by proponents of the West Indies Federation.

For the first decade of the restored Legislative Council, it appears that the members' effectiveness may be judged by their success in drawing modest amounts of development funding out of the British Government, at a time when general revenues flowing into British Virgin Islands Government coffers were quite low. Such funds were used for building of wharfs, roads and for provision of basic services such as health facilities, improvement to Prisons, and so on. Such basic needs were addressed first, as it was recognized that private enterprise would never flourish unless the Government had provided at least the basic infrastructure and service for the country.

The period between 1950 when the Council was re-established to 1966, saw comparatively slow growth as most of the expenditure both for capital projects as well as some aid in the form of grants for recurrent expenditure came from the British Government. It was a period, however, in which the new Council learned how to be accountable to the public, and how to use power and be comfortable with the task of law making. This set a healthy trend for the greater responsibility placed upon them in 1966, when the Ministerial System was introduced. By that time the Council was much more ready to perform as proper elected representatives of the people.

Real development may be said to have started in earnest, around this time. Without doubt the responsibility that the new system placed upon elected representatives, carried Government's performance to a new level. Substantial development was to take place from that time forward.

# THE CONSTITUTIONAL HISTORY OF THE VIRGIN ISLANDS

---

by Ermin Penn

## THE AMERINDIAN PERIODS

**T**hree Amerindian groups, first the Ciboney, then the Arawaks and later the Caribs are known to have had societies in The Virgin Islands, and to have been the first humans to live here.

These Virgin Islands which rose from the sea about 15 million years ago were virgin until approximately 300 BC. The Amerindians lived on their soil during various periods from then through to about the 1600s.

Each Amerindian tribe was a Chiefdom, and so the earliest constitutional form observed in what ever was each group's name for the Virgin Islands was one in which authority was vested in the male head of the family who by inheritance had the right to such. The ultimate social care and control of the tribal membership was so addressed.

## Enter the European

In mid November 1493 Columbus, an Italian on commission by the King and Queen of Spain, came upon what he called *Las Once Mil Virgines* (The Eleven Thousand Virgins). His knowledge of these islands brought rivalry among the European powers which on knowing of them would vie for their ownership.

The British managed to install themselves fairly permanently as from 1666 when they defeated the Dutch at the Dungeon on Tortola's south-western side. The first constitutional act by the British allowed Proprietary government. Although British Proprietary Government ended in 1660, the Earl of Carlise did have an appointment from the King as Proprietor of part of the Virgin Islands, perhaps for the period between 1666 and 1672.

In this constitutional form the Earl was authorized, at his pleasure, to collect taxes from the colonists and to make laws that he and his heirs, with the consent of the free inhabitants, though best. History shows that only itinerant groups were at times present.

Tortola was annexed to the British Crown in 1672 and subsequently were all of The Virgin Islands except St. Thomas, St. Croix, St. John which the Danes annexed. It seems, however, that The Virgin Islands was never governed by the Chief Governor of Barbados and All Other Caribe Islands, for the annexation to the British Crown appears to have happened later in the same year (1672) when that unified government had been divided into two domains, one being the Federation of the Leeward Islands from whence came governance for The Virgin Islands.

This federal colony was comprised of Nevis, where in the early period was the seat of governance, St. Christopher, Montserrat, Anguilla, Antigua, where later the Governor sat, and the geographically separate Virgin Islands. Each island in this federation was called a Presidency, and its chief administrator was designated as President until the title was changed to Commissioner in 1889.

In 1680 the British established a colony of planters with slavery as the mode of production. By now the lands, in an administrative sense, from Anguilla to Little Tobago comprised The Virgin



Islands. With Anguilla's removal some time later The Virgin Islands were made up of Anegada to Little Tobago and its legitimate capital was recognized as Penniston on Virgin Gorda. The capital's removal from there to Fat Hog's Bay, Tortola took place in 1741 during the administration of John Pickering, a Quaker. He is the first on record as living in The Virgin Islands while administering its government. His appointment came six years after Great Britain's undisputed right to sovereignty of the Virgin Islands was established in 1735. Here was perhaps the next most significant constitutional step since the Europeans came to The Virgin Islands.

Although the British Government had refused to grant the right to civil government, or to have a constitution and or a judicial system in 1756, when such a second petition was received in 1773, the grant was approved under the Royal Prerogative Power. This became, in effect, another major constitutional act since Europeans appeared in The Virgin Islands: an elected 12 members to the House of Assembly and a partly elected, partly nominated Legislative Council or Board. The first meeting of the Legislators was held on 1st February 1774.

In descriptive terms one sees a bi-cameral system; in actuality this was the practice, but the Colony had to have ultimate approval of legislation from Antigua and London.

In Britain, Judicial authority vested in the King in Parliament and in the Privy Council. The Council had power to review court decisions on cases which arose in the Virgin Islands and other overseas possessions. To formalize such practice, the Judicial Committee Act 1844 was enacted to declare the Monarch's competence to provide by Order in Council to hear appeals from any colonial courts, including the Virgin Islands.

From the beginning, the Virgin Islands fell within the Jurisdiction of those Caribbean Islands with which it was administratively linked. Magistrate Court was, however, it seems, handled by the Administrating Officer until the mid twentieth century.

Another fact which may be considered a significant constitutional statement occurred in 1773: King George III allowed that Virgin Islands planters or any British person in The Virgin Islands could plunder and keep the proceeds! Growing commercialization, particularly the growth in commerce with the Danish West Indies, and British dislike of the fact that a Quaker was at the helm, forged the appointment of the Deputy Governor, John Hunt, and his removal of the capital from Fat Hogs Bay to Road Town in 1742.

The constitutional status of The Virgin Islands remained fixed as stated above while the Legislative Council of the day instituted laws to protect slavery and control the slaves. Resistance to the abolition of slavery was resolute within the Council and Administration.

## Present Day Beginnings

The Colonial Authority, Great Britain, declared the slaves in The Virgin Islands to be apprenticed labourers on Sunday 4th August 1834. The piece of legislation by which this was done, The Abolition Act 1833, states that children six years or older could be made praedial (those who would work the land) or non-praedial apprentices until age 21. Under this Act adults had to serve as praedial apprentices until 1840 and as non-praedial apprentices until 1838. The Abolition Act gave an apprentice the right to purchase his or her freedom against the will of the employer (the former slave master).

Given these legal facts, the Virgin Islander of African heritage was granted no constitutional development until the legal end of the *Apprenticeship Scheme*. That legal end brought the first step in constitutional advancement for the people of African heritage, for it gave the status to be in The Virgin Islands without being the property of another people and, if the money could be raised, the



right to purchase freedom from Apprenticeship. Inherent in this fact is a hidden constitutional element: the right to choose how to be.

There seems to be an absence of definition on the nationality status of the apprenticed labourer once the legal end of the *Apprenticeship Scheme* was achieved. Is it reasonable to assume that as from the end of the Scheme these people, provided that they opted to remain in The Virgin Islands, by logical deduction, became a people under the British Sovereign? Perhaps the clarity came shortly after the dawn of the twentieth century: of all the texts of the principal pieces of British legislation (beginning in 1708) on Naturalization and Nationality before the *British Nationality Act 1948*, only the *British Nationality and Status of Aliens Act 1914* defines a natural-born British subject “as any person born within His Majesty’s dominions and allegiance.”

The inference is that this includes The Virgin Islands since in fact the British had established their sovereignty to this land in 1735. One may conclude, therefore, that, as of 1914 The Virgin Islander of African heritage had been granted by law the right to complete the constitutional step which had been advanced upon the legal end of the *Apprenticeship Scheme*: a legal identity among Earth’s people as a colonized British subject. Note should be taken that the *British Nationality Act 1948* is “an Act to make provision for British Nationality and for citizenship of the United Kingdom and Colonies...” British Dependant Territories Citizenship was pronounced on the Virgin Islander by the *British Nationality Act 1981*.

Social life was rife with poverty; peasant riots occurred in 1853.

Although the Virgin Islander had began the process of purchasing the land the planter had owned, (by 1900 the entire society was made up of small landowners who had brought the land from the ex-planters) few of pure African heritage could hardly meet the qualification of owning certain acreage and levels of literacy for seeking a seat in the Legislative Council between 1834 and 1867.

The British Government’s response on social unrest here and elsewhere in the British Caribbean showed policy changes on the form a Legislative Council should take in each Colony.

Implementation of such policy was handled gradually in The Virgin Islands: first, they withdrew the bi-cameral representative Legislative Council, in its place allowed for a single chamber with an elected majority (1854-1859), next they granted a single chamber with a nominated majority (1859-1867). The stringent stroke came in 1867 when they ordered that The Virgin Islands surrender its Constitution! They abolished the House of Assembly and the Board, but allowed that there should be a Legislative Council to which they selected the six members, three of whom were ex-officio, three of whom were nominated.

Structural problems did arise, under the Constitutional Ordinance of 1867: the three ex-officio members of the Legislative Council were the Governor, the Colonial Secretary and the Colonial Treasurer of The Virgin Islands. The President of The Virgin Islands could not be a member except by particular invitation. Despite this, in 1867 the Civil Establishment List showed that the office of Colonial Secretary was removed, and those of Treasurer and President were fused! Vacancies would, therefore, arise, and so, when they could not be filled, the Legislative Council could not function! For example, in January of 1896 a crisis arose because a quorum of three could not be formed. Only Joseph B. Romney was able to be present.

Given these kinds of difficulties due to the Constitutional Ordinance of 1867, the Secretary of State for the Colonies in 1897 expressed the view that since only the Commissioner seemed to qualify for appointment as a member of the Legislative Council, that such a body be abolished; that the Governor, (who sat in Antigua) or in his absence, the Commissioner, could make the laws for the Presidency of The Virgin Islands. He further said that as a temporary measure, the critically important laws could be passed by appointing either the Colonial Secretary, the Attorney General or the Auditor General of the Leeward Islands to the Legislative Council of The Virgin Islands so



that along with the Commissioner and Mr. Joseph B. Romney a quorum could be formed.

His order was not implemented until 1902 for these reasons: officials thought it necessary to wait for the Royal Commission Report on the Sugar Industry; the appointments of Frederick A. Pickering as a nominated member, Isaac Fonseca and Henry Smith (two revenue Officers) as ex-officio members of the Legislative Council relaxed the urgency.

It is note worthy, though, that the abolition of the Council (the last meeting was held on 24 March 1902) was in the end expedited by the resignation of Mr. Joseph B. Romney from the Legislative Council because of his differences with the Commissioner.

In February 1902, an Ordinance was passed by The Virgin Islands Legislative Council to enable the Federal Legislative Council, which met in Antigua to make the laws for The Virgin Islands based on its Constitution. Thus, came the passing of *The Virgin Islands Act* by the Federal Legislative Council, which vested the power of legislating for the Presidency of The Virgin Islands in the Governor of the Leeward Islands.

Virgin Islanders seemed to have taken the constitutional act to no longer have their own Legislative Council within their community with deep dissatisfaction. The Virgin Islands Representative, who was nominated by the Commissioner to attend the two sittings of the fused Colony's Federal Legislative Council in each year, always accompanied the Monarch's Representative on these occasions. The gentlemen, Mr. J. E. W. Georges, Mr. C. W. Roy, Sir Olva Georges and Mr. Howard Penn O.B.E. are known to be those to fill the Representative's role, and according to Mr. Jose O'Neal CBE each in his day also formed part of the Executive Council. He further points out that under this constitutional form, The Virgin Islands had no Crown Attorney in residence.

## Period 1914 to the Present

One of the most significant constitutional steps early in the twentieth century (1914) was legislation enacted by the British Parliament which one may interpret as defining the Virgin Islander of African heritage as a British subject.

Acquisition of such status when translated into economic terms was an asset for the Virgin Islander, for it facilitated legitimate entry to the Danish West Indies, any other non-British lands, and to any economic mecca where one could find work and re-patriate money to continue purchase of the land the planter had owned or to erect a timber frame.

Dis-satisfaction at not having a Legislative Council meet locally grew. As early as 1938 there were calls for a different form of constitutional management. In 1947 Virgin Islanders refused the invitation to be part of a proposed Federation between the Windward and Leeward Islands. General unhappiness at the constitutional and socio-economic circumstance of The Virgin Islands led to the political activism of Messrs Theodolph Halburn Faulkner of Anegada, I.G. Fonseca O.B.E. of Road Town and Carlton deCastro O.B.E. of Road Town.

Such social behaviour precipitated the grant of *The Virgin Islands Constitution Act 1950*. This Act in effect revoked *The Virgin Islands Act* passed by the Federal Legislative Council in 1902, which had vested the power of legislating for the Presidency of the Virgin Islands in the Governor of the Leeward Islands. This 1950 Act brought about the re-birth of the Virgin Islands Legislative Council, and the permission for that Council to re-sit in the Virgin Islands.

The Act of 1950 allowed for a Legislative Council of four elected Members. Either sex could compete. The Council, as the Act dictated, also had five other seats, 3 of which were filled by the Commissioner, the Crown Attorney and the Treasurer; two were filled by citizens nominated by

the Crown's representatives. (Clearly, the elected members were out-numbered.) The Governor who sat in Antigua, had power to dissolve the Legislative Council at any time.

The people of Montserrat graciously gave the Mace to the Virgin Islands Legislative Council. Under this new Constitution The Virgin Islands was a single constituency.

Section 9 of the Constitution Act shows that stringent prescriptions were set for those who wished to contest the four seats:

No person shall be elected as an elected member of the Council who: -

- (a) is, by virtue of his own act, under any acknowledgment of allegiance, obedience or adherence to a foreign Power or State
- (b) holds, or is acting in, any public office;
- (c) is a minister of religion;
- (d) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in any part of His Majesty's dominions;
- (e) has been sentenced by a court in any of His Majesty's dominions to death or to imprisonment (by whatever name called) for a term exceeding twelve months, and has not either suffered the punishment to which he was sentenced or such other punishment as may by competent authority have been substituted therefor, or received a free pardon;
- (f) is disqualified for membership of the Council by any law in force in the Presidency relating to offences with elections;
- (g) is not entitled to be registered as a voter;
- (h) does not--
  - (i) possess a clear income of at least four hundred and eighty dollars per annum; or
  - (ii) own real property in the Presidency of the value of at least one thousand four hundred and forty dollars above all charges and encumbrances affecting the same; or
  - (iii) occupy land in the Presidency, as tenant to another, of rental value of at least two hundred and forty dollars

The handicapped could vote. Section 17 of No 1 of *The 1950 Virgin Islands Constitution* reads as follows:

Every person who\_\_

- (a) has attained the age of twenty one years; and
- (b) is not a lunatic so found under any law in force in the Presidency; and
- (c) is a British subject; and
- (d) has resided in the Presidency for twelve months immediately preceding the date of registration or is domiciled in the Presidency and is resident therein at the date of such registration; and
- (e) is not disqualified from being registered as a voter by any law in force in the Presidency relating to offences connected with elections,

and shall be entitled to be registered as a voter and when registered, to vote at the election of members of Council:



Provided that --

Firstly, no person shall be registered as a voter or be entitled to vote for the election of a member of Council who has been convicted of perjury in any Court in His Majesty's dominions or in any territory under His Majesty's protection, or who has been sentenced by any such Court to death, or penal servitude, or imprisonment for a term exceeding twelve months, and such other punishment as by competent authority may have been substituted for the same or received a free pardon from His Majesty; and

Secondly, no person shall be registered as a voter who has within twelve months immediately preceding the first day of January in any year in which a register of voters is prepared, received any relief from public funds except such special relief as may be declared by the Governor by Proclamation in the Gazette not to be relief for the purposes of this proviso; and

Thirdly, no person shall be registered as a voter unless he shall with his own hand have subscription and writing shall be preformed on his behalf by the registering officer.

The political vigilance exercised in the 1940s had sparked a flame in pursuit of the maximum level of input into governance available to a Colony; in the first four years after the introduction of the 1950 Act came its repeal, and in its place *The Virgin Islands Constitution and Elections Ordinance 1954* which allowed for six members to be elected to the Legislative Council. Under this Order the Legislative Council was also made up of the Commissioner, two nominated unofficial members and two official members (the Crown Attorney, the Treasurer).

Two of the Members elected served on the Executive Council in advisory roles to the Commissioner who was its Chairman. One of these Members advised specifically on Trade and Production, and bore the title to that effect. The other advised on Public Works and Communications, and enjoyed such a title. One may deduce that here-in was a measure of preparation for ministerial governance.

Strong representation brought the deletion of the stipulations in regards to property ownership and income level for candidates.

It is noteworthy that for the first time in its constitutional history The Virgin Islands was divided into electoral districts. Section 36 of this Ordinance authorities that the Presidency shall be divided into five electoral districts, and defines each of the districts in its First Schedule.

Electoral Boundaries Commissions were appointed in 1966, 1976 and 1998; each exercise allowed for public input on the composition of Electoral Districts.

The decisive choice by Virgin Islanders not to join in federation with any other British Caribbean Colonies, propelled the people who did not also wish to seek independence, to request the constitutional status for the first time of being a colony with singular

linkage to Britain. This request was granted on 1st July 1956, which immediately became a Public Holiday called Colony Day. (As from the late 1980s when The Virgin Islands was particularized as a territory [in response to the United Nations Resolution on De-colonization] 1st July has been called Territory Day). The Colony of The Virgin Islands was, however, still under the Governor of the Leeward Islands until 1960 when that office was abolished.

The Colony's Commissioner was now re-designated as Administrator and he reported directly to the Secretary of State for the Colonies who sat in London. The new Letters of Patent and Royal Instructions in effect vested the same level of powers as those given normally to a Governor in a colony with a similar stage of constitutional development.

On becoming a separate colony with singular linkage to Britain, The Virgin Islands had its Arms (a Virgin with lamps) together with the motto *Vigilate* (be watchful) granted by Royal Warrant dated 15th November, 1960. Henceforth, the Arms with the motto has been used on the Union Jack as well as on official documents.

As from 1672 British authority to provide constitutions for the Virgin Islands was vested in the prerogative powers of the Crown. The West Indies Act 1962 changed the source of authority for such grants: herein Parliament authorizes Her Majesty in Council to provide constitutions for The Virgin Islands and any other British Dependency. It is important to note that this Act repeals all earlier statutes which had been enacted in the ad-hoc manner to allow legislative powers to the Crown. Furthermore, it permits that Orders issued under those earlier statutes which could have been made under the *West Indies Act 1962* would take effect as if they were so made.

An interesting historical fact arose in 1965: for the first time in The Virgin Islands a woman, Mrs. Emmogene Creque, was invited to substitute as a nominated unofficial member of the Legislative Council for Mr. Jose O'Neal CBE., one of the male nominated unofficial members who was off on holiday.

Efforts in the 1960s by the Colonial Office to have The Virgin Islands adopt a State Council with almost similar legislative and executive functions as the United Kingdom local government system failed. Next Dr. Mary Proudfoot was in 1965 asked to enquire into the working of The Virgin Islands Constitution, and to recommend any desirable changes. Her proposals were rejected, but the exercise sparked thought on constitutional reform, and so, eventually a Constitutional Conference was held in London in late 1966. It gave birth to *The Virgin Islands Constitution Order 1967* which was introduced in March of that year.

The profound change the new Order brought was the dawning of the Ministerial System. Virgin Islanders embraced the fact that at last a member of their Community could actually sit in a seat of greater command in the Legislative and Executive Councils. Mr Hamilton Lavity Stoutt of the First Electoral District became the first Chief Minister. The two Ministers were: Messrs Ivan Dawson CBE and Terrance Lettsome.

The first Speaker was Mr. Henry Creque OBE 1967-1971 who was followed by Messrs



H.R. Penn OBE 1971-1975, Ivan Dawson CBE 1975-1983, Keith Flax 1983-1995, Reuben Vanterpool 1996- present.

Note should be made that the 1967 Constitution Order also allowed for a nominated member on the Legislative Council.

Under this new Order the title Administrator was changed to Governor; Derek G. Cudmore first bore the title in 1971. The office of Secretary to Government which was later re-titled The Chief Secretary was now changed to Deputy Governor. This is the highest administrative office allowed to be held by an indigenous person. Those known to have held the office are Dr. Norwell Harrigan MBE, Mr. Ralph O'Neal OBE, Mr. Alford Penn OBE, and at present Mr. Elton Georges OBE. The office of Crown Attorney was re-titled Attorney General.

The Constitution Order of 1967 in essence stated:

1. The Governor is appointed by the Monarch and has special responsibilities for External Affairs, Security, the Public Services, the Courts, Finance. He also holds reserved powers in regards to his special duties. In regards to these matters he is not obliged to consult or if he does, heed the advice of the Executive Council, but must report his actions and reasons to the Secretary of State.
2. On matters not included as his specific responsibility, the Governor is normally expected to heed the advice of the Executive Council.
3. The Governor acting in the Monarch's name and on his behalf may exercise the power to pardon, or mitigate sentences, including the authority to commute a sentence of death. In doing so, he must consult with the Executive Council, but is not obliged to act upon its advice.
4. The Executive Authority of The Virgin Islands is vested in the Monarch, is exercised on the Monarch's behalf by the Governor who is assisted by the Executive Council.
5. The Executive Council consists of the Governor, the Attorney General and Financial Secretary as ex-officio members; the Chief Minister advises the Governor on who should be appointed as Ministers.
6. The Governor appoints as Chief Minister the person who seems to be best able to command the majority of those elected. The Chief Minister advises the Governor on who should be appointed as Ministers.
7. The Legislative Council is made up of a Speaker who can not be chosen from among the elected, the Financial Secretary, the Attorney General, one nominated member by the Governor after consultations with the Chief Minister, and seven elected members chosen from seven one-member electoral districts.

8. The role of the Legislative Council is to make laws for the peace, order and good government of the Virgin Islands based on the principles set out in the Constitutional Orders.
9. If a motion of no confidence in the Government of The Virgin Islands succeeds by majority vote in the Legislative Council, the Governor must revoke the appointment of the Chief Minister, unless the Chief Minister requests, and the Governor acting in his discretion, agrees to dissolve the Legislative Council so that a new a General Election may be held. If the Chief Minister's appointment is revoked or he leaves the office, his two Ministers automatically also must.
10. A Public Service Commission is set up to advise on the administration of the Public Service.

This new constitutional step only quenched the thirst for the maximum as a Colony for a few years. The Legislative Council in May 1972 passed a resolution to establish a Constitutional Committee of the Legislative Council to make recommendations on constitutional reform. The Speaker chaired this Committee. Little happened although several meetings were held and public comment invited, so on 31st January 1973 it was decided to have the Speaker select a cross-section of the public to the new Committee to focus on the Constitution. Sir Hugh Wooding could not accept the invitation, because of pressure of work, to chair the new Committee.

Demonstrations were held in March of this year to protect against the Governor's exercise of power to commute a death sentence — these precipitated a petition, supported by resolution on 3rd April of the Legislative Council to the Secretary of State calling for the Governor's removal and constitutional review.

The Secretary of State responded that he could see no grounds to advise the Monarch to revoke the Governor's commission. He could not also, he said, allow constitutional review on the grounds that the Constitution is out-dated and restrictive, but that if the Legislative Council would adopt a resolution to invite Her Majesty's Government to review the Constitution, he would consider the request favorably! He did, after such a resolution was passed by the Council on 22 May 1973.

The Constitutional Commissioners were at work between 13-30 November, 1973. They submitted their report on 20th December, 1973. The seed for the Constitutional Order 1976 was planted.

This new Order (1976) was implemented on 1st June 1977 and was more comprehensive than earlier Orders. For example:

- it defines who is deemed to belong to The Virgin Islands in eight categories,
- comments on the power to make appointments,
- explains what is meant by the holding of public office,
- details the standing and duties of the Governor,
- allows for the office of Deputy Governor,
- describes the Executive and how appointments to its are handled;
- explains the functions the Chief Minister should perform in certain circumstances,
- sets out how responsibilities are assigned to Ministers;
- cites the powers of the Attorney General.
- gives a description of the Legislature,



describes how a Bill becomes or does not become law,  
defines the High Court's role in relation to membership in the Legislative Council,  
defines the composition of the Public Service Commission, the Judicial and Legal  
Services Commission, as well as that of the Teaching Service Commission.  
includes stipulations on Pensions and Finances,  
holds the edict that powers are reserved to the British Monarch.

Four new elements also helped to make the Order distinctive: there was no longer a place for a nominated member, Finance became a subject within the Chief Minister's Portfolio, the required age for voting was reduced from 21 to 18, and two additional seats were permitted on the Legislative Council.

Chief Ministers, the late Hamilton Lavity Stoutt on two occasions, Willard Wheatley, MBE, LLD (Hon), Messrs Cyril Romney and Ralph T. O' Neal OBE served under this Constitution.

Rapid social and economic change and the closer approach of the twenty first century propelled Britain and The Virgin Islands to appreciate the need for further constitutional review. Once again, therefore, in the late 1993 the Constitutional Commissioners were at work.

In April 1994 Parliament received their Report. The British Government decided that two particular aspects of the Report should be accepted and implemented before the scheduled General Elections in February 1995.

In addition to the nine Electoral Districts

- a) there should be created a Territorial District which should send four new members to the Legislative Council in order that the membership of the Council be increased to 13. (The Honorable Eileene Parsons won a Territorial Seat; the Honorable Ethlyn Smith a District Seat; for the first time a woman was elected to the Legislative Council)
- b) proxy voting should be abolished  
A summary of the recommendations made by the Commissioners shows that the British Government should handle the following matters, so that a new Order may be done:
  - (i) In the exercise of his special responsibilities the Governor should consult with Executive Council
  - (ii) The "Governor" should be defined
  - (iii) Provision should be made to define the functions of the Deputy Governor
  - (iv) The quorum of Executive Council should include two ministers
  - (v) Membership of the Legislative Council should be increased by four members elected at large
  - (vi) The quorum of the Legislative Council should be seven members
  - (vii) Provisions for the disqualification of candidates for elections to the Legislative Council should be amended and strengthened
  - (viii) The Speaker should be elected from within or without the Legislative

### Council

- (ix) The Governor's reserve legislative powers should be removed
- (x) The Governor's power to refuse to assent to a Bill should be removed
- (xi) Provision should be made for the Legislative Council to sit at least every two months
- (xii) The maximum period between dissolution and a general election should be increased to three months
- (xiii) The delegation of some of the Governor's powers relating to public service should be facilitated
- (xiv) The method of appointing members of the Public Service Commission should be varied
- (xv) Provision should be made for the protection and privileges of members of the Public Service Commission
- (xvi) After the findings of the committee have been agreed, there should be a revised definition of belonging status
- (xvii) A Bill of Rights should be included in the Constitution
- (xviii) Provision should be made for an Ombudsman and for enforcing his decisions
- (xix) There should be a Boundaries Commission
- (xx) There should be a Boundaries Commission
- (xxi) There should be a new Order-in-Council; and Royal Instructions updated
- (xxii) At the least, provision for additional members of the Legislative Council-and the extended period between dissolution and a general election-should be made before the next general election

The expectation is that the Government of The Virgin Islands should act upon these matters so that the new Order may be made:

- (i) The costs, obligation and liabilities of independence should be assessed and the findings made public
- (ii) The public Accounts Committee should include a person skilled in finance/accounting
- (iii) More use should be made of Legislative Council Committees
- (iv) An annual quota and a points system should be applied to grant of Belonger Status
- (v) Proxy voting should be abolished
- (vi) A Committee should be appointed to re-define Belonger Status and its findings agreed with the British Government
- (vii) Government loans should be approved by means of a Bill, not a resolution
- (viii) Prior to the next general election the Election Act should be amended to provide for the election at large of four additional members of the Legislative Council
- (ix) A referendum on constitutional change should be considered

Since 1997 work has been on-going to achieve the grant of a new Constitution, but to date there is none. *The Memorandum of Co-operation and Partnership (1998)* perhaps best defines the present state of affairs between Britain and The Virgin Islands

## List of Officials Administrating the Government of the Virgin Islands

1741	John Pickering	1953	E.A. Evelyn, ISO
1742	Capt. John Hunt	1954	Lt. Col. The Hon. HAC
1750	James Purcell	1956	G.P. Alsebrook
1775	John Nugent	1959	Capt. Gerald J. Bryan OBE, MC
1811	Richard Hetherington	1962	M.S. Staveley, CBE, MBE*
1839	Ed. H. Drummond-Hay	1967	J.S. Thompson CMG, MBE
1851	R.H. Dyett	1971	D.G. Cudmore, CMG, MBE
1853	Lt. Col. Chads	1974	Walter W. Wallace CVO, OBE, DSC
1854	C.H. Kortright	1978	J A Davidson OBE
1859	Thomas Price	1982	David R Barwick CBE, QC
1860	Dr. Isodore Dyett	1986	John M A Herdman CBE, LVO
1861	Jas R. Longden	1991	Peter A Penfold CMG, OBE
1866	Sir Arthur Rumbold, 5th Bart.	1995-1998	David P R Mackilligin CMG
1869	A.W. Moir	1998-	present Francis J. Savage, CMG, LVO,

### OBE

1879	Capt. J. Spencer Churchill
1882	R.H. Dyett
1884	F.A. Pickering (Native Virgin Islander)
1887	Ed. J. Cameron
1894	A.R. McKay
1896	Dr. N.G. Cookman
1903	Dr. R.S. Earl
1910	T.L.H. Jarvis
1915	Dr. T.L.E. Clarke
1919	Major H.W. Pebbles, DSO
1923	R. Hargrove
1923	Capt. O. L. Hancock, OBE
1926	F.C. Clarkson, MBE
1934	Dr. D.P. Wailling, OBE
1943	W.S.G. Barnes
1946	J.A.C. Cruickshank

\*Mr. Staveley was the last official administrating the Government of the Virgin Islands to be President (Chairman) of the Virgin Islands Legislative Council.



## List of Constitutional Orders Made for The Virgin Islands under British Colonial Rule

- First** Proprietary Government 1666-1672
- Second** Grant of Civil Government by Royal Prerogative Power in 1773 (bi-cameral Legislative System)
- Third** Grant of Civil Government 1854-1859 (single chamber Legislative Council with an elected majority)
- Fourth** Grant of Civil Government 1859-1867 (single chamber Legislative Council with nominated majority)
- Fifth** (After surrender of the Constitution of 1858-1867), Constitution Order which allowed the British Government to select the six members of the Legislative Council; three were ex-officers, three were nominated. This was suspended in 1902
- Sixth** Constitution Act 1950
- Seventh** Virgin Islands Constitution and Election Ordinance 1954
- Eighth** Virgin Islands Constitution Order 1967
- Ninth** Virgin Islands Constitutional Order 1976

## CONSTITUTIONAL & POLITICAL DEVELOPMENT IN THE VIRGIN ISLANDS 1950-2000

---

by Gerard St. C Farara, Q.C., L.L.B.

**M**uch has been written in relatively recent times, about the constitutional and political advancement of the British Virgin Islands, particularly during the twenty five years since the introduction of the Ministerial system of government in 1967. Significantly, some of these writings have been by persons who either were themselves activists for change during the relevant period or who, from time to time, held public office, elected or non-elected, in either the legislative or executive branches of government. Yet others are of the 'political scientists' ilk.

Persons like Theodolph Faulkner of Anegada and Howard Reynold Penn , Isaac Glanville Fonseca and Carlton DeCastro of Road Town, all men of stature, conviction and courage, were the key players during the early period of the quest for a greater say by the indigenous people in the affairs and governance of these British Virgin Islands. They not only lived during a period of important change, but operated at 'ground zero' helping to shape the thinking of the time and charting the future advancement of the BVI towards the kind of development and quality of life we enjoy today. Of course, other statesmen like H. Lavity Stoutt and Ivan Dawson were very instrumental in helping to bring about constitutional advancement, and with it, a level of political maturing during the period under review.

Accordingly, it is with a certain sense of inadequacy that I approach this assignment. Having said that, I have found the published works of people like HR Penn and Ivan Dawson, and also the writings of our local historians Dr. Norwell Harrigan and Dr Pearl Varlack and Vernon Pickering particularly useful and informative sources. I am, as we all are, indebted to them, and others like Elihu Rhymer, for their wonderful insights into the constitutional and political development of the BVI.

Fortunately, I have developed a modest reservoir of personal knowledge in this area, albeit confined to the last forty years or so, notwithstanding that the constitutional change which heralded the commencement of the period under review, occurred some years before I was born at the Cottage Hospital in Road Town. My memories of growing up in Road Town, of the then typography of the town and Road Harbour before and after the Wickhams Cay reclamation, and generally of life in these Virgin Islands during those years, provides an important backdrop for my own understanding and appreciation of the changes which have taken place in the BVI during the last 50 years.

I can say that I was privileged to know most if not all of the major statesmen and players during that period, including the leaders of the of the uprising against the implementation of the 'Bates-Hill Agreements' ceding control of Wickhams Cay and major portions of Anegada to foreigners. Just imagine the kind of BVI we would be living in today had those Agreements not been terminated!

Of course, our history relative to constitutional advancement, greater local representation, and increased responsibility for internal affairs goes back to much earlier than 50 years. In fact, the first Legislative Council came into being in 1774 by proclamation of Governor Payne, the then Governor of the Leeward Islands, as a direct result of the protestations and activism of the then



inhabitants of the BVI. This first Assembly or House of Representatives, which had its inaugural meeting on January 27, 1774, consisted (interestingly enough) of eleven members from the “planters and freeholders”. (Pickering: *Early History of the Virgin Islands from Columbus to Emancipation* p.75-76). Ironically, it has taken us until the 1994 amendment to the Constitution to progress to a Council of thirteen elected members. Likewise, the method of electing members to the Legislature by the entire country- “At Large”-, which now seemingly is a permanent part of our constitutional framework, is not new to the BVI having been first introduced in 1950 with the restoration of the Legislature. It lasted but one term!

The existence of a Legislative Council as part of our constitutional framework continued until its abolition in 1902. Thereafter, the BVI had no constitutional government for some 48 years, that is, until the beginning of the period under review.

In 1950 the BVI was the ‘backwater’ of the West Indies. The Presidency was then grossly underdeveloped, with a population of about 5,000. There was patently little infrastructure such as roads, electricity or water supply; no airfield or deepwater port. Most roads were really tracks and transportation was mainly by mule or horseback. The electricity supply, such as there was, consisted of a small diesel generator principally to service the hospital, Government House and lower Road Town for a six hour period daily. There were no banks or other financial institutions, no hotels and, simply, no economic base upon which the country could attract foreign investment or capital. The livelihood of the populace depended heavily on agriculture, fishing and cattle raising for export to neighbouring St. Thomas. There was some skilled labour consisting of boatbuilders and tradesmen, but no educated class.

The BVI was then a part of the Leeward Islands Federation and, as such, had no direct connection with Britain being ruled at the time by a Commissioner who was subject to the authority of the Governor of the Leeward Islands stationed in Antigua. Accordingly, its people had not the constitutional framework to develop the knowledge, experience and political institutions necessary to participate effectively in the running of their own affairs.

Political development is married to constitutional advancement, and hence, it is important to give at least an overview of the major or significant constitutional changes which have taken place during the last half century.

The constitution of 1950 has been correctly described as “an instrument minimal in its intent and its effect” (McW Todman - Foreword to “Twenty five years of Ministerial Government”). It was nonetheless a most significant document as it reinstated constitutional government in the BVI, after an absence for some 48 years. It is also significant as providing the beginnings of an evolutionary process that has spanned fifty years, leading to further constitutional change and a level of political maturing amongst the peoples of these islands. It provided for four candidates elected territory wide and for nominated and official members who could outvote the elected members. It did not provide for universal adult suffrage (that came in 1953 with the improved constitution); and there was a property and income qualification for candidates vying for election. Both the Legislature and the Executive Council were presided over by a Commissioner.

The constitutional changes of 1950 which resulted in the restoration of the Legislative Council, came about as a result of the activities of the Civic League, a grassroots movement started in 1938 to bring about constitutional government as a basis for the creation of measures to stimulate investment and economic development (Memoirs of HR Penn p.20-21); the prevailing fervent in the rest of the West Indies for constitutional advancement; the activism and vision of one Theodolph Faulkner aided and abetted by Isaac Glanville Fonseca and Carlton DeCastro; and the resulting 1949 march led by these activists for change.

Thereafter, the BVI did not have to wait long for further constitutional change. (Memoirs of



HR Penn p.30-31). In 1954 the Constitution and Elections Ordinance created what is known as the "Membership System". It provided for division of the country into five electoral districts (thereby dissolving the "At Large" system); a new Legislative Council consisting of eleven members of which the six elected members (two from the Road Town district) could command a majority; abolished the property and income qualifications for holding elected office; and removed the literacy test for voters. (V. Pickering- "The Old and the Unexplored-A fresh look at BVI History")

With the dissolution of the Federation of the Leeward Islands in July 1956, the BVI became a Colony with an Administrator who by 1960 was directly responsible to the Secretary of State for the Colonies. (Memoirs of HR Penn p.38; V. Pickering "The Old and the Unexplored-A fresh look at BVI History").

At this time there were no political parties. They first appeared during the 1967 election campaign under the new constitution heralding the introduction of the "Ministerial System", the result of local representations and the Mary Proudfoot Constitutional Report. The three political parties which contested the 1967 general elections were: the People's Own Party led by I.G. Fonseca, the BVI Democratic Party led by Dr Q.W. Osborne, and the BVI United Party led by H.L. Stoutt. As one writer put it: "It is true there was concern about the quick hatching of parties but the mood was nonetheless upbeat. The atmosphere was pregnant with hope. There were actually party conventions and party platforms. One could listen to debates at the Political Institute of Baughers Bay (the Beach Club Terrace) on the merits of the various party positions" (E. Rhymer "Political Development of the BVI Over the Past 25 Years"). As Mr Rhymer goes on to point out, there were really no ideological differences between these first political parties; the differences were really "personality differences". One may opine that the same situation prevails some 33 years later with the current political parties.

In terms of political development, the period between the advent of the ministerial system in 1967 and the replacement of that constitution in 1976 is worthy of some scrutiny. It is during this period that the BVI experienced a crisis of historical significance. I refer, of course, to the events of 1969 leading to the termination of the agreements for the long lease, reclamation and development of Wickhams Cay and of prime areas of Anegada by a British developer, Bates-Hill. As Vernon Pickering remarked in his article abovementioned, this "scheme was designed to confer privilege on British entrepreneurs and expatriates." The public demonstrations and protestations of 'Positive Action', a pressure group led by Noel Lloyd and Walter L. DeCastro, precipitated a series of negotiations leading in 1971 to the British government loaning \$5.8 million for the local government to purchase the interest of the developer. Thus these properties were preserved for local development.

It is also during this period that significant legislative measures were put in place which have, in the main, worked well for the Territory and its people. These include the Tourist Board Ordinance, Immigration and Passport Ordinance, Caribbean Development Bank Ordinance, Land Adjudication Ordinance, Registered Land Ordinance, Land Surveyors Ordinance, Banking Ordinance, Scholarship Trust Fund Ordinance, Development Bank of the Virgin Islands Ordinance, Arbitration Ordinance, the Labour Code and the Wickhams Cay Development Authority Ordinance.

The 1976 Constitution increased the number of constituencies to nine, abolished "nominated" membership in the Legislature and removed responsibility for Finance from the Governor to the Chief Minister. It had been preceded by three years with the report of the Deverell/Da Costa Constitutional Commission. Several of their recommendations did not find favour with the Willard Wheatley government of the day. Subject to certain amendments, the most recent being in 2000, the 1976 Constitution remains the primary law of the land.



During the period 1976 to the present, we have seen unprecedented economic growth and prosperity in the BVI. So much so, that the BVI boasts of having one of the highest per capita incomes and standards of living in the Caribbean. We have seen the emergence of offshore financial services as a main pillar of the economy, exceeding tourism as the largest contributor to the public revenues. This has come about against the legislative framework provided by the International Business Companies Act passed by the Legislature in 1984. Other companion legislation in this sector, which have served to gain for the BVI the reputation of being a leading offshore financial services jurisdiction, include the Banks and Trust Companies Act, Company Management Act, the Mutual Funds Act and the Proceeds of Criminal Conduct Act.

In the area of public utilities, we have seen the creation of statutory corporations for the management and development of electricity supply and ports and harbours with the enactment of the BVI Electricity Corporation Act and the BVI Ports Authority Act respectively. Another significant piece of legislation is the Social Security Act 1979, which launched what is now a successful social security scheme in the BVI under the aegis of another statutory corporation.

The BVI Community College Act 1990 which provided for an institution of “higher” or tertiary education, an accomplishment of the drive and determination of the late H. Lavity Stoutt, is certainly a great milestone in our development.

The protection of our natural resources, especially our marine resources, is a vital and never ending responsibility. As a compendium to the National Parks Trust Act enacted in 1961, during this period we saw the passage of Marine Parks and Protected Area Ordinance, the Beach Protection Act and two versions of the Fisheries Act.

In 1977, a new Immigration and Passport Act was passed giving legislative effect to matters such as the grant of believer and resident status. Development of land based tourism was further facilitated by the enactment of a new Hotels Aid Ordinance providing for the granting of a ten year exemption from import duties and from payment of income tax, as a stimulus for the growth of that sector. A new Business Professions and Trade Licence Act also become law. The law relating to the dissolution of marriages and related matters also underwent much needed change, with the enactment of the Matrimonial Proceedings and Property Act 1995 making it simpler and less exacting to dissolve a marriage, and providing for no-fault divorces in certain circumstances.

Law and order was beefed up by the enactment of the Drugs Prevention of Misuse Act and later the Criminal Code, a comprehensive codification of the criminal laws of the Territory. Of some significance to the administration of justice is the Recording of Court Proceedings Act 1995 giving authenticity to the transcripts of proceedings of both the Legislative Council and the Courts of Justice.

A new Election Act in 1994 brought into force the legislative changes necessary to give effect to the constitutional provisions of that year providing for a mixed system by the election of four “At Large” members of the Legislature. It also abolished proxy voting at general elections. Also in 1994, the age of majority was lowered to eighteen years, thereby enfranchising a significant portion of the youth who later played a key role in the results of the 1999 general elections.

While the BVI has experienced significant growth and development, some may say our political maturing has been much slower in coming. We continue to have constitutions based on the Westminster model. We have not as yet crafted a constitution more suited to our own circumstances and peculiarities as a micro state with a population of less than twenty thousand, or one that would facilitate greater and more broad base representation. The call for the Chief Minister to be elected directly at the polls is a recurring one at each constitutional review. It found some favour with the Deverell/DaCosta Commission. The district system is said to have led to a narrow approach to representation where one tended to be more concerned about and to favour the

district one represents. The mixed system we now have was introduced to address this concern and the call for more debate and better representation in the Legislature. The process of implementation of the 1993 Constitutional Commission recommendations continues. These include the introduction into the Constitution of the newly revised categories of persons deemed to belong to the BVI, and consequential changes to the Immigration and Passport Act to facilitate the more timely granting of belonger and resident status. The creation of a fifth ministerial position has already become a reality.

The 1995 and 1999 general elections represent a watershed in development of party politics in the BVI. In 1995 we saw the power of running on a party ticket under the new mixed system, as the Virgin Islands Party under the leadership of H.L. Stoutt was able to motivate its supporters in the districts in which the party candidate was strong, to also strongly support the party's At-large candidates; even those who were newcomers to the political arena. Significantly, we had the first female elected members of the Legislature both of whom have gone on to become Ministers, ironically by one replacing the other in that position.

In 1999 for the first time no independent candidate was successful at the polls. This is in stark contrast to previous elections where independent candidates were not only elected, but have, after three separate elections, (Willard Wheatley in 1971 and 1976 and C.B. Romney in 1993) ended up as Chief Minister. Moreover, the 1999 election was hotly contested between the long established Virgin Islands Party and a newcomer, the National Democratic Party, with the former pulling out a narrow victory. That election saw a new level of organization, financing and functioning amongst political parties in the BVI. The verdict is far from in on whether this signalled an increased level of party structuring and political maturity. Hopefully, this will result in far fewer instances of "brokering" by candidates and their henchmen into the wee hours following the announcement of election results, and of candidates "crossing the floor" or switching political allegiance in mid-stream. Perhaps the time may well come when a by-election will be mandated in circumstances where a member is no longer aligned with the party under whose banner he or she was elected.

In conclusion, the various legislators and legislatures have over the last 50 years played a key role in the development of the BVI. The legislation enacted during that period has been substantial, many of which have provided the legal framework and authority necessary for change and advancement in the various sectors and facets of BVI life, including its infrastructure and economic activity. As we look to the 21st century we ought to do so with a sense of national pride and with a renewed commitment to further change, knowing that there is still much left undone and there will be many challenges to face and hard decisions to make. May the peoples of these Virgin Islands, now numbering some 20,000 of diverse backgrounds and heritage, have the necessary vision and good fortune to make the correct decisions and to do so in a manner which always puts principle and national good above personal or partisan interests.



# BRITISH VIRGIN ISLANDS LAND OWNERSHIP AND DEVELOPMENT

---

by Verna Penn-Moll

**T**he pre-1950 land ownership situation was problematic. During the early post emancipation period, access to land was limited. Restricting laws were enacted to prevent the newly freed from owning land.

However, the new citizens continued to demonstrate the 'desire to establish spheres of cultural autonomy through utilising ways which were open to them', for example, tenancy-at-will agreements, giving portion of crop for use of land and direct purchase. They were forced to develop customary forms, for example, family land and the principles governing it- verbal and written testaments, emotional and symbolic significance.

Titles were unsure and access to them was cumbersome and expensive. Even after the Islands became a Presidency, Virgin Islands land affairs had to be sanctioned by the Leeward Islands Governor who resided in Antigua.

It was against such a background that the post 1950 legislators enacted laws which resulted in remarkable socio-economic transformations.

Before the 1950s there was no hotel accommodation in the Islands. Today there are numerous hotels, guest houses and rented properties throughout the Islands. On Tortola, there are over 40 listed first rate hotels and guest houses; over 24 on Virgin Gorda and over 20 on the other Islands. The rented property market for private residences and business has become a source of raising income.

Land had to be made available not only to develop and expand accommodation to facilitate the tourist industry, but also for residential homes; infrastructural services, eg. airport and roads creation and development; food production; marinas; commercial business; recreational and parks development. Enabling legislative measures, with varying checks and balances, were put in place to initiate and support each area of development.

Thus, the land policy formulated by the Government from 1950- 1966 played a pioneering role in initiating the development of the tourism industry.

The acquisition of land for the Little Dix Hotel on Virgin Gorda and the for the Peter Island Hotel on Peter Island, which set the pace for development in the 1960s was supported by the Aliens Land Holding Ordinance. Meanwhile the Land Acquisition Ordinance, 1957 amended in 1979 allowed the Government to acquire private lands for siting and expanding the airport at Beef Island; the Government Agricultural farm at Paraquita Bay; the widening of roads. Under the National Parks Trust Ordinance, 1961, three Parks were declared in 1964; in 1992 there were 14. The Trust continues to conserve and manage designated protected and cultural areas. Conservation easements are being recommended to private landowners to enhance overall land development.

Despite the Title by Registration Act, 1961, numerous 'disputes arising out of uncertainty over devolution of titles or rights under tenancy in common and uncertainty over boundaries' were still prevalent up until the late 1960s. Significant pieces of legislation, the Adjudication Ordinance, 1970, Registered Land Ordinance 1970, Land Surveyors Ordinance, 1970 and those dealing with specific area situations, for example, the Long Look Lands Commission Ordinance, have much impact on settling land affairs.

The Adjudication Ordinance directed the importance of land, from the complexity of deeds and Courts and unnecessary expense, to the land itself. It enhanced land ownership by putting in place a practical system for obtaining titles in record time; titles that are reliable and less expensive. The Land Registry, directly resultant from the Ordinance was set up in 1970 and became an independent department in 1975. It deals with all land matters from land transfers, subdivisions, mortgages, transmissions, leases, cautions, restrictions to disputes and inspection of disputed boundaries. By delegating powers to a Department which handles land matters in a scientific and technical manner, the red tape which once surrounded land ownership has disappeared. Rational land titling has encouraged mortgaging which has 'facilitated house-building and property development' enabling British Virgin Islanders to own guest houses and rental units on one hand and revenue collection on the other (Maurer I 997, 210)

The Long Look Lands' Commission Ordinance, 1968 enabled the inhabitants of Long Look to gain titles in the previously 'undivided property,' a deed of gift from their Nottingham masters. The Commission is currently looking into complaints regarding abuse of this privilege; and together with the Ministry for Natural Resources and the Attorney General, is hoping to arrive at some effective measure which would assist those citizens in question to hold on to their land.

But the Anegada Land situation is still problematic. The Anegada Land Commission headed by Barrymore Renwick on February 10, 1987 was authorised to examine and report on:-the ownership of lands on Anegada based on extant reports and on the laws of the BVIs.; the various claims of ownership based on occupation and also on historical and other grounds to lands or any part of lands on Anegada; the eligibility of claimants to any lands on Anegada and to advise on the framework for an equitable distribution of the lands on Anegada. Some attempt was made in carrying out the recommendations. However, there was cause for another report.

The Executive Council has this year, accepted Renwick's second Report recommending the designation of an housing area; conditions to procure land for business; the preparation of a development management plan; increased membership for Anegada Lands Development Advisory Committee; demarcation of land for the airport; and the establishment of a committee to advise the Ministry of Natural Resources on land affairs. The current Minister of Natural Resources has promised 'one mechanism in making sure that the process moves as opposed to the present inertia we now face.' (Island Sun, June, 2000).

The impressive business arena on Wickham's Cay with its high percentage of local ownership, is a direct result of the Government's decision to reverse an agreement made with a developer in the 1960s to lease Wickham's Cay and Anegada for 99 years. The 'Positive Action Movement' had sensitised both government and people to the importance of securing the heritage of land. The Movement revolutionised local land and property ownership on Wickham's Cay. Following consequent consultants' reports, a resident Project Manager was put in place to determine terms of leases and local acquisition of business sites to entrepreneurs, in 1973.

## Land Ownership Today

Land Laws and related legislation passed during the post 1950 period improved the regulatory framework of land policy and have had a profound effect on meaningful land ownership in the territory. Since 1983 the Ministry responsible for lands is known as the Ministry of Natural Resources and Labour, specifically responsible for: land policy, land registration agriculture, national parks, conservation, survey and Land may be owned privately by individuals or publicly by the Crown. Privately owned land may be owned by indigenous Virgin Islanders, non-



indigenous British subjects or non-belongers. However, non-belongers must obtain an Aliens Land Holding Licence, before they could own land by freehold or long term lease. Licences are granted under the conditions that some form of development, usually building construction is carried out during a stipulated period. Specific guidelines, terms and conditions of leases to establish marinas are available at the Ministry. Percentages of land held by various categories of ownership are available from the Land Registry.

### Legislators with Land Portfolio over the years

Member for Trade and Production: H. R. Penn (1950-1957); L. Malone (1957-59) H. R. Penn (1960-1963); Ivan Dawson (1963-66); as Minister for Natural Resources and Public Health: Ivan Dawson (1967-70); Q. W. Osborne (1971-1974); H. L. Stoutt (1975-78); A. Anthony (1979-1982); Member for Natural Resources and Labour: Conrad A. Maduro (1983-86); Hon. Omar Hodge (1986-1988); Hon. R. T. O'Neal (1988-1995-); O. Cills (1995-1999); Hon. Julian Fraser (1999 +)

Some examples of the contribution which specific legislators made to land ownership are already well documented in 'Challenge and Change: the awakening of a people 1967-1992', including the following:

As member for Trade and Production, H. R. Penn was very much involved with land affairs and the creation and implementation of land policy. e.g. the Alien Land Holding Ordinance. He was instrumental in creating residential areas in Road Town. During the 1960s two young men of Road Town wrote a courageous letter to Commissioner Cruikshank about purchasing Crown land for residential use. Their request was ignored until Penn took up their cause in Council Meeting. He successfully gained the concurrence of Council members to allocate some Government owned land on both sides of Lower Estate, for residential purposes. The Macnamara residential area was similarly created to satisfy the growing demand for house sites. The lease for Little Dix between the Government and Lawrence Rockefeller was signed during his tenure.

Mr. L. Malone carried on the work as member for Trade and Production. He promoted the acquisition of land for the Beef Island airport and the Paraquita Bay Stock Farm. He also supported the creation of the Macnamara residential area and the Little Dix land acquisition on Virgin Gorda. He dissuaded sale of land to others, especially the already land-rich, in favour of local ownership.

Mr. T. H. Faulkner 1954-1957 and 1960-1963, an Anegadian himself, held strong views on the Anegada Lands. He felt that Anegada land was for the Anegadians.

Hon. Omar Hodge was very sympathetic with the Anegada land situation. The people of Anegada could not obtain titles for the land they had occupied for generations. It was during the Omar Hodge tenure that the Renwick Anegada Lands commission was appointed; and also a Ad hoc Land Committee which made residential lots in the Horse Path area accessible for local ownership, was also set up.

As a member of the Government from 1957-60, Mr. Waldo O'Neal supported the purchase of Little Dix Bay, and considers it one of the major accomplishments of his time.

Hon. R. T. O'Neal, as Minister for Natural Resources, 1988-95, ensured that land for residences was made available at reasonable prices which local people could afford. He has and is playing a significant role in solving the Anegada Land situation. Hon. O'Neal believes that 'the return of Wickham's Cay to the people in 1970 remains one of the greatest and finest achievements of the Government of the Territory.'

## Legislation passed to enhance land ownership:

Land Acquisition Act, 1957; 1979  
Title by Registration 1961  
Intestates Estates, 1961  
Conveyancing and Law of Property Ordinance, 1961  
Facilities for Title Ordinance, 1964  
Land Development (Control) Ordinance 1969\*  
Land Development (Control) (Validation) Act, 1992\*  
Long Look Lands' Commission and Titles Ordinance, 1968; 1970; 1971  
Land Adjudication Ordinance, 1970; 1971; 1978  
Registered Land Ordinance 1970; 1977; 1979  
Land Surveyors Ordinance, 1970  
Planning Act, 1998 Bill to repeal \*earlier Land Development (Control) Legislation

### *REFERENCES*

British Virgin Islands Territorial Report. Road Town: BVI Government, 1987

Island Sun. June, 2000

Laws of the Virgin Islands, revised. Vol. 4, 1991 Caps. 216-264.

Maurer, Bill. Recharting the Caribbean: Land, law and citizenship in the British Virgin Islands. Ann Arbor: University of Michigan, 1997

Penn, Howard. Memoirs of H.R. Penn. Road Town, Tortola: 1990

Renwick, B. Anegada Land Commission Report. BVI Government, 1988

V. P. Moll



## TWENTY-FIVE YEARS: A LOOK BACKWARDS

by McWelling Todman

*"This year is twenty-five years since Esme and Carlos Downing attempted to fill an obvious need in the Territory by publishing a local newspaper".*

**S**o began the letter I received from the Secretary of Sun Enterprises (B.V.I.) Ltd. inviting me to contribute to the paper's special Silver Anniversary issue in September an article covering the past twenty—five years. Anyone who has ever had the job of rewinding a videocassette to search for something that had been recorded earlier will know how difficult it is to find what you are searching for at the first try. One goes either too far back or not far enough.

In trying to re-capture the last quarter of a century my mind keeps returning to 1913 – ten years before I was born. It was the year in which Charles F. Jenkins, a Quaker from Philadelphia visited Tortola in search of Quaker roots, and left us a record of his visit — of the people, the place, of life as it was lived there and then. Jenkins landed at Sopers Hole and, having been admitted by Customs Officer Harry Smith (whose descendants still live at West End) he and his companion set out on horse back for Road Town, "ten miles away, over a rough and winding road" that "skirted the shore, then climbed over two mountain ranges with magnificent views."

No self-respecting Tortolian would call Cox Heath Hill or Hunt Hill a mountain range, but there is no point at this stage arguing with Jenkins over his choice of words. As they "jogged along the Island seemed almost uncultivated". Here and there a farmer was working his cotton, and one with whom they chatted over his tumbledown fence showed them the cotton balls "ready for picking, but stained and spoiled by a red spider that was discolouring it,..... It was a hard, hot ride over a rocky, difficult road," and the two boys, whom Jenkins had engaged at West End to take "turns in carrying the heavy bag on their heads.... took off their shoes, so that the rough going over the sharp stones would not scuffle them, their feet being tougher than their Sunday shoes.... Nearing Road Town, the boys stopped to put on their shoes, to present a creditable appearance" as they came into the town.

The strange thing is that a journey from West End to Road Town overland in 1962 (twentyfive years ago) could be described in terms almost identical with the description given by Jenkins of his journey fifty years earlier in 1913. Road Town was still ten miles from West End over a rough and winding road, and the Island was still "almost uncultivated." It was, however, now possible to cross Cox Heath and Hunt Hill by 4-wheel drive vehicle. The Agricultural Experimental Station had given up on trying to establish cotton, coconuts, limes and pineapples as export crops, and for the decades between 1940 and 1960 had been pinning its faith on the expansion of the livestock industry through a programme of pasture improvement and the upgrading of breeding stock. But already there were unmistakable signs that livestock production for export was doomed to go the way of cotton and sugar. There is no doubt that long before the decade of the 60's had ended geopolitics and technology had so drawn the United States Virgin Islands within the trading, economic and administrative framework of the United States, that St. Thomas had become in a very real sense as much a part of continental United States as Long Island. The federal regulations which made it impossible for a British Virgin Islander to send at Christmas a piece of corned pork to a brother residing in Jamaica, New York, also made it impossible to export cattle, on the hoof or slaughtered, to St. Thomas. The jet aircraft had shortened the distance between the States and the Virgin Islands; a distance no longer measured in miles or days but in hours and minutes. The supermarket chains and the refrigerated container ships, which regularly brought standardised



agricultural and manufactured products from mainland USA to the St. Thomas housewife, completed a process which had begun much earlier with the extension to the US Virgin islands of federal laws on immigration, public health and plant and animal health.

In order to get to the British Virgin Islands from Philadelphia, Jenkins had first to go to St. Thomas. He had no option. In 1962 this had not changed. St. Thomas was still our vital link with the outside world. There was no direct link by sea or air with any country outside the Caribbean or with most within the region. A visitor to Tortola in 1962 would not, however, have found it necessary to rely on the generosity of a Moravian missionary for interisland transport between St. Thomas and Tortola. There was then in existence the makings of a ferry boat service which had failed to develop further only because of US federal regulators who for years had insisted on treating these small motor boats (none of which could carry 100 passengers) in much the same way as a transatlantic passenger liner. With the removal of the legal and bureaucratic roadblocks, the ferryboat service between St. Thomas and the BVI and St. John and the BVI has since developed into a major economic activity in the islands.

A dirt airstrip had been built on Beef Island in the late 1950s to accommodate light aircraft, but there was no scheduled service; and for many years after 1962, even after the Royal Engineers had extended and surfaced the runway, the Territory had still to rely on nonscheduled commuter aircraft. Then in 1972 began the pioneering days of Air BVI with its small fleet of Islanders. Those were the days, too, when LIAT first started a scheduled service, and saw nothing wrong with charging seven dollars more for the one-way fare from Barbados to Tortola (Beef Island) than from Barbados to St. Thomas, even though the plane would first stop at Beef Island allowing Tortola passengers to disembark before going on to St. Thomas. Air BVI has come of age, providing the major air link to the Territory's premier tourist gateway, San Juan, Puerto Rico, while at the same time maintaining inter-island services to Virgin Gorda and Anegada, and to our neighbours in the nearby north-eastern Caribbean. Air BVI is not alone in the field. Carriers such as Prinair, Dorado Wings and British Caribbean Airways have come and gone. LIAT appeared, then disappeared, and has now returned. American Eagle and Eastern Metro Express are the latest to provide scheduled services between the BVI and San Juan.

In our tourist oriented economy the provision of adequate civil air transport facilities is a key factor in development, and the BVI public has grown accustomed to hearing year after year of the increase in the number of tourist arrivals compared with the preceding year. Those qualified to know predict a bright future for the industry. In a Territory where twentyfive years ago there were no tourist hotels (if we exclude from that term the Social Inn, the Inn at Fort Burt, and Guana Island Club, as they were in 1962) where the word "tourism" had not yet become part of the vernacular, it is today not uncommon to hear the-man-in-the-street discussing, intelligently, our tourist "product", the packaging and marketing of that product, further development of the product, and exploitation and preservation of the things that make the product unique.

Development of a tourist industry demands heavy injections of capital in physical and social infrastructure. The BVI has been no exception. Beginning in 1965/66 the Government of the BVI embarked on a programme of major public works that has given us Drake's Highway running along the southcoast from West End to Road Town, there linking up with the Blackburn Road, and on to East End and the airport at Beef Island. Paved motor roads lead up the hills from Road Town to Belle Vue, Great Mountain and Harrigan's to connect with the Ridge Road and other roads to Josiah's Bay, Brewers Bay, Cane Garden Bay, Ballast Bay and on through Carrot Bay along the north-west coast, linking with Drake's Highway by a road over Zion Hill. There is today no community on Tortola, Virgin Gorda or Anegada that is not accessible by an ordinary motorcar. Jost Van Dyke, has lagged behind, but that island now seems poised for take off.



Along with road improvements have gone the development of Beef Island Airport, the deepwater harbour at Port Purcell, improvements at the Customs Jetty in Road Town and the ferry boat and passenger terminal facilities at West End. The airport at Virgin Gorda is privately owned, and so is the sea-plane ramp at West End. But public or private, they form a very important part of the physical infrastructure without which the economic growth of the last twenty five years would not have been possible. Of equal importance was the islandwide extension of electricity first to the rural districts of Tortola, then to Virgin Gorda, and more recently to Anegada. This was a government scheme.

Concurrently, Cable & Wireless (West Indies) Ltd had installed an internal telephone system and for the first time also the Territory was linked by telecommunications to the outside world. The rate of growth in this field has been almost unbelievable. A cable sent to me in England from Tortola in 1964 took several days to reach me and just as long for my reply to get back. With direct digital dialing, London, New York, San Francisco or Hong Kong are today only seconds away. And the BVI businessman, who in 1962 had never heard of a telex machine or of a telefax or teleprinter, today finds (or has allowed himself to be convinced) that he cannot operate without these electronic gadgets.

Twentyfive years ago the only part of this Territory to boast a piped public water supply was Road Town along Main Street (at that time the only street) from the Agricultural Station (now the Botanic Garden) to Fort Burt. Elsewhere, the householder relied on his cistern or tank or barrel for a supply of drinking water, and for other purposes shared with the cattle whatever he could draw from shallow wells. The entire Road Harbour area is now served by running water; so, too, is West End/Carrot Bay and East End/Long Look; and a public sewerage system is in place for parts of Road Town.

The cottage hospital of 1962 has been extended and upgraded to a 50-bed institution, and the range of medical care it offers has been widened to include, in addition to general surgery, other areas of specialisation. At last count there were fifteen medical practitioners in the Territory including two or three abroad on study leave. On paper at least, doctorwise, the BVI is beginning to look like an affluent suburb of an American or European city.

The machinery of government is itself part of the social infrastructure. The BVI of 1962 was a colony in the strict sense: notwithstanding an elected Legislature, that body was completely subordinate to the executive, and executive power vested exclusively in the Administrator as the Queen's representative. The people of the BVI might in any particular matter be consulted through their elected representatives, but neither they nor their elected representatives had the power to make decisions. In the language of the text books, the Crown had control of legislation and administration. Looking back, then, 1967 is seen as a year of radical change in political direction. That was the year of the introduction of the ministerial system which placed a substantial part of the executive authority in the collective hands of ministers chosen by their elected colleagues in the Legislative Council and responsible to them. If one believes (as most men of good will and common sense do believe) that a reasonable man is his own best judge of what is best for him, and that most men are reasonable, there can be little doubt that, next to the emancipation of the slaves in 1834, ministerial government is the best thing that has happened to the British Virgin Islands since the Territory was first organised for law by the British 300 years ago.

To the ministerial system — i.e, a people being free to make their own decisions through their freely elected political representatives, with freedom to change those representatives when they no longer represent the views or wishes of the electorate — to this system we, the people of the BVI, owe our present heightened sense of selfawareness, the widening of our horizons, and our recent awakening from the lethargy that characterised us for the last one hundred years. One of the first



policy decisions of major import under the new system of government was the expansion of secondary education and the adoption of the name “High School” in keeping with the goals of social conditioning that were anticipated. The BVI, although at the time (as it still is) a contributing Territory to the University of the West Indies, had not in 1962 secured its first graduate from the institution. Most of our doctors and a growing number of lawyers in both the public and private sector are today the product of the University, as are many of our teachers, administrators, engineers and accountants. Nowadays, too, dozens of BVI students are also to be found at other institutions of higher learning, principally in North America, but also in the United Kingdom and elsewhere in the Caribbean.

Perhaps the most astounding development of the last twentyfive years has been the growth of the Territory as an international financial centre. We see it reflected in the local branch offices of the international banking institutions, in the establishment of trust companies and trust corporations, and in the parallel growth of legal, accounting and other professional services supportive of the financial sector. As would be expected, the public service has had to expand, if only to be able to keep track of what is going on in the private sector, but also, it is hoped, to be able to interpret trends, forecast developments, and where necessary, formulate and promulgate action programmes.

This Territory which twentyfive years ago could hardly support at subsistence level a population of six or seven thousand has today a population twice that size enjoying one of the highest standards of living in the Caribbean. In the intervening years government and private enterprise have brought about a transformation of the BVI from a poor subsistence economy to a comparatively thriving one that has succeeded in conquering mass poverty. They have transformed it from a community in which unemployment was an accepted way of life to one where the number of jobs created as a result of economic development has wiped out unemployment and led to over one third of the current work force being comprised of persons born abroad. In the decade of the 70’s and in the 80’s, the Territory has practically rebuilt and greatly expanded its entire housing stock. It has done this without this without any assistance from the public sector and without the provision of capital or expertise by any other entities other than the commercial banks that have seen fit to pursue enlightened policies that make it possible for the average working man to own his own home.

Looking back, I see the last twenty five years as a period when men of goodwill inside and outside of government, belongers and nonbelongers, collaborated in creating wealth, in capital formation, in making the BVI a more congenial environment in which to live, and work, and rear one’s children; promoting human dignity through the awareness of self inspired and self achieved fulfillment. I see it as a period of which the native British Virgin Islander may be justly proud as a time when (at first hesitantly, then willingly) we, the people of the BVI, opened our doors to our Caribbean brethren, saying in our hearts (if not with our lips), “Give me your tired, your poor, your huddled masses yearning to breathe free.”

And so they came, and continue to come. Horace was only partly correct when he wrote, “They change their climate, not their soul, who run beyond the sea.” Jerome Charyn writing last year in the “TWA Ambassador” had this to say about those Europeans who at the turn of the century arrived at New York via Ellis Island;

*“The son of an ironmonger in North London would never have had the dream or the desire to go up to Cambridge and attend Magdalene College. But the son and the daughter of the meanest shoemaker in Brooklyn hardly considered it heretical to study at Yale, Swarthmore, or Brown.”*



The OECS leaders who visited Tortola earlier this year were pleasantly surprised to note the extent to which many of their compatriots who have settled in the BVI have developed new attitudes, acquired a new sense of values, and define themselves in ways that would have been impossible in the islands of their birth. The British Virgin Islands has become in the last twentyfive years a place where a man may emerge without any noticeable past.

As I look back, one empty space catches my attention: that of Esme Downing, one of the founders of the Island Sun. She passed on a few years ago but her memory lingers on in the legacy she has left behind. The Island Sun newspaper has developed a reputation for reporting the news fairly and accurately, and as comprehensively as the paper's resources permit. If there have been occasions during those twentyfive years when in connection with some public issue tempers flared and the Territory seemed for a moment perilously close to the brink of disaster, the fact that at the last moment wiser counsel prevailed and life in these islands could return to normal without incident has been due in no small measure to the Island Sun which, both in reporting and commenting on the news, has consistently refused to resort to sensationalism or cheap journalism, striving always for fact and a balanced point of view. I join with the people of the BVI in congratulating the Board of Directors of Sun Enterprises (BVI) Ltd., (who for the past three years has been responsible for the Island Sun) and the Editor and his staff on the attainment of the newspaper's silver anniversary. May the newspaper and everyone connected with it continue in the years ahead to give of their best in the service of the people of the British Virgin Islands.

*26th August 1987*

THE STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF THE VIRGIN ISLANDS  
1950 - 2000 AND THE RELATIONSHIP BETWEEN THE JUDICIARY AND THE  
LEGISLATIVE COUNCIL 1950 – 2000

---

by Dancia Penn, OBE, QC

### Introduction

**T**his brief article looks at the Standing Orders of The Legislative Council of The Virgin Islands and their workings, as well as at the Judiciary and its relationship with the Legislative Council between 1950 and 2000. It is not possible to do justice to the subject here if for no other reason than constraints of space. This is therefore a mere glimpse at the subject.

In the systems of government that we have inherited it is a fundamental principle that there are three branches of government – the Executive, the Legislative and the Judiciary. They are described as being independent of each other, each exercising certain prescribed checks and balances on the other.

Like any body, parliaments have historically regulated their own procedures. It is a right which they have carved out for themselves and which they guard jealously, to the exclusion of the executive and judiciary. Colonial legislatures, such as the Legislative Council of the Virgin Islands have no inherent power to make their own rules of procedure, being as they are creatures of the United Kingdom Parliament. However, a device was included in the instruments creating colonial legislatures for them to regulate their own procedures. This was the power to make Standing Orders for the regulation and orderly conduct of their proceedings.

### Standing Orders Past

It does not appear that Standing Orders were made under the 1950 or indeed under the 1954 Constitution. Section 28 of the Constitution and Elections Ordinance which was passed by the General Legislative Council of the Leeward Islands on 19th June, 1954 had enabled the Legislative Council of the Virgin Islands to make its own Standing Orders. The likelihood would have been that the rules of procedure used by both the Legislative Council elected in 1950 and that in 1954, would have been those used by the General Legislative Council of The Leeward Islands which sat in Antigua, and on which The Virgin Islands was represented by a nominated member, from its Legislative Council.

The 1954 Ordinance in fact contained the constitution and addressed many of the matters which are today dealt with in The Virgin Islands Constitution Order itself. The 1954 Ordinance also included the provisions for the conduct of general elections which were for the first time to be held on the basis of universal adult suffrage. In the 1950 elections only persons who were sane, British, male, over twenty-one, literate, and property owners could vote.

The Ordinance created a Council which was comprised of the Administrator, two official members, two nominated members and six elected members. The official members were to be persons holding office in the public service who the Administrator might appoint “by office or by



name". The nominated members had to be British subjects of the age of twenty-one and upwards. The elected members were persons qualified for election and elected as provided in the Ordinance. Provisions were made for the order of precedence of members. The official members ranked first according to the date of their instrument of appointment, followed by persons temporarily appointed to fill vacancies in the number of official members; and thirdly, the nominated and elected members according to the date of their appointment or election.

The sessions of the Council were to be held at such times and places as the Administrator appointed from time to time by proclamation. There was, however, a requirement that there be at least one session of the Council in every year, and there could not be an interval of twelve months between the last sitting in one session and the first sitting in the next session.

The Council elected a Deputy President at its first sitting after dissolution of the Council or at its first sitting after the occurrence of a vacancy in the office of Deputy President. This is much the same as the Speaker and Deputy Speaker are elected today after a general election or the occurring of a vacancy. The Deputy President was eligible for re-election.

Meetings of the Council were presided over by the Administrator and in his absence the Deputy President. If he was absent or unable to preside, the official member who was first in order of precedence would preside.

Significantly the power to make laws was not as at present vested in the Legislative Council. The Ordinance stated rather that "subject to the provisions of this Ordinance, it shall be lawful for the Administrator, with the advice of the Council, to make laws for the peace, order and good government of the Colony".

### **The Present Standing Orders**

The present Standing Orders of the Legislative Council which were made on 31st May, 1979, have their basis in section 35 of The Virgin Islands (Constitution) Order, 1976. The section states "Subject to the provisions of this Order, the Legislative Council may make, amend and revoke Standing Orders for the regulation and orderly conduct of its own proceedings and the despatch of business, and the passing, intituling and numbering of Bills and the presentation of the same to the Governor for assent".

The Standing Orders address matters such as: Oaths of Allegiance, Election of the Speaker and Deputy Speaker, Presiding in the Council and in Committee, Duties of The Clerk, Quorum, Days and Hours of Sitting, The Arrangement of Business, Petitions and Papers, Questions, Public Business, Motions and Amendments Thereto, Notices, Time and Manner of Speaking, Contents of Speeches, Rules of Order, Voting, Private Bills, Procedure on Bills and Financial Procedure.

In addition, the Standing Orders provide for the creation of Select Committees and Reports from Select Committees. Select Committees are integral in the functioning of Parliaments, and the functioning of our Legislative Council could be much enhanced by greater use of these. The Standing Select Committees allowed for in the Standing Orders are: the Public Accounts Committee, the Standing Orders Committee, the Services Committee, the Committee of Privileges, and the Regulations Committee.

The Standing Orders also include provisions for their suspension as well as their amendment. To my knowledge they have not been amended in any material way since 1979.

The Standing Orders also state that in any matter not provided for in them, "resort shall be to the usage" and practice of the Commons House of Parliament of Great Britain and Northern Ireland, which shall be followed as far as the same may be applicable to this Council, and not

inconsistent with the Standing Orders nor with the practice of this Council". Finally, the Standing Orders state that "In cases of doubt The Standing Orders of the Council shall be interpreted in the light of the relevant usage and practice in the House of Commons".

On a day to day basis, the general provisions of the Standing Orders are invoked. They are used to summon meetings of the Legislative Council and to conduct its day to day business. For instance, it is accordance with the Standing Orders that the Order Paper for each meeting of the Legislative Council is prepared.

A look at the activities of the Legislative Council over the course of its existence shows that a mechanism in the Standing Orders that is frequently used is that of Motions. Standing Order 30 enables any member to propose by way of motion any matter for debate in the Council. It prescribes among other things what can be contained in motions, the procedures for having them debated, and the method of their amendment, adoption and withdrawal.

### **Resolutions of The Legislative Council**

Once a motion is passed by the Council it becomes a resolution of the Council. A look at some of the resolutions passed by the Legislative Council during its existence gives some insight not only into the times and the issues that have arisen, but also into the personalities in the Legislative Council as comprised from time to time.

In 1973 for example, there was the passing of a Resolution calling for the recall of the Governor of the day over his action in commuting the death sentence of a man convicted of murder.

In May, 1973 there was a Resolution of the Council calling on the government of the United Kingdom to appoint a Constitutional Commission to obtain the views of the population on constitutional advancement. The passing of this particular Resolution led to the appointment of The Deverell/Dacosta Constitutional Commission. This Commission recommended among others things that the responsibility for finance should be removed from the Governor and given to the Chief Minister, as well as the lowering of the voting age from 21 to 18.

In 1979 the Council passed a Resolution requiring that there be a referendum before steps are taken towards political independence.

In November 1992, on the occasion of the 25th anniversary of Ministerial Government the Legislative Council passed a Resolution asking for the appointment of a Constitutional Commission. This resolution led to the appointment of the 1993 Constitutional Commission. It was on its recommendation that the Territorial District, a system described by the then Secretary of State as unprecedented in British constitutional history, was introduced.

### **Authority in The Legislative Council**

The Constitution and the Standing Orders vest authority in the Legislative Council in the important and ancient office of the Speaker. This office was created in The Virgin Islands by the 1967 Constitution.

There have been some notable incidents in the Legislative Council as they relate to the Speaker and his authority. The symbol of the Speaker's authority is the mace, and there was an incident in 1984 when the mace was broken by an elected member of Council. This led to the suspension of the member following a resolution of the Council. In 1973 two Ministers absented themselves from the Budget Sitting and the Opposition members walked out of the Sitting thus



leaving the Council without a quorum. Earlier this year the members of the Opposition staged a walk-out over the handling of a motion they had brought.

There have also been a fair share of movements across the floor and from the back bench to the front bench and vice-versa. Cross-benchers too have not been unknown. Although some have been threatened, it does not appear that a vote of no confidence was ever actually brought.

## The Judiciary and The Legislature

Our Constitutions since 1950 have broadly sought to reflect the principle of the separation of powers, although none of them to date has contained a specific section creating a Supreme Court, as most constitutions do. Instead, our Supreme Court is constituted by The Supreme Court Order, 1967 which is a Statutory Instrument of Parliament of the United Kingdom.

However, all our Constitutions since 1950 have contained a section which gives a High Court Judge sitting alone the power to hear and determine an election petition. The Judiciary has not been much called upon to exercise jurisdiction in respect of the Legislative Council. Apart from statutes, there is abundant judicial authority to the effect that the Courts cannot enter into the halls of Parliament and exercise jurisdiction there.

In addition the High Court has always had the power in exercise of its criminal jurisdiction to try various indictable election offences, as well as offences such as bribery. As far as I am aware, no criminal prosecution has ever been brought in this jurisdiction for election offences.

It appears that the only election petition that was proceeded with was High Court Suit # 126 of 1986, *In the Matter of the Election Ordinance 1977 And in the Matter of the Legislative Council Election For The Fifth District Held on 30th September, 1986*. In this case, the election return in the Fifth District was challenged on the basis that the return in the district was an undue return in that a person who had been a candidate in the general election in the district (but had lost the election) was not qualified to be elected to the Legislative Council. It was contended in part that because a defeated candidate was a naturalized citizen of the United States, that section of the constitution was breached which provided that a person who by virtue of his own act owed allegiance to foreign power was not qualified to be elected.

The only other two cases found involving the Legislative Council which have attracted the attention of the Judiciary have been that of *Omar Wallace Hodge v. H. Lavity Stoutt and Mark Herdman* (which went to the Court of Appeal), and *Keith Flax v. The Clerk of The Legislative Council and The Attorney General*. The former was a challenge by a Minister of government to the termination of his appointment by the Governor on the advice of the Chief Minister. The latter was a challenge by a former Speaker of the House to his removal from office.

In closing, there can be no doubt that in its relatively short life the Legislative Council of The Virgin Islands has been active, and has managed to function without undue need to invite the intervention of the Judiciary.

# WOMEN IN THE LEGISLATURE

---

by Rita Frett-Georges, MBE

## Introduction

**T**he historians who have written about our Islands, are for the most part silent about the role of women in the development and advancement of Virgin Island Society. In certain texts there is no mention of women at all; it is as if they did not exist.

1834 to 1984 a compilation of Virgin Islands History edited by Eileene Parsons and Jennie Wheatley, there is a record of the work of midwives, nurses, teachers and bakers, most of whom were women. There is a glimpse of the contributions women made, and continue to make to the society.

If one were to write, however, the history of the evolution of politics in the Virgin Islands, women could not be excluded. Women have campaigned and waged wars of words for the men in whom they believed. They have pushed them to the front, advised and supported from a distance and cheered at the political rallies. Women have prepared the fry fish, johnny cakes and maubi - and served it. Each candidate who has taken a seat in the Legislative Council has had his or her female champion.

The Women's Desk, organized to advocate Women's Rights and to give women a representative voice in government was set up in 1992. One of the goals of the founding sisters was female representation in the Legislative Council. At a lobbying meeting with Chief Minister H. Lavity Stoutt in 1991 (representatives of the Women's Focal Point - catalyst for the Desk), History of the Women's Desk – Frett-Georges 2000 - the Chief Minister's positive response was underscored by his words, that women were his greatest supporters and he would not mind having a woman on his ticket.

For whatever the reasons, the restored Legislative Council was into its forty-fifth year (1995), before female representation in the form of an elected official came about. This change was not particularly welcomed by males in the House. As one male legislator stated, "they are just legislators. I see nothing particular about them being women, I see no reason to celebrate that." Such a statement could be viewed as positive, in that it acknowledged no difference in ability to perform as a legislator, because one was a woman. On the other hand, it could also speak to a denial of acknowledgement of difference in legislators who are also women, and that they could bring unusual and added insights to the legislative process, because of the experience of being a woman.

In our quest for social justice, equity and balance in our society, we are challenged to open ourselves to the reality that men and women are different and complementary halves of the same whole. As men and women we are meant to use the talents and God given abilities with which we have been blessed, to shoulder collectively the task of nation building. Each half of the whole should have the opportunity to be nurtured in an environment which facilitates development to the fullest potential. Men and women have lived in relative harmony in the Virgin Islands; but issues of gender have been very much a part of the scene, including domestic violence. We have no laurels upon which to rest, but must continue to strive to empower women to make their contributions in all spheres of the society, including at the highest decision-making levels.

Women must continue to work and share responsibility alongside men, wherever possible. The joys and challenges of home-making and parenthood, can be ennobled and enriched and enriched also, when shared equally by complimentary halves. A dream of a socially cohesive, just, fair and



sustaining Virgin Islands society, is a dream worth having. A dream worth striving for.

## Historical Overview

British Virgin Islands Historian Vernon Pickering in an article, "The Old and the Unexplored- a Fresh Look at BVI History" writes that, "In 1773 the Virgin Islands were granted a Constitutional Government with a fully elected House of Assembly and a partly elected, partly nominated Legislative Council" - "In 1854 the representative system of government was abolished and supplanted by a unicameral Legislature as opposed to the pre-existing bicameral system of Council and Assembly. In 1867 the elections were abolished and the Council consisted of nominated members only. Finally in 1901, the Legislature surrendered the last vestiges of its constituent powers."

The late Howard R. Penn noted, in the 1992 publication of the 25th Anniversary to commemorate the Ministerial System that, "Residents of the British Virgin Islands began to agitate for an elected Legislative Council as early as 1938." It would be twelve years, however, before the first election was held on November 20th, 1950 - precipitated by the great freedom march of 1949 - which was organized by Theodolph Faulkner, Glanville Fonseca and Carlton deCastro.

Mrs. Emogene Creque has the distinction of being the first woman to sit in the Legislature. The late Henry O. Creque, in *Challenge and Change*, the 1992 publication of the 25th Anniversary of the Ministerial System wrote that, "During my tenure as an official member of the Council, my wife also had the honour of serving, for a brief period in 1965, in the Legislature in the capacity as a nominated member. We thus have the rare honour of sitting in the Council together on the Government's official side, and are glad that we had the opportunity on that occasion of contributing our best efforts to the proceedings of the Legislature and directly to the workings of the membership system which preceded the ministerial system."

In September 1970, the late Paula Beaubrun of Grenada was employed as Magistrate/Registrar; she worked in that capacity until January 1972 when she became the Registrar on separation of the posts. She acted as Attorney General from the 17th July 1972 until 30 June, 1973. On 1st July, 1973 she was appointed to the post, becoming the first female Attorney General in the British Virgin Islands since the Islands became a separate colony 17 years before. She worked in that capacity until 25 July 1977 sitting in both the Executive and the Legislative Councils for four years.

Velma Hylton Gayle of Jamaica was appointed as Attorney General on 28th November 1978 and served until 10 October, 1979.

On 1 October 1992 Dancia Penn was appointed to the post of Attorney General. She became the first British Virgin Islander to hold that position. The Attorney General is ex officio member of both the Executive and Legislative Councils.

Mrs. Millicent Mercer was the first woman to brave the political arena. The *Island Sun's* issue of Saturday, 24 April, 1971 notes: "Under the banner of the newly formed political party - The Virgin Islands Party - Mrs. Millicent Mercer, of Baughers Bay, announced at a mass rally held the evening of 15th April that it is her intention to run for the seat in the Legislative Council from the 5th district. It is the first time in the history of the British Virgin Islands that a woman has come forward and declared her candidacy for an elective public office."

The Primary School teacher and mother of 13 children was introduced by the Chief Minister and Leader of the Virgin Islands Party at a public rally at Estate Purcell where the announcement was made. It received cheers and applause from the large gathering.

A person of studious incline and well informed, Mrs. Mercer in her girlhood completed the highest form the public schools could offer at the time, and at an early age became a school teacher. She taught at the East End School which was also known as the Major Bay School (now the Willard Wheatley School). Giving up teaching for some time, Mrs. Mercer studied at the time when there were fewer opportunities for earning a living.

In 1964, Mrs. Mercer again took up teaching in which she had always shown a liking. She taught at the Anglican Church School - St. Phillips at Baughers Bay and later when it became a Government School she continued in her position. Having made the decision to run for a seat in the Legislature, it became necessary for Mrs. Mercer to resign from her teaching position. Talking with Mrs. Mercer, one soon gathered that she was a person who was a natural, pleasant, direct and highly intelligent.

In an interview Mrs. Mercer was asked why she decided to run and she replied, "We have all heard it said from time to time that women must become interested in the affairs of Government. Last election (1967) two women were asked to become candidates but neither did. This time I decided to try because I agree that women must become involved for the good of all. Continuing, she said, "I feel that by my stepping forward, it will encourage other women to show the necessary interest in the affairs of the Territory. Men are not the only ones to lead and to work for progress; women must also do their part." Sadly, Mrs. Mercer was unsuccessful in her bid for office.

It would be another twelve years- 1983 - before two women - Ms Patsy Lake and Ms. Eileene Parsons - would venture into the political arena again.

Ms. Patsy Lake, a veteran of the Positive Action Movement, contested unsuccessfully, as a member of the Virgin Islands Party, a seat in the 1983 and 1986 elections. In 1990 she ran as an Independent candidate and in 1995 she ran as an at Large Candidate.

Unsuccessful at the polls also in 1986 were Ms. Malcia Hodge and Ms. Eileene Parsons.

In 1990 Ms. Malcia Hodge, Ms. Inez Turnbull, Ms. Medita Wheatley, Ms. Eileene Parsons contested the election. All candidates were unsuccessful.

Female candidates increased to six in 1995. They were Ms. Belsadys Donovan, Ms. Inez Turnbull, Ms. Patsy Lake, Ms. Medita Wheatley, Ms. Eileene Parsons and Ms. Ethlyn Smith. Two candidates, Ms Ethlyn Smith and Ms Eileene Parsons, were successful and became members of the 13th Legislature, with Mrs. Parsons polling the highest number of votes cast for at large candidates.

In 1999 three Women Ms. Eileene Parsons, Ms. Ethlyn Smith and Mrs. Irene Penn O'Neal contested the election. Ms Parsons was an at Large Candidate on the Virgin Island Party ticket and Ms. Smith was a candidate for the Concerned Citizens Movement. Both were successful in the election. Ms. Parsons polled the fourth highest number of votes of the at Large candidates and Ms. Smith scored a resounding victory over her two opponents, Cyril B. Romney and Hugo Vanterpool.

On May 20th 1999 both women took their seats as members of the fourteenth Legislature serving their second term.

Ms. Smith remained a member of the Opposition and Ms. Parsons resumed the portfolio of Minister of Health Education and Welfare becoming also the first woman to hold the appointment of Deputy Chief Minister.

The poet Omar Khayyám in the Rubáiyát says:



'Tis all a Chequer-board of  
Nights and Days  
Where Destiny with Men  
for Pieces plays:  
Hither and thither moves,  
and mates, and slays,  
And one by one back in the  
Closet lays.

The Ball no Question makes  
Of ayes and Noes,  
But Right or Left as strikes  
The Player goes;  
And He that tossed Thee  
Down into the Field  
He knows about it all—He  
Knows—HE knows!

On July 20th 2000 Ms. Parsons and Ms. Smith exchanged places on the checkerboard - Mrs. Smith becoming the second woman to hold the portfolio of Minister of Health. Ms. Parsons' appointments as Minister and Deputy Chief Minister were revoked, and she again became a member of the Opposition, and joined the National Democratic Party, among whose members she now sits.

In 1999 Ms. Dancia Penn OBE, QC remitted office as Attorney General after seven years and was replaced by a man, Cherno Jallow from the Gambia.

As desirable as the physical presence of women in the Legislature is - that presence should not be seen as the only contribution of women to the Legislature. The presence of women is there in the sons and daughters who occupy these seats. The tendency however, for women only to be acknowledged as wives with names of husbands and not as persons in their own right, makes them nameless and faceless in our records. In all our recordings maternal lines need to be acknowledged. Women need faces - all their faces - including the representational faces of their sons and daughters.

Has the presence of women in the Legislature made a difference? Has it visibly impacted the lives of women in any way? Has the legislative process been enhanced? Perhaps time has been insufficient to answer these questions. Women in the Legislature are subject to all the nuances of gender, and learning to manoeuvre and achieve a critical balance of influence is vital to success. Women in the Legislature cannot work and achieve alone. Success in the Legislature as in life is a collective effort.

Opinions as to whether the election of women to the Legislature has visibly made a difference to the conduct of business in the Legislature and in government generally vary. Was Legislation such as the *Domestic Violence Summary Proceedings Act 1996* expedited in its introduction due to the fact that the sitting Attorney General was a woman?

*Original article from Women in the Legislature Women's Desk - Chief Minister Officer 1997 was revised.*

# THE OTHER SIDE OF REPRESENTATION

---

by Medita Wheatley

In seeking election to the Legislative Council I saw myself extending the public service which had occupied my time and attention during my working life. I tried twice before I understood that in politics what you have to offer has little value if it's not what people want. It took nearly 42 (forty-two) years for me to understand that in order to succeed you have to represent what the majority of the people want, not what you think they need.

In essence I was offering what I thought people needed in order to advance the development of the territory. It is true that we had been advancing in a material sense. But the social and political growth which was needed to sustain that development in the long term was sadly lacking.

We had done a great job of building retaining walls, driveways and other physical infrastructure. The time had come to build people and necessary social structure in a manner that addressed the needs of everyone - old, young, and middle-aged, rich, poor, and well off. My motto was "Balance and Fairplay"

When I first ventured into the political arena I decided to go to the people who had known me since birth. I didn't expect to win, but I didn't expect that only twelve (12) people would vote for me. That was an eye opener.

I understood the need that people demonstrated for representation that was responsive to their personal material needs. It's a stage through which every people must go when economic circumstances shift dramatically. The need for balance and fair play is not always immediately apparent.

The reality that the transition to political maturity is closely related to educational opportunity may to some extent explain why the transition has been so slow. And so the contender for political office who would provide representation that empowers everybody, in a holistic sense, must not only understand, but must also take responsibility for assisting the process of growth.

I believed that a mixed system of representation (district and at large) would serve the needs of a community, made up of constituents who had achieved different levels of political maturity. In other words there would be something for everybody. Something for those who wanted personalized representation and something for those who were concerned about the long term future of the Territory. The constitutional commissioners heard us and I sang a hallelujah chorus.

When I ran and lost the second time, I really understood what the whole thing was about. I wept. Not because I had lost an election, but because I had lost faith in the future. I wept, not for myself but for the Territory as well.

I wept for myself because I saw the values which had nurtured me in my youth pale into insignificance, when confronted by the onslaught of convenience and expediency. With it went my ability to trust.

I wept for the Territory because I realized that political growth does not happen overnight, and the prevailing conditions were not favourable to substantial and meaningful change. We had lost an opportunity to "advance" our political status through the addition of at large representation. We had lost an opportunity truly to empower the people of the British Virgin Islands for the long term, by broadening the base of representation.



In my deep distress, I received a note in red for which I will always be grateful. It conveyed the welcome solace expressed in the following verses:

*Say not that the struggle naught availeth,  
The labour and the wounds are vain  
The enemy faints not, nor faileth,  
And as things have been they remain.*

*If hopes were dupes, fear may be liars;  
It may be, in you smoke concealed,  
Your comrades chase e'en now the fliers,  
And, but for you, possess the field.*

*For while the tired waves, vainly breaking,  
Seem here no painful inch to gain,  
Far back, through creeks, and inlets making,  
Comes silent, flooding in, the main.*

*And not by eastern windows only,  
When daylight comes, comes in the light,  
In front, the sun climbs slow, how slowly,  
But westward, look, the land is bright.*

- Arthur Hugh Clough

Later I talked with my uncle Macfield, the visionary. I had more or less accepted that I don't have the stuff of which politicians are made, and on a more personal level, that family loyalty is not a consideration to be entertained in the political arena. That you don't win unless people want what you think you have to offer. Then he said to me, "Maybe they are not ready for you yet."

So do I understand how representation is supposed to empower people? I believe I do, am I a political animal? Probably not, I don't really know. We live and learn.

# INVOLVEMENT OF FINANCIAL SERVICES IN THE LEGISLATIVE PROCESS

by Richard Peters

In about 1973 a few lawyers in some Wall Street firms in New York City together with a few lawyers and accountants in the BVI “discovered” that the UK/USA Double Taxation Agreement as extended to the BVI could be used to reduce taxes of persons from countries other than the USA and the BVI wishing to invest in the USA through use of a BVI corporate vehicle. By virtue of the Agreement a BVI company investing passively in the USA was subject to a substantially reduced USA withholding tax. To obtain most Agreement benefits it was necessary for the BVI company investing inwardly in the USA to be managed and controlled in the BVI.

For purposes of using the BVI/USA Double Taxation Agreement a highly developed and modern corporate law was not a primary prerequisite. However, certain changes to BVI corporate law, i.e. the existing local BVI Companies Act, were necessary as were certain changes to the BVI Income Tax Ordinance. A number of suggestions as to legislative changes put forward by Sherman & Sterling in New York, Harney Westwood & Riegels and a few other professional firms in the BVI were adopted by Government during the 1970s thereby enhancing the use of the BVI/USA Double Taxation Agreement. In many cases draft amendments to the Companies Act and Income Tax Ordinance were prepared for Government consideration by the private sector.

In the late 1970s and early 1980s the USA wished to re-negotiate the existing the BVI/USA Double Taxation Agreement. For this purpose HMG delegated the re-negotiation with the American Government to the local BVI Government. The then Chief Minister, the Honourable H. Lavity Stoutt, sought the advice of, and was accompanied to Washington DC during 1980 for a number of meetings with the US Treasury and State Department by Kenneth Bain, Financial Secretary, Neville C. Westwood of Harney Westwood & Riegels, Noel Barton, at that time of Pannell Fitzpatrick (successively Pannell Kerr Foster and eventually KPMG Peat Marwick), McWelling Todman QC and Paul Butler of Sherman & Sterling, New York. These gentlemen witnessed the signing on February 1981 of a new BVI/USA Double Taxation Agreement in Washington, the Chief Minister doing so on behalf of the BVI. Shortly afterwards, the new Treaty was ratified by the BVI Legislative Council.

The Treaty was the first one sent by President Reagan to the US Senate for advice and consent, and that was in March, 1981. The new people at the Treasury, however, still considered too liberal. They withdrew it from the Senate and called for fresh negotiations. Again, the negotiating team included McWelling Todman, Neville Westwood and Paul Butler under the leadership of Lavity Stoutt, and the Permanent Secretary, Elton Georges. The negotiations, conducted in late 1981, were unsuccessful, in spite of heavy lobbying with the State Department and the Department of Commerce facilitated by the Amway Group, owners of Peter Island Hotel. In January 1982 the USA gave notice of unilateral termination of the existing Agreement by July of that year.

The Agreement was then sent by President Carter to the US Senate for ratification. With the election of President Reagan there came a change of policy at the US Treasury. The Treasury withdrew the Treaty from the Senate Foreign Relations Committee, so it was never ratified. Thereafter the USA unilaterally terminated the existing Double Taxation Agreement.



Several meetings were held by leading members of the private sector in the BVI, which was very small at the time, to discuss how to proceed following termination of the Agreement. There was a consensus that there was a need for a very modern corporate law with tax-exempt status in the international market place. A very important meeting was subsequently held at the office of the Financial Secretary chaired by the then Financial Secretary, Kenneth Bain, the then Deputy Financial Secretary, Robert Mathavious, the then Attorney General, the Honourable Lewis S. Hunte, Neville C. Westwood and Richard A Peters of Harney Westwood & Riegels, Noel Barton of Pannell Kerr Foster, McWelling Todman QC and Paul Butler of Sherman & Sterling. An approach towards preparing new corporate legislation was agreed at this meeting. A significant feature was that there would be a second corporate statute for the purpose of retaining and hopefully enhancing what the financial services sector of the economy had to offer whilst retaining the local Companies Act for local businesses and land ownership.

Four persons were directly involved in the drafting process of an International Business Companies Bill. This was led by the then Attorney General, Lewis Hunte, assisted by Neville C. Westwood and Richard A Peters and Paul Butler. After a lengthy and gruelling drafting process a draft Bill was circulated to other senior members of the private sector before being referred back to the Attorney General and Financial Secretary for forwarding to the Minister of Finance and Chief Minister who piloted it through the Legislative Council. The Bill was introduced by Chief Minister and Minister of Finance Cyril Romney and seconded by Leader of the Opposition, H. Lavity Stoutt. It was adopted without amendment by the Legislative Council and supported unanimously by both government and opposition members. It was proclaimed by the then Governor, David Barwick, to become effective on 15 August 1984.

The private sector was directly involved with the drafting of the International Business Companies (Amendment) Act 1988. Thereafter, a Fiscal Advisory Committee comprised of several individuals from the private and public sectors was created. Its members were Robert Mathavious, then Financial Secretary, Chairman, Richard A Peters, Deputy Chairman, Glenroy Forbes, then Deputy Financial Secretary, Gerard St.C Farara, Robin Gaul, Roger Davies, David O'Neal, John Williams, Persia Stoutt and Carvin Malone. A majority of this committee met very frequently (often weekly) in the late 1980s and early 1990s. This committee produced draft Bills which formed the basis of the International Business Companies (Amendment) Act 1990, the Banks and Trust Companies Act, 1990 and the Company Management Act 1990. Draft legislation was circulated widely in the private sector and then forwarded to the Minister of Finance by the very active committee. This committee was also responsible for preparation of regulations and directions for enactment under the regulatory legislation.

The private sector was again directly involved with drafting the Trustee (Amendment) Act 1993, which was a very long ten-year process that had commenced in 1983.

A member of the private sector sat with informal sessions of the Legislative Council in 1988, 1990 and 1993 to review the various Bills referred to above prior to their adoption.

The involvement of the private sector in the legislative process was much less direct during most of the 1990s largely because there was relatively little commercial and financial sector legislation adopted during that period save for the Mutual Funds Act and Insurance Act which were much more specialist in nature. The involvement of the private sector was still substantial in the case of both these Acts but not as direct since Government employed outside draftsmen.

Given the recent international initiatives Government has appointed another Financial Services Legislative Advisory Committee and a number of ad hoc and professional committees have become much more active in the private sector to consider legislative proposals prepared by the Financial Services Department and even to propose draft legislation to the Financial Services

Department for consideration by Government. Given the complexity and internationally sensitive nature of the issues confronting the BVI and the amount of legislation clearly required to be enacted over the next few years, it is anticipated that the cooperation and fairly high level direct involvement of a number of persons in the private sector in the BVI legislative process will continue with respect to financial services matters.



# A REVIEW OF THE ROYAL VIRGIN ISLANDS POLICE FORCE

by Vernon Elroy Malone, QPM, LLB, CPA  
Commissioner of Police

## Introduction

**T**he RVIPF is in pursuit of excellence, professionalism and modernization as it seeks to provide these islands with a higher standard of policing services. The Force became a separate entity on the 27th February 1967. Before that, it was a part of the Leeward Islands Police Force.

During its 33 years existence the RVIPF underwent many adjustments as it responded to social changes and dramatic events and upheavals.

This brief and general review will look at some of the main incidents marking the changes and upheavals that occurred between 1950 - 2000, examine our present and changing environment, and identify some of the various police departments and units and outline their general functions.

It will also look at the progress and accomplishments the force has made over the years and provide some insights into its goals and objectives for the future.

## Major Incidents - Reflections

In its very early years, the RVIPF dealt with several demonstrations, deliberately set fires in the capital and tensions emanating from what is commonly referred to as the "Bate Hill" affair. The local population felt that the "Bate Hill" agreements did not take their best interest into consideration and demanded a rescission of the agreement and a return of the Wickhams Cay and Anegada lands. During this tension filled period, the Police were caught in the middle as they tried to maintain Law and Order.

This period was followed sharply by more difficulties for the Force when local groups used every opportunity to violently attack members of the Force who were almost exclusively recruited from the other Caribbean Islands.

This prompted a public call for a substantial local content within the force. Consequently, in 1972 incentives were introduced by the BVI Government and these helped to attract B V Islanders to the Force. Some of the new recruits were enlisted in the Force on contract initially and trained in the United Kingdom. It would appear that the local presence provided greater tolerance among the youths. The Force has 177 officers and 61 of them are locals.

In 1978 a reprieve was granted to Sylvester Gaston who was convicted and sentenced to hang for the murder of a popular lady in Major Bay, Tortola, BVI. This decision to reprieve was followed by demonstrations in Road Town and again the Police had to use patience, professionalism and common sense to maintain Law and Order.

In 1982 a decision to replace a very popular Caribbean music show on Radio Station ZBVI with non-Caribbean music, and the eventual dismissal of the then General Manager of the station because he allegedly objected to the change, led to instant community action. The radio station was picketed, blockaded and ransacked. Ordinary law abiding citizens took to the streets. Peaceful picketing is legal but the other actions are not. The Police riot squad had to remove the blockaders by force and uphold the law as it is our duty to do, however unpopular.

## **DRUG TRAFFICKING**

The RVIPF continued along its tranquil path until the menace of drug trafficking reached our shores. The BVI has become a favored transit destination for drugs being transported substantially from Latin America to the USA. This is probably the worst set of policing difficulties to ever beset the force and indeed the community as a whole. Our proximity to the United States Virgin Islands and Puerto Rico and the convenience of our many uninhabited islands provide near ideal conditions for drug trafficking.

The basic system used by the Drug traffickers in Latin America and elsewhere is that they develop and utilize local agents here and elsewhere to facilitate and protect their transit activities. Go-fast boats can be observed sailing to locations where drugs have been dropped off to secure this cargo and eventually transport it to the USVI, Puerto Rico , eventually to reach the USA.

Our serious problems begin in earnest when local agents are paid in cash first and later in drugs and /or guns.

Those paid in cash become “suddenly rich” and the young and gullible often see them as successful role models. The implications here are obvious.

Those who receive payments in drugs and guns often develop local markets, and sales are made to your children and my children to hook them into the system. Within a short period addicts are born in the BVI.

Invariably, the new addicts will not have sufficient money to make their purchases and therefore resort to committing serious offences such as robberies, house breaking and larcenies and even murders in order to obtain the necessary funds.

As addicts, they are under compulsion to use drugs and our houses and businesses become obvious targets for stealing. The unscrupulous will purchase these stolen items at an extremely low price and sell them at a profit in the BVI or elsewhere.

## **VIOLENCE**

To survive in this rough environment, the local agents must become tough and ruthless too as is the case overseas where a phenomenon of natural selection of gangsters has already occurred with the cleverest, wickedest, most ruthless and violent gangsters alone surviving. Discipline is vigorously enforced and the killings are often characterized by an identifiable bizarre and frenzy method. Violent crimes will then suddenly increase and the fear of crime within the community will be pervasive. We experienced this horror in the BVI between 1989 - 1994 and again between 1999 - 2000.

## **MONEY LAUNDERING**

The drug trade generates a large amount of cash in the drug traffickers hand and there is a big need for him to have these funds laundered (returned to the banking system) so that he can become involved in legitimate business. The BVIG has passed a number of acts aimed at preventing money laundering and should be applauded for its effort in this direction

With money laundering as with drug trafficking, large serious frauds are possible and there is the potential for both public and private sector officials to become corrupt.



## ECONOMIC CONSEQUENCES

Drug trafficking and its attendant ills have the capacity to destabilize countries and there is much evidence of this in the Caribbean within recent times. Decisions that are to be made in the interest of the country are being made in the interest of the drug trafficker and his activities. Law and Order and the democratic system as we now know it can be distorted out of recognition to the detriment of the country and its inhabitants.

### SUDDEN IMPACT Between 1989-1992

This fairly efficient unarmed Police Force, accustomed to Policing a tranquil tourist paradise, suddenly found itself in a mire of difficulties, produced in the main by drug trafficking, without a sufficient preparedness to meet these challenges. Armed robberies and murders suddenly became common place and the fear of crimes rose dramatically. Police Stations and Police Officers at home and on duty were attacked by armed criminals using automatic weapons. Public confidence in the Police plummeted to an unprecedented level and witnesses to crimes did not see what happened (conveniently). A strategic assessment of the force was characterized, in the main, by the below listed features.

- Good Police/Public relations were almost totally eroded and the gap began to widen every day.
- Training and education for the force was largely elementary and cosmetic and did not treat pertinent Criminal Justice Studies with appropriate seriousness and emphasis.
- The technical, Forensic and scenes of crimes capability of the force was grossly inadequate to cope with these events as were our tactical and public order preparedness.
- Office and barracks accommodation were notoriously inadequate and suffered from gross neglect.

Other infra structural needs such as petrol depots, exhibit rooms, a Police range, interview rooms and others suffered likewise.

My first task was the setting up of a Strategic Plan to address the problems.

### STRATEGIC PLAN

A strategic plan was developed and this provided reference points to guide the process towards achieving set goals and objectives.

These goals and objectives included improved Police/public relations, improved training and education for members of the RVIPF, the scientific development of the Force, improved office and barracks accommodation, improved infra-structural development in Public Order training and resources, the eradication of excessive use of force by the Police, and full respect for the Civil Liberties of the public and the confidentiality needs of the Force.

This Strategic Plan is a dynamic document which is subject to review and change each year, noting the previous years accomplishments.

It is the base reference document for the development process, taking the force forward from the current state towards the future desired state, where legitimate public expectations will be met.

These plans are circulated throughout the force and all officers are required to be conversant with the document and to seek to achieve the goals set in relation to their department.

A 5-year development plan for the RVIPF from year 2000 - 2004 is in the drafting stages.

In response to this challenge, several new departments were established including the 24 hours Immediate Response Unit, the Major Crime Squad, a Criminal Intelligence Unit, the Tourist and Cash Protection Unit and the Station Inspector System.

Intensified Police activities led to a substantial number of important arrests, prosecutions and deportation of known vicious criminals; the confiscation of machine guns and other varieties of firearms plus hundreds of rounds of ammunition; the seizure of motor vehicles, boats, aircrafts and other instruments used in the commission of crimes.

Following these activities, a number of other initiatives were introduced aimed at reducing violent crimes and returning the BVI to its normal tranquil and crime-free status.

- These included the establishment of a two years legal studies course followed by an AA degree in Legal studies at the HLSCC in conjunction with the University of the West Indies.
- A new Police Library to further develop interest in research.
- The equipment needs of the force was addressed and this resulted in the partial computerization of the force (several computers were donated by members of the public), the setting up of a Communications Department with improved equipment, the acquisition of technical equipment such as metal detectors, video cameras, and additional laser guns for the Traffic Department.
- In addition, the Force was sensitized to the need for effective policing through improved Police Public relations, professionalism and respect for the civil liberties of the individual, as was the public in their duty to support the police.

Office and barracks accommodation also saw some improvement.

Morale amongst Police Officers was substantially restored and our detection rate improved dramatically.

In 1992 our detection rate for serious crime stood at 35%, in 1993 it rose sharply to 48.5%; in 1994 it rose again to 52% continued at the 50+%. Our detection rate in 1998 was 61%, and 1999 is 60%.

Our violent crime situation practically ended around 1994 until the first half of 1997 when some seven-armed robberies occurred in the capital, Road Town.

Six of the seven robberies were successfully investigated by the Police, and tranquillity was again restored. We intend to consolidate our crime reduction gains by concentrating our efforts on Crime Prevention activities.

In July of this year, we again experienced an upswing in crime and the Force was mobilized to deal with this problem. Well over \$50,000.00 worth of stolen property have been recovered by the Police and more than one dozen youngsters were arrested. Normality is almost restored.

## RESULTS

Intensified Police activities led to a substantial number of important arrests and successful



prosecution, confiscation of eight firearms which included assault weapons and other varieties of firearms plus dozens of rounds of ammunition, bullet proof vests, night vision equipment, scanners, Police weekly reports and a wide assortment of other articles used in the commission of crimes.

Over 3000 marijuana plants were uprooted and a substantial quantity of marijuana and cocaine were seized. Some thirty nine (39) persons were arrested, charged, and taken before the Court.

Five murders have been committed and four have been detected. The other one is under investigation.

Eighteen (18) robberies have been committed - five of these robberies have been solved, warrants have been issued for suspects in three of the cases, one report was not a true report and nine are under investigation.

There was one attempted murder and that was solved.

There were four (4) attempted robberies; two (2) were solved and two are under investigation.

There were six (6) firearm assault - one has been solved, arrest warrants have been obtained for suspects in four cases and one case is under investigation.

There were eleven (11) major burglaries, ten (10) were solved and one is under investigation.

There were six other serious crimes; four were solved and two are under investigation.

Some 300 motor vehicles and 6 boats were searched by the Police.

Seven loosely organized gangs were identified, penetrated and disrupted, and many of their members have been arrested and charged with serious offenses.

These groups operated from East End, Fahie Hill and surrounding area, Road Town and Cane Garden Bay, Huntums Ghut, Harrigan area, Baughers Bay and Sea Cows Bay

Over the years our success rates have been outstanding and we are quite proud of our achievement here.

Years	Cocaine	Marijuana	Crack	Plants
1993	694.83 kg.	5519.67 kg	3.5 grams	931
1994	456.761 kg	1933.056 kg.	1.1 grams	279
1995	1194.12 kg	235.533 kg.	8.3 grams	1960
1996	1765.13 kg	18.836 kg	23.3 grams	985
1997	838.035 kg	84.7 Kg	2.4 grams	1007
1998	75.01 kg	85.4 Kg	5.30 grams	2229
1999 (up to Oct)	477.37 kg	58.5 Kg	10.2 grams	792

## TRAINING AND EDUCATION

An important objective of the Royal Virgin Islands Police Force, as set out in our strategy Document, is to raise the quality and standard of Police personnel through training and education. We regard this initiative as an important key to improved Police functioning. To this end, we have developed the following four categories of training. It is my hope and intention to set up a proper Criminal Justice Academy within the BVI to provide increased training opportunities for the force particularly in the area of essential Police work such as scenes of crimes investigation, fingerprinting, traffic Law and Traffic Investigation, interviewing techniques and conflict resolution.

1. Firearms and Public Order Training
2. On-going in service training
3. Overseas Training - Professional
4. Tertiary Level Education - Local and overseas

## **FIREARMS & PUBLIC ORDER TRAINING**

Efforts are underway to provide the Police with a suitable out door range and related facilities. The BVIG has identified a suitable site and this would be fully excavated as soon as funds are available. All Police Officers will then be expected to improve their shooting skills to the required standards.

Riot drill exercises and other Public Order Training will continue, and these are essential to the force ability to cope professionally and effectively with internal security problems. A second suitable vehicle to conduct riot drills is needed.

## **OVERSEAS TRAINING - PROFESSIONAL**

Officers of all rank levels are selected for training overseas in a range of Police subjects including Management, Criminal Investigation, Scenes of Crimes Investigation, Traffic Law and investigation, Navigation etc.

It is our goal that every officer posted to a specialist Department will receive an acceptable level of training consistent with the tasks the officer is expected to perform. For examples, all superintendent should attend the overseas command course in Jamaica, all inspectors will attend a Management Course in Barbados while each detective will attend a Criminal Investigation Course usually held in Barbados. We have achieved some success towards meeting this goal and will continue to press for more training opportunities. The last UK Overseas Command Course attended by a RVIPF Officer was in 1995 and we are hoping to achieve some improvement in this area.

## **POLICE LIBRARY**

A Police Library is of critical importance to the operation and development of any Police Force. Our Police Library is now located at the Road Town Police Station and this was established in 1994 and was first located at P.H.Q. Our aim is to build it into a proper research Police Library. A Police Officer investigating a difficult case should be able to research an uncertain point in the Library. Equally, the Police prosecutor should have certain basic text books available to him. A primary duty of any Police Force should be the protection of Civil Liberties while enforcing the Law relentlessly, and a proper Police Library should play an important role here.

We are pleased and proud of our small library and we are thankful to those whose contributions have helped so far. We also extend thanks to the BVI Government for its budgetary support for this initiative.

## **TACTICAL UNIT**

The BVI has no army or national guard. We rely on the tactical unit of the RVIPF to provide this kind of coverage. The function of this unit is primarily the suppression of firearms related incidents in the BVI and the provision of firearm support to other Police Units where this is needed. This unit has played a critical and important role in the fight against Drug Trafficking, firearms related offences, and armed robberies. The Unit's stop and search, and road blocks activities contributed significantly to our marked reduction in violent crimes. This unit should be increased to 18 - 24 men for greater effect.



## **TOURIST AND CASH PROTECTION UNIT**

This new department was established in 1993 and is responsible for the protection of cash being transported to and from banks in the BVI, particularly at night, and the protection of our tourists from crimes and unnecessary harassment. Previously, criminals found it easy to intercept cash on its way to the banks from business places but I am now pleased to say that this strategy has been almost 100% effective.

These officers also patrol hotels at dinner time when guests' room are vulnerable, maintain contact with Security Companies and Taxi Associations, patrol beaches to ensure the safety and comfort of tourists, and escort cash to and from business places between the hours of 6:00 p.m. and 12:00 midnight or such other time as necessary.

This department has been very effective against robberies in particular, as it provides an armed police barrier between the robber and his would-be victim.

## **CRIMINAL INVESTIGATION DEPT - (CID)**

The CID is responsible for the investigation of a variety of serious crimes committed within the BVI including robberies, burglaries, and firearm offences, to name a few. To achieve its tasks, this department is further divided into a number of specialist units and these provide support and assistance to the regular CID and the remainder of the Force. For example, when a serious report is made to any Police Station, the regular CID Office will attend and investigate.

## **FINANCIAL INVESTIGATION DEPARTMENT**

This Unit is responsible for the investigation of White Collar Crime emanating principally from our Off-Shore Finance Sector. The Unit also deals with enquiries of a similar nature originating overseas. The following pieces of legislation are used to assist in the investigation of these matters

### **1. DRUGS TRAFFICKING OFFENCES ACT.**

This main Act used both in the work of the Force Drug Squad to capture drugs traffickers, and by Financial Investigation Unit to discover and confiscate the illegal proceeds of this trade.

### **2. CRIMINAL JUSTICE (INTERNATIONAL COOPERATION)ACT**

All countries who are signatories to the Vienna Convention make use of this Act to assist each other in the investigation of all crimes across international boundaries.

### **3. MUTUAL LEGAL ASSISTANCE ACT**

A Treaty originally signed between the United States of America and the Cayman Islands, this was extended to the British Virgin Islands and is used extensively to combat money laundering.

### **4. PROCEEDS OF CRIMINAL CONDUCT ACT**

A new Act which will allow confiscation of the proceeds of all crimes. Its parallel acts introduced in the UK and Europe.

## 5. CRIMINAL CODE

Introduced on the 1st of September, 1997 this code creates a number of new offences relating to money laundering of funds derived from any crime.

### **FAMILY & JUVENILE DEPARTMENT**

This department reports to the head of CID and is responsible for the investigation of offences committed against children and women, particularly domestic violence offences. The operational CID will investigate all rapes and indecent assault.

It is the duty of the Family and Juvenile to investigate and charge offenders of the Law in the same manner as is done by the other members of the C.I.D. Their social work training and knowledge is to enable them to carry out this function in a more professional manner, given the special sensitivity of the environment involved .

We welcome the New Domestic Violence legislation passed in the BVI in 1996 and the Domestic Violence studies conducted by an overseas consultant. Efforts are being made to further sensitize the entire force to the harmful effects of domestic violence and the need to take firm action against offenders. Prosecution, referral for counseling and advice are tools now being used by the Police.

We are also anxious to cooperate with any department, agency or group whose object is to assist victims - both the batterer, the battered, and the traumatized children in particular. I am very concerned about acts of Domestic Violence within the BVI community and more Police effort will be directed at this problem.

The RVIPF has established its own Domestic Violence Protocol, and the Commissioner of Police has directed the Force to prosecute all such offences, unless advised to the contrary by a Superintendent or above.

The Commissioner of Police hosted a Domestic Violence Seminar on the 26th to 27th October 2000. Some 27 recommendations were submitted to the BVI Government, some of which will be implemented by the RVIPF even before we receive a response from Government

We must protect women and children who are usually the ones being abused. Women who refuse to support a prosecution for no good reason are merely encouraging domestic violence. Let us work together to stamp out this evil from among us.

### **TRAFFIC DEPARTMENT**

Our Traffic Department has two branches; one on Virgin Gorda and the other on Tortola. Over the past five years traffic accidents have been increasing steadily due mainly to careless driving. Motorist are hereby encouraged to employ responsible driving skills when driving. Carelessness is costly. In 1996 alone there were 916 accidents reported to the Police in the BVI. We are now targeting the motoring public through Public Education and we hope that especially young drivers will be reached and positively affected.

### **MARITIME DEPARTMENT**

he Maritime Department comprises two department: The Marine Wing and the Airwing.



Our Marine Wing is involved in anti-drug trafficking activities, preventing illegal aliens from entering the BVI without immigration clearance, rescue missions and the transportation of Police Officers on duty within the BVI.

The airwing plays a supporting role to the Marine Wing and both support the Drug Squad and the Police Force in general.

Two important additional objectives of the Marine Department are to train selected officers as professional divers, and all our captains as licenced captains. These objectives have been largely accomplished and the Officers concerned are now widening their experience.

### **FORENSIC DEPARTMENT (LAB)**

A new Forensic Department has been established in the BVI and became operational on the 1st October, 1997. This is an important support resource to the police detectives, without which they cannot function properly.

Access to DNA identification when blood and body parts are recovered from a scene must become part of our investigative tool. Our community demands the same level of justice that is available in developed countries and this can only be achieved if the capability of the force to deliver is improved.

### **POLICE WELFARE ASSOCIATION**

The PWA Association members are elected from officers of Chief Inspectors rank and below. The Association's responsibilities are laid down in the Police Act and cover a wide assortment of Welfare matters. The association sends flowers and other gifts to sick, injured or hospitalized Police Officers, provide small interest free loans to Officers and operate a Police Canteen on Tortola. We are hoping to have a canteen on Virgin Gorda in the near future.

The Association also provides uniforms and accoutrements, and sponsorship for officers travelling overseas to represent the Force, and the country, in sporting activities such as football, cricket, basketball, darts and domino tournaments. Our teams have been doing very well overseas and we congratulate them on their achievements.

During Police Week the association is active in making preparation for our Police Ball and other social events.

### **POLICE BAND**

The Royal Virgin Islands Police Force has two bands. A marching band comprises six (36) members, half of whom are civilians. On behalf of the force, I wish to thank the civilian members for their steadfast contribution.

Our second band is a small combo and has played at our activities during Police Week on several occasions. It has also played at our annual children Christmas party held formally at the Sir Olva Georges Plaza in Road Town, but now is being held at the Road Town Police Station.

Our big marching band has played at the Queen's Birthday Parade every year since its

formation. It has also played for church marches and other civic activities, free of charge, but small contributions are welcomed.

Most of the instruments used in both bands were donated by members of the Public and I therefore wish to thank the general public most sincerely for their kind generosity and support.

## **BEAT AND PATROL**

There are four Beat & Patrol shifts on Tortola, each headed by a sergeant and they provide foot and mobile patrols to the greater Road Town area. These officers check business places, investigate suspicious persons and behaviour and deal with a wide variety of calls and complaints from the public such as domestic disputes, threatening and indecent language, disturbances, harassment and trespasses, missing persons and articles, etc. They are often the first officers who seek to develop healthy liaisons with members of the public while on patrol duty, and offer crime prevention advice to businesses, parents and children. These smartly dressed and well-briefed officers will normally give useful advice to tourists and residents and generally seek to be good ambassadors for the BVI.

They visit the scene of many incidents, big or small, and they have the primary and important duty of preserving the scene until the arrival of the detectives, if it is not a matter that they will be expected to fully investigate themselves. They investigate several thousand minor offences yearly.

## **COMPLAINTS AND DISCIPLINE**

The Commissioner of Police is the disciplinary authority for the Royal Virgin Islands Police Force and he has delegated various responsibilities relating to complaints and discipline to the Deputy Commissioner of Police who is directly responsible to the Commissioner of Police for the overall investigation and management of discipline and complaint matters including those alleging criminal offences.

The investigation of Complaints against the Police from members of the public is a matter of great importance and often of considerable difficulty, and all investigations must be conducted efficiently, effectively, thoroughly and fairly in respect of both the Complainant and the Police if public confidence in the impartiality of complaint investigations is to be maintained and further improve.

## **BUILDINGS & OTHER INFRASTRUCTURE**

The expansion of the Royal Virgin Islands Police Force fuelled by increasing demands led to a chronic shortage of office and barracks accommodation, and existing buildings were dilapidated. A number of other infra-structural needs were absent or inadequate.

In 1994 the BVI Government provided the Plaza Building on the waterfront to house Police Headquarters. Later, funds were made available by BVI Government & Her Majesty's Government to add a number of office rooms and to refurbish some of the old areas at Road Town Police Station. Following this Her Majesty's Government made additional funds available to add



office space and refurbish a substantial part of the old Road Town Police Station.

Presently, new barracks, funded by Her Majesty's Government and the BVI Government, are being constructed at the Road Town Police Station and we are hopeful that these will be handed over soon.

During the last five years, three petrol bulk stations were installed, one at Road Town Police Station, one at Virgin Gorda Police Station and the other at the Marine Base.

Our additional building needs include a new purpose-built Police Headquarters building, a larger and better equipped Police Station to serve the East End/Long Look districts; an adequate Police Station on Jost Van Dyke and Anegada; a building to house the Royal Virgin Islands Police Force bands; a better equipped Police garage and improved Public Order facilities.

The BVI Government has made funds available for the refurbishment of the Virgin Gorda Police Station in the Valley Virgin Gorda, and plans are in place for the construction of a proper outdoor Police range on Tortola.

Arrangements are also being made for the refitting of a seized boat to be used by the Police in its anti-drug trafficking efforts.

## **THE RVIPF IN SEARCH OF EXCELLENCE POLICING STANDARDS INTRODUCED**

The Royal Virgin Islands Police Force provides a 24-hour emergency response service from all major police stations to resolve matters of conflict and trauma and to give advice, assistance and information to members of the public. In an effort to improve this service and meet the legitimate expectations of the public, the following Policing Standards have been introduced. They are to be strictly observed by all members of the RVIPF.

- Answer calls to our Station Orderlies within 15 seconds, 90% of the time.
- Arrive at urgent incidents within 15 minutes, 85% of the time.
- To respond to letters from the public within 10 working days, 90% of the time
- To mail status reports to the complainant within 15 working days, 80% of the time.
- To complete the investigation and trial of all disciplinary matters within 90 days, 90% of the time.
- To do our utmost to leave our customers with a good impression of the service received, i.e. (No legitimate reason for complaint) 80% of the time.
- To act courteously and professionally towards members of the public and fellow officers, 90% of the time.
- To improve our emergency response to incidents.

## **CONCLUSION**

The RVIPF continues to look to the future with confidence as it seeks to meet the legitimate expectations of the public.

*Editorial Note:*

*Because of space constraints, this article is a substantially reduced version of that originally made available by the Commissioner of Police*



# Development of Air Transportation in the BVI as reflected on local stamps and postal history

By Giorgio Migliavacca©

The early age of commercial air transportation in the British Virgin Islands dates back to the 1950s when the Territory re-gained its Constitutional Rule and the elected representatives of the newly restored Legislative Council focused on ways to boost the local economy. At the time agriculture and fishing had serious problems such as soil erosion and depletion of the fish population, and the only alternative was to develop a tourism industry. It was apparent that transportation would have to play a major role, and although air transportation was more a dream than a reality there was enough foresight, and air operations at Beef Island began there on a dirt strip sometime during the 1950s



**De La Rue proof for the 25c of the 1964 definitive. This design was rejected because it shows non-existent airport infrastructure in the background. [Photo courtesy of the British Library Philatelic Collections®, Crown Agents Archives, by kind permission]**

The early landings of planes at Beef Island must have been something that local folk would talk about for weeks afterwards. In 1957 the administration decided to clear more land and improve the airfield to accommodate



**The approved and issued design of this 1964 definitive showing the Beef Island airfield without any building or structure in the background**

light aircraft. Later - on a once weekly schedule - LIAT (Leeward Islands Air Transport) commenced regular commercial flights from Antigua to Beef Island using the Twin Bonanza type aircraft. This meant the introduction of air traffic control and fire services; in fact Corbett Wheatley and the current Director of Civil Aviation, Milton Creque were the Territory's first fully qualified air traffic controllers. Meanwhile, in 1966, during her first visit, Her Majesty Queen Elizabeth II inaugurated a bridge named after Her Majesty and linking the capital island of Tortola with Beef Island. An air strip had also been created in 1965 in Virgin Gorda, to facilitate the development of the Rockefeller's grand scale tourist resort at Little Dix Bay.

With a few hotels and a yachting industry in its infancy, the British Virgin Islands were ready for a commercial airport that would facilitate the influx of rich tourists who could afford the comfort and speed of air travel. In 1966 experts from the Royal Engineers examined the airstrips in Beef Island, Anegada and Virgin Gorda and a detailed report was submitted to the authorities.

In 1967 the Territory was blessed with a





The top denomination of the 1968 set celebrating the opening of the Beef Island Airport featured the badge of the Royal Engineers and paid homage to their hard work and dedication

New Constitution and more autonomy through the introduction of a Ministerial System. This development gave impetus to the local economy and interestingly enough, the very first air show was held on 2 December 1967.

Between spring 1968 and early 1969 the runway at Beef Island was extended and paved, and in due course the same was done

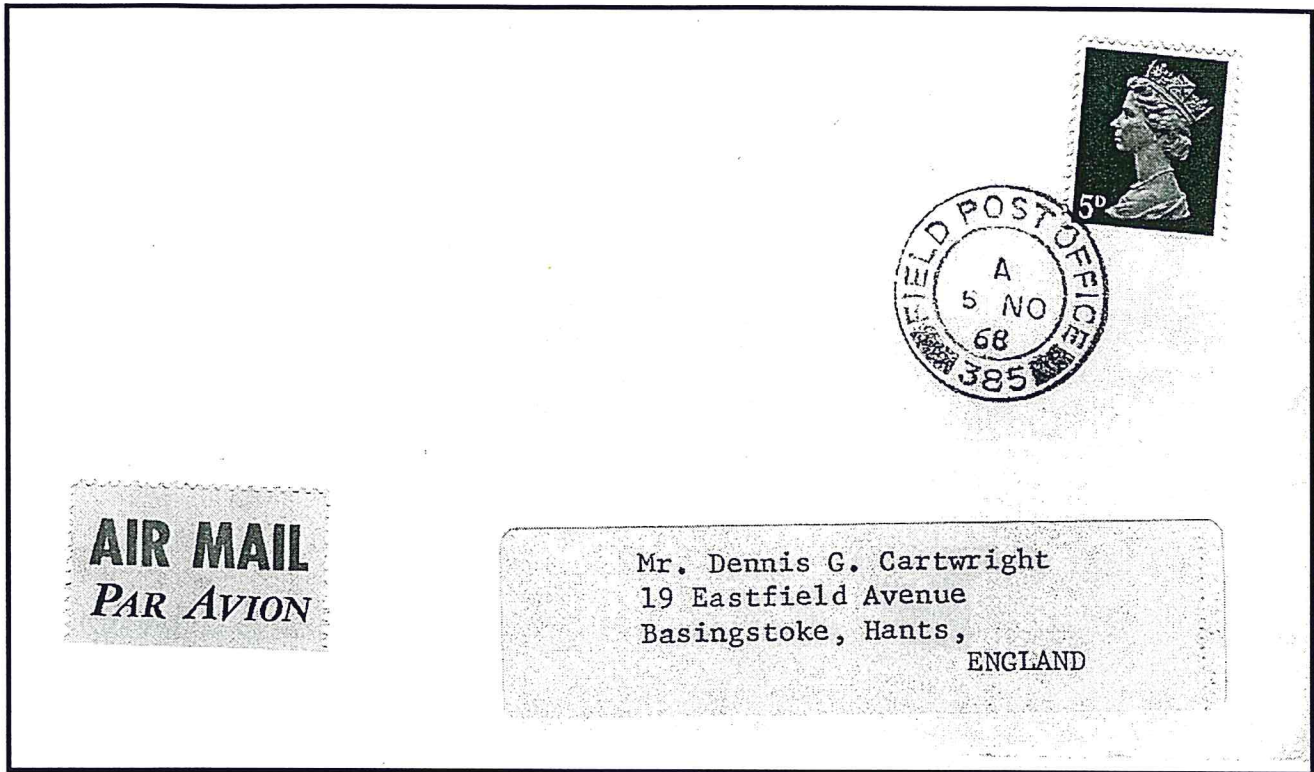
on Anegada for the modest air strip that served the northernmost island of the archipelago. The Beef Island runway was extended from 1800 ft. to 3600 ft. to accommodate Avro 748, 48 seat turbo prop aircraft, and the airport itself was officially inaugurated on 12 April 1969.

The Beef Island airfield expansion was made possible through a massive military operation by members of the British Army. One hundred-and-fifty officers and men of the 53 Field Squadron (Airfields), Royal Engineers, were stationed at Beef Island and carried out the bulk of the infrastructural development. They had arrived here on or about 10 March 1968 and a week later work began under the supervision of their commander, Major Nigel Clifford. Over fifty pieces of heavy equipment and thirty vehicles had been landed at Beef Island by a Royal Navy ship, and additionally some twenty local labourers assisted in the project. The US\$500,000.00 project was financed from a loan of the British Government that was duly re-paid by the BVI Government.



Memorial stone at Beef Island Airport honouring the achievements of the Royal Engineers in the BVI (photo by Marge Doran<sup>©</sup>)





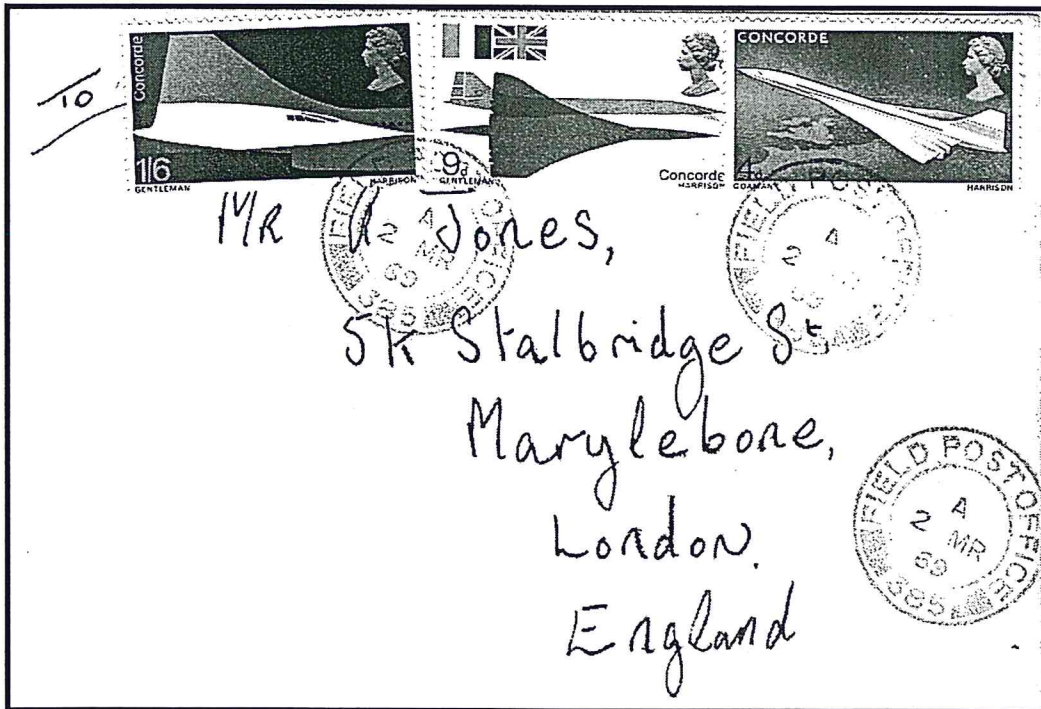
5 November 1968 - Air mail cover from Beef Island to England with a 5d definitive stamp of Great Britain cancelled by the FIELD POST OFFICE - A - 385 postmark

The Royal Engineers Unit had their own postal communications facility, a British Field Post Office with a specific number assigned to it. In this case it was Field Post Office

(F.P.O.) 385.

Under normal circumstances F.P.O.'s are located at some distance from civil postal facilities, but the situation was quite different

in the BVI, and the military personnel at Beef Island had regular access to the main island and the General Post Office in Road Town. The Royal Engineers were quite aware of the convenience of sending letters by air mail via the local G.P.O. with attractive BVI postage stamps on them, instead of the more familiar British stamps required by F.P.O.s.



2 March 1969 -- Air mail cover from Beef Island to England with three "Concorde" commemorative stamps of Great Britain cancelled by the FIELD POST OFFICE - A - 385 postmark





May 1975: one the features of the newly opened airport terminal was the tickets and reservations counter of the local airline, Air BVI: (l to r) Shirley Penn, Eunice Thomas, and Celia Pickering (Photo courtesy of Vernon Pickering<sup>©</sup>)

Field Post Office 385 ceased operating in the British Virgin Islands in the spring of 1969 when most of the Royal Engineers left the Territory after completing the project.

Nevertheless the philatelic aspect does not end here; a set of four commemorative stamps (S.G. 228-31) was issued on 16 December 1968 to mark the opening of the Beef Island Airport. Although the actual ceremony took place four months later the stamps were duly issued; three denominations depict airplanes (2c. DHC 6 Twin Otter owned by LIAT connecting Antigua and BVI on Sundays and Thursdays; 10c. Hawker Siddley 748 also part of the LIAT fleet and serving the BVI after the commissioning of the runway; and 25c. depicting an Hawker Siddley Heron owned by Prinair and operating between BVI, USVI and Puerto Rico). Embellishing the top denomination of this colourful set is the badge of the Royal Engineers - a fitting tribute for their hard and dedicated work.

It is also interesting to note that this was

not the first time Royal Engineers had carried out works in the Virgin Islands; in fact they had been here before in the mid-1790s to provide support to British Military Forces stationed in the colony. The Royal Engineers supervised the construction of permanent fortifications and military structures such as Fort Charlotte, Fort Burt, Fort Shirley, Fort George, and Pockwood Point Fort (better known as the Dungeon) on Tortola.

On 14 April 1969 the Puerto Rico airline, Prinair was to inaugurate a daily service between San Juan and Beef Island.

Another significant development in air communications took place on 1st July 1972 when local carrier Air BVI began a scheduled service between San Juan, Puerto Rico and Tortola. By 1975 the airline had become well established and acquired four airplanes for short-haul work between the small islands. With passenger traffic on the increase, the local airline ventured into adding larger aircraft to its fleet, and in January 1976 the first of five DC-3's was acquired by Air BVI.



These 1982 stamps feature planes of the Air BVI fleet as they land or take off from Beef Island Airport, the 75c. denomination depicts a typical Beef Island Airport runway scene





Four stamps of the 1985 issue commemorating the 85th Birthday of H.R.H. The Queen Mother were overprinted to mark the inaugural flight of the short-lived direct air link between Beef Island and Miami. One of the two se-tenant pairs making up the set is shown here tied by the special postmark for the inaugural flight.

In May 1975 the Beef Island airport terminal building was opened, and a control tower and lighting of the airfield were added to the airport. During the early 1980s the facility was further improved with the extension of the arrival and departure halls. The Territory's air communications benefitted from these improvements, with regular connections with Britain and Europe via Antigua by LIAT and Air BVI as well as connections to North America by various airlines, via St. Thomas and Puerto Rico. All of these services brought more tourists to these magnificent islands.

In 1982 Air BVI celebrated its 10th anniversary and the postal authorities issued a set of four stamps on 10 September. They are interesting not only because they depict the fleet of the local air carrier, but three denominations feature airplane flying over Beef Island, with the 75c. actually showing a runway scene (S.G. 492-495)

In the mid-1980s safety equipment, an aircraft maintenance and refueling area and improved taxi parking area further enhanced

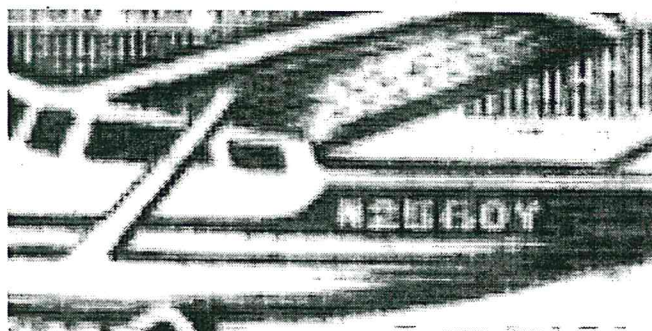
the airport. In 1989 the runway was resurfaced.

The BVI Civil Aviation Authority operated under the Directorate of Civil Aviation in Antigua until 1984 when the Territory was to establish its own Directorate of Civil Aviation.

A new non-stop daily passenger service direct from Miami, Florida to Beef Island by BAe 146 was introduced on 17 April 1986. This was operated by British Caribbean Airways, and after some initial enthusiasm there was not enough business to sustain the scheduled flights and in a few months the service was discontinued. The inaugural flight Miami-Tortola was commemorated by a special set of overprinted stamps consisting of two se-tenant pairs of the 25c and 75c denominations of the series issued a year



During the 1960s and up to the 1980s seaplanes from St. Thomas, provided a useful air link between the British and U.S. Virgin Islands. They usually landed at Soper's Hole, West End, Tortola, as depicted in this 1964 definitive stamp.



The original design submitted by Crown Agents to the Colonial Office had the number of the seaplane wrong. The printers, De La Rue, then corrected the mistake (N2580Y) and the issued stamp, shown here, had the right number, N2560Y





The 1988 Royal Visit of H.R.H. Princess Alexandra was commemorated by a set of stamps and a miniature sheet. The latter, shown here, depicted the aircraft that took the Princess on her Caribbean tour and in the background there is an island that could well be Beef Island

earlier to commemorate the 85th Birthday of H.R.H. The Queen Mother. The overprint was placed so, as not to interfere with the royal image and read "MIAMI" sideways, "B.V.I." sideways inverted and "INAUGURAL FLIGHT" horizontally, above the country name tablet.

A special cancellation was used to mark the inaugural flight and this has probably greater relevance than the postage stamps themselves because it depicts the mini-jet used for this flight and it reads "MIAMI U.S.A. - BEEF ISLAND B.V.I. INAUGURAL FLIGHT". Special, cacheted cover of the inaugural flight exist and although marketed as First Day Covers they actually were flown from Miami to Beef Island on the inaugural flight. As such are scarce first flight philatelic souvenirs since only a couple of hundred were flown.

To give a clearer picture of the magnitude of the economic development of these islands, suffice it to say that aircraft arrivals at Beef Islands have gone from about 50 in 1959 to close to 11,000 in 1999. As I write these notes

(November 2000,) some massive infrastructural developments are underway on Beef Island: a larger bridge will replace the old Q.E. II Bridge connecting Tortola to Beef Islands and a multi-\$million airport expansion is expected to be completed by 2001. This is to include expansion and upgrading of the runway and a modern and larger air terminal with various amenities and state-of-the-art technology. The airport is also to be called the Terrence B. Lettsome International Airport in honour of former member of the Legislative Council and Minister of Government (1967-71, 1979-83 and 1990-1998).

Stamps featuring air transportation in the BVI include also a \$2 miniature sheet issued in 1988 to mark the visit of Princess Alexandra (S.G. 691). The background of this miniature sheet depicts the aircraft that took Her Royal Highness on her Caribbean tour and in the background is an

island that could well be Beef Island. The 35c stamp (S.G. 676) issued a few months earlier for the First BVI Open Chess Tournament shows a De Havilland D.H.C.5 as it prepares to land at Beef Island.

As a footnote to this overview of air transportation through stamps and postal history, there remains a question as to whether F.P.O. 385 was the only military post office that ever operated in the BVI. British postage stamps had been used before in the Virgin Islands — first in the late 1850s, before a postal reform that transferred the administration of the Tortola Post Office to local authorities. This was followed, in 1866, by the introduction of local postage stamps; and then there have been several instances of "Paquebot" mail bearing British postage stamps and actually posted while the ship was in BVI waters.

Official records seem to indicate that another assistance project exercise was carried out in the BVI between 19 January-22 February 1978. The return address of the





Although the topic was chess, this 1988 stamp prominently features an aircraft as it prepares to land at Beef Island.

personnel was B.F.P.O. 622, and the mail was postmarked F.P.O. 148.

To complete this overview of air transportation, mention must be made that a seaplane service between St. Thomas (US Virgin Islands) and Tortola has been in place for quite some time and although not always with regularity this air link was quite popular during the infancy of the tourism industry in the BVI. Landings would typically take place at Soper's Hole, West End, Tortola. Antilles Airboat made its first flight to the BVI on 1st February 1966. Captain Charles F. Blair, founder of this airline, was well known as one of the world's foremost flying boat experts. The term seaplane includes the flying boat which uses only water for runway, and the amphibian which uses either land or water.

The scene of the landing of a seaplane at Soper's Hole has been captured by an early



This 1983 Bicentenary of Manned Flight stamp depicts an Antilles Airboat landing at Soper's Hole

definitive stamp of Queen Elizabeth II issued by the Virgin Islands in 1964 (S.G. 179). The choice of this subject caused a minor glitch and the proof of the 2c. stamp was rejected by the Colonial Office and the Crown Agent had to ask the designer to change the aircraft number from N2580Y to N2560Y.

A Grumman Goose G-21 Amphibian airboat landing at Soper's Hole is featured on a 10c stamp (S.G. 513) part of of a 1983 set celebrating the 200th Anniversary of Manned Flight.



The 60c denomination (S.G. 515) of the 1983 Bicentenary of Manned Flight set depicts an Embraer 110 Bandeirante aircraft of the LIAT fleet taking off from Beef Island Airport. The runway is prominent in the background

In its early stages, some inaccuracies afflicted the design of the 25c. denomination (S.G. 188) in the 1964 definitive series. In fact, the stamp depicts the Beef Island airfield with a small plane landing on it. The original design had also been rejected by the competent authorities because for some unknown reason the design included what looks like airport structures and a terminal which was not in place yet in 1964. Of course, the issued stamp shows no such structures. It goes without saying that just about all the airplanes depicted on stamps mentioned here carried and still carry mail to and from the BVI.

And last but not least, Beef Island is so named because throughout the 1700s and early 1800s the sailing packets from Falmouth, England, called there at Banana Wharf Bay. Beef cattle to graze and fatten up, were landed so that on the return journey fresh supplies of meat could be collected.



## A Half Century of Change

In the British Virgin Islands in 1950, agriculture and fisheries were the twin pillars of a subsistence-based economy. The environment was pristine and there was a strong natural resource base. Today in 2000, tourism and offshore finance are the twin pillars of a service-based economy. Our environment is threatened, and the natural resource base has been impacted; primarily by the high levels of rapid development that have taken place.

Over the past fifty years, infrastructure development has significantly impacted the natural environment of the British Virgin Islands. It is of interest to note that the responsibility for infrastructure development is confined to the Ministry of Communication and Works, while environmental matters are spread across all ministries with the Ministry of Natural Resources and Labour having the leading role.

High profile easily visible environmental changes caused by road infrastructure development include the destruction and subsequent reclamation of coastal mangroves, ponds and swamps on Tortola, Virgin Gorda and Jost Van Dyke. Fifty years ago there were over three dozen mangrove areas in the BVI. Today there are only about one dozen pristine mangrove areas remaining in the Territory. East End, West End, Sea Cows Bay, Pockwood Pond and Road Town are hard to recognize when comparing 1950 and 2000 photographs. The centre of our capital expansion in Road Town, Wickhams Cay I and Wickhams Cay II is reclaimed. Less visible but still serious impacts from road development include: altering ghuts and watercourses, impact to watershed areas from clearing, road cutting, landslides and erosion. Port development on the four major islands entailed some level of dredging and reclamation. Airport development on Virgin Gorda and Tortola also entailed some dredging and reclamation activities. Communications, electricity, and water and sewage development have also presented their levels of environmental impact which include: air pollution, oil pollution, clearing and trenching for the running of lines, planting of poles and laying of pipes, erosion, sedimentation and water quality degradation. In summary, the environmental impacts of our infrastructure development can be categorized as air pollution, oil pollution, marine water quality degradation, sedimentation, erosion, habitat destruction and degradation.

Infrastructure development is both necessary and inevitable in any modern developing country. The goal of any responsible government has always been to minimize the environmental impact of these activities while maximizing the benefits to the population. Globally, every decade since 1950 the issue of the environment, environmental awareness, natural resource management, biodiversity conservation, sustainable development, and the economics of the environment have increased in importance. The lessons of our mistakes made, and the advances in science and technology have given us a better understanding and appreciation of the fragility and interconnectedness of our environment. Here in the BVI there is local conformity to the international trend.

The legislative record will show that as infrastructure development progressed, laws to guide and control these activities and protect the environment were drafted, debated and passed. Statutory boards, units, and departments were then established to administer these laws and regulations. The Public Works Department, the BVI Electricity Corporation Office, the BVI Port



Authority and the Water and Sewage Department were established in the Ministry of Communication and Works. The Town and Country Planning Office was established in the Office of the Chief Minister. The Environmental Health Unit and the Solid Waste Division were established in the Ministry of Health and Welfare. In 1984 the Conservation Office was established in the Ministry of Natural Resources, and in 1985 the National Parks Trust Office was established at Fishlock Road. The Agriculture Department, the Survey Department, and in 1990 the Conservation and Fisheries Department were established in the Ministry of Natural Resources and Labour. Appendix I lists the infrastructure, environmental and related legislation passed over the last fifty years.

During the last ten years the BVI has been represented at a number of important regional and international environment meetings and conferences. These included: the 1992 United Nations Conference on Environment and Development (Agenda 21) in Rio De Janeiro, the United Nations Conference on Sustainable Development in Small Island States (SIDS) in 1994 in Barbados, the Organization of Eastern Caribbean States, Natural Resources Management Unit Annual Technical Advisory Committee Meeting (OECS NRMU TAC) in 1994, 1995, and 1996, the OECS Ministers of the Environment Annual Environment Policy Committee Meeting (OECS EPC) in 1997, 1998, 1999, and 2000, the United Nations 7th Meeting of the Contracting Parties of the Ramsar Convention in 1999, and the United Kingdom Overseas Territories Conference on the Environment in 1999.

As a result of our relationship as an Overseas Territory, we are a party to a number of international environmental legislations, which are known as conventions, treaties and agreements. These are listed in Appendix II. In addition there have also been a few United Kingdom environmental imperial legislations, which by extension are law in the BVI. Although the Legislative Council has no input into the international agreements or the imperial legislation, they do have an important role to play as both types of legislation requires local enabling legislation before they can be implemented and enforced.

Sometimes new legislation or amendments to existing ordinances have been drafted but have not been tabled in the Legislative Council. While time did not permit me to explore these, I think that this should be researched further. One unique and interesting Bill was the 1991 Coast Conservation Bill, which was tabled in the Legislative Council where it had two readings and was withdrawn by Government. This is rather rare in terms of a Bill being withdrawn after two readings. It should be noted that this same Bill has been adopted by the OECS and passed in other member states. To their credit, however, since 1995 the BVI Government has been blazing the trail, working on the formulation and implementation of a National Integrated Development Strategy. In this strategy the environment is recognized as a global factor and is treated 'pari passu' with other components of development. Under this strategy it is recommended that the present sectorial, fragmented, management of the environment be replaced with integrated management. It calls for the restructuring and renaming of the Ministry of Natural Resources and Labour to the Ministry of the Environment, and the Conservation & Fisheries Department to the Department of the Environment. It also recommends that the present fragmented environmental legislation is revised and consolidated into new comprehensive legislation, regulations and guidelines. The Legislative Council will have a key role to play in ensuring the implementation of our National Integrated Development Strategy, as this will require new legislation to be passed. The OECS is now adapting the integrated development strategy as the foundation principle of their regional environmental management strategy, and encouraging member states to develop their national integrated development strategies.

The construction of the airport terminal and runway extension at Beef Island is the largest



government project to date. It is the first project to receive this level of environmental concern and control. A full environmental impact assessment was carried out, an Airport Project Environmental Management Plan (EMP) was developed, and an Environment Management Committee has been appointed to implement and monitor compliance of the EMP. This is a positive step and a good precedent and indicator for Environmental Management of infrastructure development in the BVI for the 21st century.

**Ordinance**

<b>Infrastructure</b>
Road Amendment: 1952, 1959, 1963, 1984
Harbour and Wharfs: 1954, 1982
Electricity, Ice and Cold Storage: 1959
Land Development: 1966, 1968, 1969, 1978
V.I. Constitution Elementary Amendment: 1967
Electricity: 1971
Land Surveyors: 1970
Wickhams Cay Development Authority: 1975
Mining Ordinance
Tourist Board: 1983
Ports and Marine Services: 1985
BVI Port Authority Act: 1990
<b>Environment</b>
Wild Birds Protection Amendment: 1952
Wild Birds Protection Amendment: 1953, 1960
Turtle Protection: 1959
Beach Protection: 1960, 1985
National Parks 1961, 1978
Public Health: 1969
Ground Water: 1973
Endangered Animals and Plants: 1976, 1981
Marine Parks and Protected Areas: 1979
Fisheries: 1987, 1981, 1996

<b>Ordinance</b>	<b>Chapter</b>
Fisheries .....	.84
Plant Protection .....	.85
Protection of Trees and Conservation of Soil and Water .....	.86
Turtles .....	.87
Animals (importation and diseases) .....	.88
Endangered Animals and Plants .....	.89
Fumigation .....	.90
Mangrove (protection) .....	.91
Pigeons .....	.92
Plant Protection .....	.93
Protection of Animals .....	.94
Protection of Endangered Animals and Plants (removal and possession) .....	.95
Wild Bird Protection .....	.96
Aerodromes .....	.103
Harbour and Wharfs .....	.122
Petroleum .....	.128
Development Laws (United Kingdom Government) .....	.142
Electricity Extension Local Law .....	.143
European Development .....	.144
Government Project Development Law .....	.147
Minerals (vestry) .....	.149
Mining .....	.150
Petroleum mining .....	.151
Radioactive Minerals .....	.152
Water Supply .....	.153
Telecommunications .....	.164
Telecommunications .....	.171
Public Health .....	.194
Road .....	.197
Colony Survey Ordinance .....	.214
Land Survey Ordinance .....	.215
Road Ordinance .....	.217
Government Salt Ponds .....	.218
Beach Protection Ordinance .....	.233
Land Development (control) Ordinance .....	.241
NPT Ordinance .....	.243
Ports and Marine Service Ordinance .....	.260
BVI Electricity Corporation Ordinance .....	.277
Tourist Board Ordinance .....	.280
Wickhams Cay development Authority Ordinance .....	.281

# A BRIEF ACCOUNT OF EDUCATIONAL GROWTH 1950-2000

---

by Charles Wheatley, PhD.

**T**his short article attempts to examine the British Virgin Islands Legislature's achievements in providing education for British, Virgin Islanders during the period 1950-2000. Before I go too far I wish to claim a waiver. It is impossible to analyse these developments in depth in an article of this length. However, I must aim to give a balanced treatment of the subject. In an effort to achieve this balance I will organize the article to reflect a journey through the education database for the period under review. I will click on 1950 as the journey begins to assess the state of education, then make five additional clicks on 1960, 1970, 1980 1990 and 2000 respectively. The information available will be examined through four lenses as follows:

- the relationship between education and economic growth;
- the degree of access to all levels of education
- the social impact of education on the territory;
- the conditions of the teaching service;.

In 1950 when the Legislative Council was reinstated, education in the territory (then a Presidency of the Leeward Islands) was organised and managed under the Leeward Islands Elementary Education Act 1925 and the Virgin Islands Rules and Regulations, 1926 prescribed under the Act. The denominational schools managed by the ministers of religion and financed by government grants existed alongside the public schools. This dual system was administered by a Supervisor of Education who was secretary to the advising Board of Education which was chaired by the Commissioner. New teachers were trained but the majority of persons employed were pupil teachers who worked in the twelve (12) primary schools in the Territory. The only Secondary School the Virgin Islands Secondary School had an enrolment of fifty-nine (59) students against an enrollment of 1525 Primary school students. The expenditure on primary education was \$9396. The newly elected legislators inherited a system of education which provided opportunities that would enable any student to reach Standard Seven. This was the most common qualification at this stage of development. The reinstated Legislature was charged with the responsibility of educating British Virgin Islanders who would replace the civil servants and teachers from other Presidencies within the Leeward Islands Federation.

At our next meeting click on 1960. We will examine what the database tells us. On the 1960 screen the information shows that the Legislature had effected several changes in education. Changes in the legal bases of education included the Education Act of 1955 (No 11 of 1955) which brought education under greater government management through the restructuring of the Board of Education and the appointment of an education officer. This Act also made provisions for gratuities and pensions for primary school teachers, established a Primary School Commission 'to appoint, transfer and dismiss teachers' and to ensure that the conditions of service for teachers were comparable to the civil service. In 1959 the Statutory Rules and Orders (No. 30 of 1959) for Secondary, Primary and Community Schools superseded the 1926 regulations and were to remain in effect for two decades. In 1960 "the Primary Schools Commission promulgated General Orders



(statutory rules and orders No 10 of 1960) setting out conditions of service for Primary Schools Teachers (British Virgin Islands, (HMO 1959-1960). The statistics show that 2122 and 124 students were enrolled in Primary and Secondary education respectively with seventy-two (72) teachers employed in Primary Schools and nine in Secondary Schools. The cost of Primary education was \$63,775 and Secondary education \$17,474. 1960 is an important milestone because in that year the government reorganised Primary education and introduced new curricula which was the basis for current curricula. The all age elementary school came to an end and the Primary School as we know it at the beginning of the 21st century was born. These changes in education reflect the thinking of the government in preparing the British Virgin Islands to move from a predominantly agricultural to a mixed economy. The decision to remain outside the West Indies Federation signalled this thinking. The government's decision to go into tourism was a significant move and the educational developments would henceforth be designed to support economic growth. There are other exciting changes but the time is up to move with the next click on 1970.

Ten years later education had moved to a new level. During the 1960's enrolment in Secondary education increased significantly. 1815 students were registered in Primary Schools at the end of the year and 908 in Secondary education. The introduction of the Post Primary departments attached to Primary Schools in 1961 provided a Junior Secondary education and the new British Virgin Islands High School, 1968, meant that more students had access to secondary education. In 1960 only 124 students had access to Secondary education but in 1970 that number had increased to 908 with 788 enrolled in the new High School and 120 in Post Primary Departments. The introduction of ministerial government in 1967 proved very supportive of education, which became a subject in one of the ministerial portfolios. It is important to note that the annual cost of education increased to \$327, 549 for Primary, \$217,739 for Secondary and \$199,760 for tertiary education. Teacher education continued to increase throughout the decade and in 1970 there were 21 teachers studying abroad. The increase in teacher education coupled with the new salaries in 1969 gave teachers a greater sense of security and encouragement to remain in the teaching service. I would like to examine some more of the developments in education but I must click on 1980 and move on.

On this and subsequent clicks I would like to draw your attention to new developments. A new Education Act. No.21 of 1977 incorporated previous Acts and made provision for an expanded Department of Education. Eight years earlier the Government signed the agreement establishing the Caribbean Examinations Council. The first examinations replacing the British General Certificate of Education was held in 1979. This move provided opportunities for the incorporation/integration of more Caribbean content in the curriculum, thus enabling students to learn more about their heritage as well as preparing them better for employment and tertiary education. These developments were accompanied by increases in the cost of education as reflected in these following figures: Administration \$924,470, Primary Education \$732,488, Secondary Education \$692,119 and Further Education \$5,000. As I am about to click on 1990 I noticed that the 1980 Primary education enrollment was 2223 students and 108 teachers, Secondary education 841 and 72 and teachers and other changes and development in the decade of the seventies but 1990 is already on display.

This year began with the opening of the H. Lavity Stoutt Community College .

On January 14, 1990 the territory was filled with excitement, curiosity, enthusiasm and hope, that the establishment of a Community College was a visionary and timely decision. There was also opposition, fear and doubt that the territory was not ready for such an investment.

- the College was a new dawn for affordable tertiary education in the Territory;
- the opening of the College represented the beginning of an educational highway where

individuals of any age, gender, race, ethnicity, with diverse aptitudes and abilities could meet for a variety of interactive educational and cultural experiences;

- it was an investment in the education of future generations;
- this institution provided an open forum for addressing social issues that affect the whole population;
- the College is a symbol of freedom and liberation for all marginalised groups in the society;
- the establishment of this College provided an opportunity for contributing meaningfully to the development of a national identity;
- it has become a centre for nourishing the economic development of the territory;
- at the same time the establishment of the College created an instrument capable of participating in the international movement of global development.

In 2000 we celebrate the achievements of the past ten years and affirm our resolve to ensure that the H. Lavity Stoutt Community College continues to strive for excellence in all its endeavours. Our motto for the future is “Excellence through Opportunities”. The College accepts the challenges for creating opportunities for students and interested citizens to achieve their identified college goals and to engage in the battle to improve the quality of life for everyone.

The opening was the culmination of almost a decade of discussions and during the next decade proved to be a very significant milestone in the development of education. This is evident in the increased enrollment at all levels of education and the increase in the financial outlay on education. The expenditure on tertiary education helped to prepare students for the Financial Services industry which was to grow by leaps and bounds in the nineties. In the year 2000 the education screen shows educational efforts designed to meet the challenges of E-commerce, globalization, environmental degradation, social upheavals, national status and many more.

The golden jubilee of the Legislature can record with pride that education has been recognised as one of the main pillars of national development. The Legislature of the future must now translate this recognition into greater action. It should aim at increasing the resources for education to meet the growing challenges of the 21st century. If people are well educated they will perform well in life. People who are under educated may stumble through life but never achieve their full potential. May the Legislature of 2000 and beyond go down in history for providing free access for all nationals of the BVI to education commensurate with their ages, aptitudes and abilities.

#### *REFERENCES*

Annual Territorial Education Reports	1950	1960	1970	1980
British Virgin Islands (HMO)	1959	and	1960	
British Virgin Islands (HMO)	1970			
Education Acts 1955, 1977				
Statutory Rules and Regulations	1959			



# SOCIAL DEVELOPMENT 1950-2000

---

by Eugenie Todman-Smith

his article is concerned with the social development which took place in the Virgin Islands since the restoration of the sitting of the Legislative Council in the Virgin Islands in 1950.

It will be recalled that after 1902, the Council, then part of the Legislative Council of the Leeward Islands Colony, met in Antigua where the Governor resided and the member representing the Virgin Islands was obliged to make the jaunt there to attend meetings.

Social Development would normally include health, education and welfare. However, as the first two are the subjects of other papers, this paper is limited to the development of social welfare services which have been established since 1950 when the Council was again able to sit here in the Virgin Islands.

Social services anywhere develop in response to basic human need for food, clothing and shelter. As these needs are met, other needs demand attention. Moreover, the solution of one need may cause another need to surface; for example, as life expectancy increases due to the result of improved health services, an increase in the number of persons who live to an old age, creates the need for social services for the care of the elderly – geriatric social services.

To quote Eyden, “a social service is a social institution which has been developed to meet the personal needs of individual members of society not adequately or effectively met by either the individual’s or his family’s own resources or by commercial or industrial concerns” (briefly stated, an institution is an established custom or law).<sup>1</sup> Then there is a distinction between statutory (or public) social services and voluntary social services. The former are based on legislation (or other means) which mandates the Government to create and develop certain kinds of provision either for all citizens or for particular categories of those in need. Voluntary social services, on the other hand, are provided and governed by an organization or group of organizations which is initiated and governed by its own members.

The earliest form of social services here was voluntary, not necessarily by a voluntary organization, but by the unorganized voluntary efforts of individuals – neighbours – in the community who responded as best they could to the needs of their fellow men and women. Voluntary social organizations came later in the form of Girl Guides, Boy Scouts and Red Cross which though voluntary, received support from the government in the form of annual subventions. The churches also developed youth organizations as well as providing assistance of one form or another to needy members and others in the community. Newer ones such as the Community Agency on Drug and Addiction (CADA) and Family Support Network (FSN) supported by the Council of Churches, provide useful services in the Community, especially CADA which has been in existence since the early 1980’s and receives an annual Government subvention. FSN has an important role to play in meeting the needs of persons who suffer from domestic violence or other traumatic experiences. It needs financial support in order to be off and running.

Public social service was limited to a very small weekly stipend and housing for the most

---

<sup>1</sup> Joan M. Eyden; “The Growth and Development of Social Services and the Welfare State” in David C. Marsh, Ed. *An Introduction to Social Development*, Routledge and Kegan Paul, London, 1965

destitute. Such housing, known locally as the “poor-house”, was scorned by all except perhaps those who were obliged to inhabit it. This despite the fact that housing was generally of a very low standard compared with present day standards, due no doubt in part to the ravages of hurricanes. One still hears about those of 1916 and 1924 which played havoc in the islands. The 1946 census records that only 13% of the population had a room per person.

But what social services developments have taken place since the restoration of the sitting of the Legislative Council in the Virgin Islands in 1950? In her reflections on the social developments which took place in the Virgin Islands during the twenty-five years of Ministerial Government Edith Penn, the Social Development Officer, covered the social services which had developed during the years from 1967 to 1992. But she also included services which were in existence through that Department before the advent of the ministerial system of Government. There is no need to re-invent the wheel and this paper will try as far as possible, to deal with only those services which have not been mentioned there and can be found at page 124 of the commemorative booklet.

Among the first attempts of the Government after the restoration of the Council in 1950 was a Bill aimed at involving the people at the grass roots level in the running of the affairs of their own communities; this through the establishment of district councils. A District Council Bill introduced in the Legislative Council in September, 1951, passed the Committee stage on 11th January, 1952 after much debate but appears to have died a natural death thereafter: there is no such law on the books. The closest approach to the district council idea is community development which was introduced in 1964 by means of a white paper. According to the United Nations definition on which the paper was based, Community Development is

“the processes by which the efforts of the people themselves are united with those government authorities to improve the economic, social and cultural conditions of communities, to integrate those communities into the life of the nation and to enable them to contribute fully to national progress”. (The shortened version)

The term community development represents only one branch of the broad field of social work. The other branches being case work and group work. However, the community development office was obliged to service the entire field of social work.

In her Report, the 1965 Constitutional Commissioner Mary Proudfoot recommended Community Development as one of the means by which the relationship between the government on the one hand, and the people on the other could be improved (Para. 12). At the time of the Constitutional enquiry there were two community associations and one other was close to becoming established. Community Development has not, however, become institutionalized as originally intended.

The Development Plan of 1951 (less than one year after the return of the Council to home ground) made no provision for social services. But even though the Plan was obliged to lay emphasis on the economic rather than social development, it is difficult to place a sharp dividing line between economic and social needs as the latter depends to a large extent on the former: in order for one to provide food, clothing and shelter (the basic human needs) one must have an income. The Plan gave the 1946 per capita income as \$64.50, stating, however, that the figure was to be accepted with caution as there was a dearth of statistical information available. It stated, in addition, that there was “indeed no reason to doubt that the British Virgin Islands are the poorest of the West Indian territories” and suggested that the low per capita income “is undoubtedly lower now (1951)” This statement was supported by the request in the same development plan for grant-in-aid from the UK Government.

Another proposal of the 1951 Development Plan was that cooperative societies be developed.



These, it was thought, might “prove a means of improving conditions of life in rural areas...Credit Societies, in particular, would meet felt needs...There are savings available for such societies to draw upon as nearly 300 persons have deposits at the end of 1950 at The Government Savings Bank to a total of £11,000, and a number people have money in St. Thomas.”

A small attempt at co-operative societies began in 1984 but has not been vigorously pursued due perhaps to the establishment of commercial savings banks since 1961, and the increasing supply of gainful employment in an upward spiralling economy, as well as the absence of proper administrative structure.

The earliest concern for the social welfare of the people since 1950, was expressed in the Maintenance of Children Ordinance, 1951, to provide for the support of children by persons responsible for the care of them. This act was amended 10 (ten) years later in 1961 to bring it more in line with present day needs.

In 1957, The Public Assistance Act (amended in 1961) was passed to provide aid in the form of weekly allowances, housing and burial expenses to persons who were unable to meet these needs by their own or their family’s resources. The level of the allowances, and housing and burial expenses, continued to be upgraded to keep pace with the rising cost of living (and dying).

In 1960, a Burial Grounds Act bill was passed, aimed at controlling the indiscriminate burial of corpses on plots of land belonging to the family of the deceased, a practice that could be hazardous to health in the long run, especially as an increase in the construction of new homes with underground cisterns in many areas of the colony was gaining momentum. It would also control the premature exhumation of corpses. In addition, burial grounds have been provided and developed in many of the more populated communities.

Amendments to the Income Tax Act in 1960, 1964, 1978 and 1995 aimed, among other things, to lighten the tax burden of the lowest paid employees so as to allow them to keep more of their income, however little, to provide for their own needs.

The Workmen’s Compensation Act of 1962, amended in 1964, provides for workers who use machinery in the performance of their duties to be protected by insurance to cover injuries sustained on the job. The year 1964 saw the introduction of a Bill for the protection of the wages of employees, bringing the Virgin Islands in line with the International Labour Office Convention of 1949. This act was mainly to protect the wages of workers employed manually or in the catering trades.

Another Bill passed in 1964 made provision for the protection of children from employment. The Employment of Children Ordinance raised the age of a “child” from twelve to fifteen years, no doubt to give children a chance to obtain a secondary education before entering the labour force.

Members of the community, especially the youths, attempted voluntarily to develop and participate in sports, particularly cricket, as best they could long before 1950. Given their limited experience and skills, they were no doubt additionally handicapped by the lack of proper recreation grounds and other facilities. The Recreation Trust Ordinance of 1965 provided for recreation grounds and other recreational facilities for the continuing needs of the Colony, for encouraging recreational activities to the fullest possible extent and for raising and administering funds therefore.

By the dawn of the 1970’s the economy of the Virgin Islands was no longer limited to subsistence farming and fishing as at the beginning of the fifty year period under review, but wage-earning employment opportunities were then widespread and attracted large numbers of immigrants from the other Caribbean islands. Legislation was therefore necessary to guide the relationship between employers and employees; the Labour Code introduced in 1975 was designed to do just that.

The mid-seventies witnessed the beginning of the use and importation of unlawful drugs - a



growing concern - and led to the Drug (Prevention of Misuse) Ordinance which was put in place in 1977 but was replaced by an Act of the same title in 1988. This was amended in 1995, thereby providing greater ammunition to fight the increasing social problem. The National Drug Advisory Council (NDAC) was established in 1990 under the Act. It was charged with the responsibility to keep the drug situation in the Territory under review and to advise the Minister for Health of measures which might be taken to control social problems arising from the misuse of drugs. One measure which resulted from the work of the NDAC is the creation in 1995 of the Sandy Lane Centre for the treatment of victims of drug abuse.

The policy which was perhaps most applauded by the Virgin Islands community is contained in the Social Security Act of 1979 which came into operation on 1st July, 1980. This Act provides for its members (which includes all employed persons) old-age pensions and other benefits including invalidity, maternity, sickness and burial. Virgin Islanders, many of whom had worked in the U.S. Virgin Islands and were benefiting from the United States Social Security Act were aware of the value of such a scheme. The 1980 Act was amended in 1985, 1994 and 1997 to make it more responsive to the needs of the people it was designed to serve. There were, however, some non-pensionable and wage-earning employees who were too old to qualify for benefits from the Social Security Scheme. Accordingly, the amount of \$20,000.00 was provided in the 1980 Recurrent Expenditure Estimates for weekly payments to them, a very thoughtful gesture. Such payments have continued.

In 1992, in response to representation by the then Women's Focal Point, a Women's Desk was established as part of the Chief Minister's portfolio, to attend to issues which were of concern to Virgin Islands women. This office has been very vocal in bringing women's issues to the fore and influencing action for redress. One very important outcome is the enactment in February 1996 of the Domestic Violence (Summary Proceedings) Act.

This Act is hailed by women, in particular, who have at last begun to let the skeleton (domestic violence) out of the closet. It is meant to provide protective measures against domestic violence as well as legal remedies in dealing with such violence. The term domestic violence includes physical and verbal abuse. Following the passage of the Act, a study was commissioned in 1997 to determine the extent to which domestic violence was present in the community. The report is depressing.

The Rainbow Children's Home established in 1997, provides shelter for the care and protection of children in need of such services.

Many developments over time may not be classified as social services but have served social ends. Some such are roads, water, electricity and telephones. At the present time, the telephone service is provided by a public company but it will be remembered that in the early 1960's the Government did install a small service for its own use and was able to extend the service to a few businesses in the private sector. Can anyone remember what life was like before these amenities were in place? According to Arthur Livingstone, "the ends of development are social ends".<sup>2</sup>

Over the past fifty years, successive governments have made commendable efforts to develop social services in the Virgin Islands and must be applauded. But where do we go from here?

It was most heartening, during the final draft of this paper, to hear the Chief Minister's statement to the Legislative Council on 3rd November, 2000 that provision was imminent for financial support to the Family Support Network, that the Women's Desk was being expanded to include services for men and was to be renamed "Office of Gender Affairs".

A health insurance scheme for the public service was introduced in 1993 and while every

---

<sup>2</sup> Arthur Livingstone; "Social Policy in Developing Countries", Routledge and Kegan Paul, London, 1969



senior citizen must surely appreciate being able to obtain public health services free of cost, this does not, however, give the senior the freedom which one should have to choose his or her physician. What appears to be necessary now – not only for seniors, but for all citizens – is a system of national insurance. This idea was cited by the Government as far back as the late 1980's or early 1990's but has not yet materialized. It is hoped that such a service will be given attention in the near future thereby bringing the Virgin Islands into the 21st century. As it now stands, persons who require specialist medical services must travel to Puerto Rico or to the continental United States. This is very costly, especially for persons who are uninsured, unemployed or exist on a minimum income. The Government might also give some consideration to examining whether it would be less costly for this trend to continue as against providing specialist services and equipment at home. If the latter is considered the way to go, the commissioning of the proposed new hospital could be the target date. Such a programme would vie with Social Security in the hearts of the people.

## CULTURAL ACTIVITIES

---

by Hon. Eileene Parsons

In the following pages, I will try to give my views on cultural activities in the Territory, as I saw them, over the last 25 years, and suggestions for improvement.

The British Virgin Islands can be termed as being a new born in relation to culture and indeed the performing arts. Governments come and Governments go and the state of performing arts seems to remain stagnant. Culture and the activities that surround it are not presumed to be vote getters so these activities are not mentioned as planks in campaign platforms. Nevertheless, depending on who heads the Government of the day, there are times when these activities get some attention, no matter how slight.

### MUSIC

It can be said that we in the Virgin Islands have our own music. The beat, the tempo produced by our fungi bands, says 'Virgin Islands'. One has only to listen to "Romeo and the Injectors", "Elmore and the Spark Plugs", and the band that seems to have taken the territory by storm, "Aubrey and the Lashing Dogs", to know that he is hearing a Virgin Islands beat.

Over the last 25 years, we have had numerous dance bands in the territory, including one that was publicly financed. Unfortunately, in the early years, while these bands flourished they faded as members moved away to seek employment, lost interest or because some members failed to gain the riches expected. This caused us to import music that resulted in revenue leaving the territory on the first boat or plane the morning after the dance.

This trend has been halted a bit as today young men who were members of the high school music classes have seen it fit to form themselves into orchestras and are making their marks on the music scene of the territory. It is also worthy of note that "fungi band" music is not only making a comeback, but is holding its own among the modern sounds. Our local bands can be heard playing on the neighboring U.S. Virgin Islands, and at the recently concluded CARIFESTA in Trinidad, "Elmore and the Spark Plugs" was among the most popular bands.

The "Lashing Dogs" is unique in that this group specializes mostly in songs with a decidedly local flavour, such as 'The Boy Sammy Rhymer', and 'Ella Gift'.

Another area that has been given some stimulus is choral work. In the early seventies, a group organized as 'The BVI Community Singers' started bringing vocal music to the Territory. This group whose membership has numbered up to 75 at times, and is comprised of a cross-section of the Territory, including members of various church choirs, has performed at various functions, in different sections of the Territory, and overseas on St. Thomas and St. John. Again, lack of local expertise in the area of directing has caused the group to be up one year and down the next. Over the years, the group has had favourable audience acclaim and it is hoped that efforts will be made to revive the Community Singers bringing it back to its former glory.



## DRAMA

Valiant efforts have been made over the last quarter of a century to encourage and stage dramatic performances. Groups have been organized and several productions staged at various times to appreciative audiences. Unfortunately, for the want of readily available expertise to give proper guidance and direction these groups have become dormant. To further aggravate the situation, the coming to the territory of television and video, have eroded public interest in the dramatic arts. After a long day of work, although transportation is readily available, it is still not possible to get folks away from the tube to come out for the necessary readings and rehearsals. Another deterrent seems to be the fact that this facet of the performing arts is not a segment of school life, so it is not taken to the different sections of the territory by school leavers. This lack of exposure to the dramatic arts during school life has caused school leavers not to be interested in this area as a stagecraft, drama or any of the theatre arts.

In spite of this seeming lack, there is a pool of talent in the territory that can be corralled into organizing dramatic performances. One only has to attend the various productions by service clubs and churches during any year to realize that there are persons in the territory whose talents can be harnessed into any aspect of the performing arts. What is truly needed now is the support of the Ministry responsible for cultural activities to make the necessary impact in this area.

## DANCE

Over the years, before the period under review, efforts were made to introduce the dance form of ballet in the territory. This met with minimal success and the interest necessary to sustain a school was not forthcoming. No civic group offered support in the form of scholarships to promising students so that the nucleus of a national company could be formed.

The traditional dances began a revival in 1979 with the organization of the "BVI Heritage Dancers", a group dedicated to the preservation of the traditional dances of the Virgin Islands and the Caribbean. In its early years, the group received little or no encouragement, but it continued to press on, performing when asked and participating in all the carnivals, festivals and other entertainment functions in the territory and overseas.

Credit has to be given to the Government under the leadership of the Hon. H. Lavity Stoutt, for encouragement, and exposure of the group in these later years. This support has led to the group's performance for Royalty, Heads of Caribbean Governments, Ministers of Education and other visiting dignitaries. Because of this support the group was able to participate in the recently concluded CARIFESTA celebrations in St. Kitts and Nevis.

It is the hope of the group that the day will come when a British Virgin Islander will be encouraged to select dance as a profession, and will then be in a position, after training, to assist groups such as the Heritage Dancers in an expanded repertoire.

It is almost unbelievable that although tourism is touted as our number one industry, the Tourist Board has not seen fit to promote what could be a great asset during the tourist season, the performance of our traditional dances. Could this lack be that we as a people are still so hell bent on denying our links to our past? A past that included coal pots, scrub boards, bath pans, seven steps and polka—a poor past, when the traditional dances were a part of our culture and fun.

## OTHER

In the early eighties, through the Department of Education and Culture and under the encouragement and sponsorship of the then Chief Education Officer, Mr. Charles Wheatley, a National Advisory Committee on Culture and the Arts began working with the USVI Reichhold Center in an effort to expose our community to some aspects of the performing arts. Some of the performances that came to our own Sir Rupert Briercliffe Hall, during that “Cultural Water Shed” period were the off Broadway show, “How Sweet It Was”, “The Harlem Boys Choir”, “Chuck Mangione and His Orchestra”, a Flamenco dance group from Spain, and the “United Nations Singers” to name a few. While the ‘response ‘to the performances was poor to fair, it can truly be said that a “dent” was made in the cultural density of the community.

## WHAT CAN GOVERNMENT DO?

What can Government do at this time, and during the next twenty five years to encourage cultural activities? First, our leaders will have to admit to themselves that we as a community are worthy of this exposure and the enrichment it will give to our lives. After this admission, all efforts should be made to encourage and finance all segments of the performing arts—music, drama, dance, choral presentations - thinking along the line of ‘What we want in the island we must put in the schools,” these should be made a part of the school curriculum, especially the secondary schools.

Financial help and the necessary expertise should be made available to persons willing to organize areas of the performing arts. Local writers should be encouraged and helped to produce works that can be dramatized, especially works dealing with aspects of our culture.

The cultural section of the Department of Education and Culture should be allowed the necessary staffing and funding to permit a fuller participation and preparation for involvement in every aspect of the performing arts. To further aid in this endeavour, the Government should take whatever steps are necessary to acquire the Briercliffe Hall, which is really the centerpiece of this territory’s cultural endeavours. This hall should be upgraded to the standard necessary to support performances that could be channeled to us through the Reichhold Center on St. Thomas.

## AMBASSADORS FOR PERFORMING ARTS

A whole host of British Virgin Islanders have been fortunate to have been exposed to education beyond high school and this exposure to further education has taken place outside the confines of the Territory. When these educated natives return, they should be so prepared that they can become ambassadors for the performing arts in their respective villages. They should be making their presence felt in the cultural life of their communities, thereby sharing what was so generously given.

To the contrary it would seem that some consider themselves among the educated elite and do not become interested in starting, joining or supporting groups that are trying to make a cultural difference.

Finally, while it is true that over the last quarter century some small steps have been taken, the time is long past when this facet of life in the territory should be given so little attention. All efforts should be made today, and during the next decade, to awaken us, especially our youth to the value of exposure to the performing arts, no matter on how small a scale. It is time that thought be given to the territory’s cultural nourishment and a start could be made now. As we celebrate twenty five



years of advancement under the ministerial form of Government let the planks be laid in place that will give rise to a celebration of our cultural enrichment, enhancement and advancement for every year of the next twenty five.

*Reprinted from Challenge and Change, 1992  
the publication of the 25th Anniversary celebratio of the Ministerial Government*

# Health *at a* Glance

**Health Collage 1921 - 1993** .....337

Rita Frett-Georges, MBE

**Health Perspectives**.....348

Dr. Irad Potter



# HEALTH AT A GLANCE

by Rita Frett Georges

## Introduction

Inadequate – Health Care needs was the straw that broke the camels back for Theodore Faulkner in 1949. His protest and its lasting results are now well documented, and today we honour him in our lives for his courage to stand when it mattered. In “Trinita- A Nurse Remembered” Frett-Georges 2000 – a brief profile of the Health Services around 1949 is given .

*“Peebles Hospital , then called the Cottage Hospital consisted of two wards on one level- one male and one female combined maternity ward. Each ward had a cot for a child. There was also a private ward, with two beds. Two emergency beds sat, one in the corridor and one on the verandah. Thirteen patients could be accommodated.*

*The Matrons Quarters were situated upstairs along with a kitchen where patients meals were prepared on coal pots. Kerosene lanterns lighted the Hospital at nights. Later new accommodation was built to accommodate nurses including the matron, at the location which has now become the Adina Donavon Home. Hours were long and night duty was 12 hours 7p.m-7a.m. One Nurse worked the night shift, and managed the awesome task of not only caring for patients, but sweeping, mopping, cleaning toilets and bathroom, sluicing dirty linen etc.*

*Nurses were taught on the job ,and trained as midwives also .After they proved competent they were sent out into the Community to the isolated rural districts, to provide care as best they could, with occasional visits from the Doctor. When emergencies occurred at night at the Hospital, the doctor would then have to be called from his home. The Nurse went on foot, with the aid of a flambou or flash light when no orderly was available. In 1948 the lone physician, Dr. William Joseph( deceased) lived at Cochroach Hall, now the offices of Smiths Gore.”*

In Health at a Glance I reflect through a collage of voices and opinions (some from the past) on three quarters of a century of Health Care. There is a particular focus on Nursing and Peebles Hospital. Acknowledgment is given of those who tread the Path with dedication, humility and heart, and gave us the present foundation upon which we build. It is a record of those who cared and served during times of hardship and limitation of opportunities. It is a record of which we can be proud, as we strive to meet the challenges of a new age and a new era in health care.

In article II, *Health Perspectives in the BVI* by Dr. Irad Potter, the current Health Status is given. The picture is not complete, due to time and space constraints. Nursing and other Allied Health and Medical staff who deliver the services are not addressed. A significant accomplishment in the Nursing field has been nursing education here at home, through the H. Lavity Stoutt Community College . An Associate Degree in Nursing Programme with Hocking College, Ohio was introduced in 1994 (*The Path We Tread*, Elizabeth Carnegie, 1995), a Degree Programme in Nursing with Buffalo University of New York is currently ongoing.

Today's Health Care Network includes nineteen medical officers of varying qualifications and approximately one hundred nurses who service twelve district clinics and one hospital. There are also three private medical centres, one private Hospital, and a number of Registered Medical Practitioners and other Nurses in private practice. Doctors now visit Anegada once a week and there is a clinic and a resident Nurse.

Approximately eighteen pieces of Legislation were passed in the House over the fifty year period. Yet we have a far distance to go.

## HEALTH COLLAGE 1921-1993

by Rita Frett Georges, MBE



### Foreword

By Norwell Harrigan, MBE, Ph.D.

College of the Virgin Islands, St. Thomas, USVI.

*Reprinted from Peebles Hospital Golden Jubilee Magazine 1926-1976, BVI Nurses Association*

Although I was a little surprised to be invited to write the Foreword for this booklet marking the Golden Jubilee of the territory's only hospital, it was a pleasure to accept in the realization that at least some of my compatriots were coming to grips with the importance of strengthening local institutions, and paying overdue tribute to those who had laboured to make occasions such as this possible.

One of our Commissioners wrote in 1907 that since 1815 "the islands were almost forgotten and no interest was taken in their inhabitants either in England or elsewhere." Support for this statement is not hard to find in the area of public health. A single underpaid medical officer was usually available for all the islands and in 1864 the President reported that "eleven-twelfths of the inhabitants were totally destitute of all medical assistance." For several years after, the islands were served by a "physician" not medically qualified. Cunningham Hospital in St. Kitts, our sister presidency, was opened in 1840. Our turn came after nearly a quarter of the twentieth century had gone by.

With my mind focused on this institution, a number of memories return. My father was construction foreman when Major Peebles' small beginnings of three years before were being expanded in 1925, following the hurricane. My mother-in-law was a pioneer nurse, my sister later joined the ranks and my sister-in-law became almost synonymous with the institution, moving from volunteer nurse to Matron. My aunt was among the first to solicit funds for a special project. I remember spearheading the first Christmas tree ceremony on behalf of the Social Welfare Council. This has been held annually ever since and is the only function that my family and I attended almost ritualistically while we lived at home or on every visit for the season.

My sense of history found support in the Hon. Wilfred Smith, who agreed to move a resolution



in the Legislature to rename the Cottage Hospital Peebles Hospital in memory of "the Major" and I was closely associated in the administration as an administrative secretary and in policymaking as the member of Executive Council with responsibility for Social Services. I was also a patient for a few days on two occasions, and I believe we owe our only daughter's life to the existence of a hospital.

As a public official and a private citizen, I can join with those who will take the occasion to render thanks to the Hospital and to those who served. But it is neither Government nor administrators nor physicians who deserve the greatest credit (though one does not denigrate ideas and planning) but rather the long line of local women who endured the daily grind of hard work, long hours, difficult patients, prejudice and all, for practically nothing by way of financial reward. May they and all others who made this institution what it is today, remain in our hearts and minds and may it move from strength to strength in service of the Virgin Islands.

## Our Souvenir Magazine

WE are happy to present to you this anniversary magazine commemorating 50 years in the life of our hospital. We are aware that the record is far from complete, but we have told as much of the story as time and space would allow.

Gathering and compiling information proved more difficult than was at first anticipated, largely because time was limited and information not readily available. We have had to rely mainly on the memories of senior nursing staff and other senior citizens in the community for most of the material reproduced herein .

We wish this publication to be seen, therefore, as the beginning in the effort to record the past and pay tribute to those who gave it to us, rather than as a complete record in itself.

Our appreciation is expressed to all those persons too numerous to mention who have helped to produce this magazine in any way. Special words of thanks are given to J.R. O'Neal and Reuben Vanter-pool for the sketch of our first Hospital; to Mr. Ira Smith and Ashwin Peers for the sketch of the new hospital; also ~to the staff of Green's Office Aides for their patience and skill while typing; and finally to Trevor Parris and Jennie Wheatley, our Assistant Editors.

Lastly we dedicate this anniversary publication to the many persons here and overseas who contributed in many ways to the life and growth of Peebles Hospital. More specifically, to Mrs. Adina Donovan, a lady who, from working as a volunteer in 1941, to becoming Chief Nursing Officer in 1969, gave her 37 best years in service to the Hospital. She has, without any doubt, the longest record of service in the hospital and has seen and effected many of the changes evident there today.

We look forward to a future as rich in progress as the past we are leaving behind.

Rita Georges Chairman  
Magazine Committee

*Reprinted from Peebles Hospital Golden Jubilee Magazine 1926-1976*



## Message From Willard Wheatley Chief Minister

IT IS with the utmost pleasure that I write this message on the 50th Anniversary of Peebles Hospital.

This Golden Jubilee Celebration is yet another milestone in the history of our country and one of which we should be more than proud, especially because each of us has, in some way, benefitted from the services provided by the institution.

It was as long ago as 1920, during the administration of Major Herbert Peebles, that the Cottage Hospital, as it was then called, was established. The Cottage Hospital, since Peebles Hospital, has filled a real need in our community. The services of the midwives and "setters" were essential and appreciated, but it is very necessary to have an institution in which the sick can be treated.

Over the years, Peebles has really come a long way, and in saluting it on its 50th Anniversary, we must all tip our hats to the many who toiled to make it what it is. At this time, people like Mary Davies, Norah Adina Wheatley, Maude Donovan, Dr. Wailing and many, many others must be remembered and saluted for the dedication and commitment they demonstrated, especially when remunerations were small and the biggest payment was seeing patients get well.

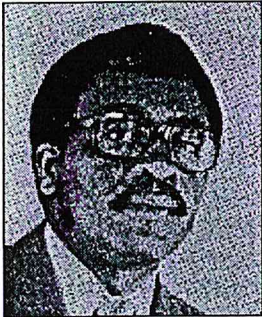
In saluting those of the past, I am by no means forgetting those of the present. We know that Peebles Hospital operates against many odds, but we also know that the Staff struggles to provide a meaningful service to the community. This is the true spirit of dedicated citizens.

There will be many more 50th Anniversaries I know, but on this, your first Golden Jubilee, Peebles, I salute you.

Willard Wheatley,  
Chief Minister.

*Reprinted from Peebles Hospital Golden Jubilee Magazine 1926-1976*





## Message from H. Lavity Stoutt

Minister, Natural Resources and Public Health

My sincere congratulations to the staff of Peebles on your Golden Anniversary, marking 50 years of dedicated service to the people of the British Virgin Islands and the many visitors to our shores. This is an excellent achievement of which you can be justly proud.

History will show that, just prior to the establishment of Peebles, no public health institutions existed in these islands. In fact, it was the pioneer, the then Commissioner Major H.W. Peebles, whose untiring efforts, were instrumental in setting up a two-roomed hospital in 1922.

The medical services then were administered by a single medical officer who, like Commissioner Peebles, often wore many other "caps." To further complicate the health situation, communication was a problem, especially to the country districts, as travel was mainly on horseback and by sailboat to the out islands.

Fortunately, the medical officer was ably assisted by natural practitioners, namely, practical midwives like Miss Mary Davies, herbalists too numerous to mention, and bone setters, to whom I wish to pay a special tribute - for their courage and dedication to the task of helping to bring healing and comfort to their fellowmen, often expecting little or no return.

With the passage of time, the services offered at Peebles have improved manifold times but yet there is considerable challenge before us. I hope with plans for the extension and renovation of Peebles, that the medical services can be put on an even firmer footing, second to none in the Caribbean.

This is our aim for the 80's - I appeal to you, the staff of Peebles, to help make this a reality. Best of luck as we look forward to our centennial with renewed hope.

Sincerely,

H.L. Stoutt, Minister  
Natural Resources and Public Health

*Reprinted from Peebles Hospital Golden Jubilee Magazine 1926-1976*



## Message from Alban Anthony

Minister, Communications and Works

GREETINGS to the staff of Peebles on the occasion of the celebration of your Golden Anniversary. Golden indeed, not only in terms of years, but also in the service we have received, despite the institution's "Cottage" size and other setbacks. At the risk of repeating myself, I wish to say "hats off" to the faithful and courageous staff which, through the years, has laboured to keep us and our loved ones healthy.

I recall once hearing a member of your noble nursing profession, in response to a comment on the small pecuniary benefit received, say that acceptance of such benefits is a true test of dedication, since the person with aspirations of wealth would never have

them realized in the field of nursing. It would be inappropriate here to argue for or against such a comment, but I think that the nurse's point was well made and needs no further elaboration .

We have all observed with gratitude, the strides that have been made from simple rule-of-thumb nursing for the most part during the early years, to specialization in various areas today, thus affording the public a better standard of care. Not to be forgotten - and I consider this to be of great significance during your Golden Anniversary - is the privilege of having on the staff as Consultant Surgeon. Dr. Orlando Smith, our first local person to fill such a position; also Dr. Joyce Brewley, our first female physician. We look forward to the return of many more students from abroad to swell the ranks of our local cadre of qualified people.

I must express also our gratitude and appreciation to those doctors and nurses from overseas who have made and continue to make a valuable contribution to our territory in the medical field.

It is my sincere hope that approval of the extension of the Hospital project will be received and will coincide with your celebration in November. In my capacity as Minister responsible for the physical structure of the project, I can assure you that you will receive the best available workmanship. I am certain that with a larger and much improved hospital, the high standard of service given by the doctors and Matron with her staff, will be maintained and also that it will be possible to reach an even higher standard, given the fact that certain inadequacies of space and equipment, which presently cause discomfort and frustration, will be removed.

Viewing an appreciable standard of medical services generally in the British Virgin Islands, I do hereby extend my best wishes to Peebles for the future.

Sincerely,

A.U. Anthony,  
Minister, C.W. and I.

*Reprinted from Peebles Hospital Golden Jubilee Magazine 1926-1976*



# MAKING BRICKS WITHOUT STRAW

By J. R. O'Neal

THE year 1919 welcomed the arrival of a new Corn-missioner to the British Virgin Islands in the person of Maior Herbert Peebles, D.S.O., almost direct from action on the Western Front in the First World War.

With virtually no resources at his disposal, "The Major", as he was called by all and sundry, set out to project the British Virgin Islands into the 20th Century. The records indicate that, among other things, he provided the British Virgin Islands with the first motor launch service to St. Thomas, improved roads, made education compulsory, and even organized local horse racing and provided the trophy for the first competition. All the foregoing, however, are insignificant compared to his crowning achievement of constructing from very meagre resources the first hospital in the British Virgin Islands; and this is how he did it.

By converting the mail service from sail to power, the Boat House, a 12' x 18' cottage situated on the waterfront a few paces from where the plaza fountain now stands, was made available. Next, by combining the post of Policeman with that of Jail Keeper, the quarters occupied by the first officer, another 12' x 18' cottage, situated on the site of the present Post Office, was made available.

By the use of voluntary labour, and the skillful use of the Road Ordinance No. 20F of 1909 providing for free labour, both skilled and unskilled, the two cottages referred to above, were dismantled and re-assembled as two wards, one on either side of ancient walls which today frame the waiting room of the Peebles Hospital. (see sketch) A roof was added to these ancient walls.

A third wooden cottage of the same dimensions as the other two was made expendable from the Agricultural Department, and this was re-erected on the site of the present laboratory. A verandah facing the sea was added to this building, and a typical Virgin Islands drop-shed was added on the opposite side. This structure, together with an out-house, provided adequate quarters for the first European Matron to take charge of the new Hospital. The above facilities existed up to the hurricane of August 28, 1924.

Voluntary donations towards the project were gratefully accepted. Mr. Cecil Rhymer, 86-years-old, of North Sound, Virgin Gorda, remembers the meeting held on a Saturday morning in Road Town, concerning the hospital. He attended with many others and was the second person to donate \$2.00 to the Hospital Fund.

The final frills to this conglomerate overlooking Road Town Harbour were provided from wrecks conveniently occurring on Anegada and elsewhere. A series of arches was made from columns of huge rurn casks, which had heavy anchor chains, suspended between them. The arches (see sketch) dominated the roadside and Road Bay.

This, in essence is the story of Peebles formerly called The Cottage Hospital, conceived and executed by Major Herbert Peebles, the man who, though not an Israelite, actually made bricks without straw.



Major Peebles

## On the Other Side of Things

by Herman Abbott

(Reprinted from *The Torch*, Aug. 1949)

A letter under the caption, "Says Physician Insulting," appearing over the signature of one O'Hara Harrigan, is published in the column, "Voice of the People," of the newspaper Photo News of St. Thomas in its issue of August 5, 1949. In part, the text of same reads:

*"Kindly permit me . . . to express myself in connection with an incident which took place at my native Tortola . . ."On July 15th, coming in my boat from Virgin Gorda, I ate a fish . . . and it was poisoned. Before reaching Tortola, a little after midnight, I was in such a weakened condition, I had to send for the doctor, not being able to walk . . . I had my son to call a doctor who happens to be the Crown Physician and the only one on the island. Fully, I realize . . . he can be tired at times, however, the least one can expect from one of his calling was to recommend some kind of relief Instead he demanded \$5.00 in advance before consenting to come. This was paid. He finally came . . . then ordered me to the Hospital. All this would have been all right, if it were not for the insults, in fact rudeness, of the doctor and nurse.*



*"In our opinion, the medical profession demands respect of the patient at all times, and as a servant of His Majesty, the doctor in question should recognize his obligation to the community which he serves. Those of us born and bred in the West Indies from decent parents are taught from childhood to be courteous to others, even without the medical training. I say, Sir, this is annoying, coming from one whom we least expect."*

Owing to its contents, that letter is likely to cause readers in the Virgin Islands, as well as elsewhere abroad, who are unacquainted with our Hospital in Tortola, to hold unfavourable opinions concerning the kind of people staffing the institution and it will perhaps make strangers form a wrong estimation of the doctor's characteristics. Hence I deem it an equitable act for someone knowing the doctor and his nursing staff, or having had experience with them and their kind attention, to undertake to offset impressions which, if remaining uncorrected, would tend in time to entrench in people's minds, a permanent prejudice towards the Hospital, or tempt them into predisposed antipathy towards the doctor and nurses.

In fairness to Mr. Harrigan, the writer, it should be said, he is known to be a man of integrity, in which case his story may not be dismissed as an entire invention. But the narrative is definitely misinforming since in it is not disclosed the reasons for the alleged misbehaviour of the doctor and nurse. As written, the letter conveys the impression that it is the style, or the usual thing, for the Medical Superintendent and staff of the Hospital to be impolite or discourteous. I wonder whether Mr. Harrigan intended this. However, it is certain he has withheld some relevant facts, and, of course, in my opinion, there is no necessity for the untold facts to be here recited.

In taking a somewhat liberal view of the matter, I think it is safe to assume that the details of the incident may have become exaggerated in Mr. Harrigan's mind. Things easily and naturally become exaggerated to some victims of acute fish poisoning, as in some persons the toxic effect of fish-poisoning is rather severe on the nervous system. Nevertheless, he has endeavoured to force upon us the conclusion that the doctor is a mercenary physician who would fail to attend to the sick unless payment is advanced. This is quite untrue of the Crown Physician in Tortola, as he has been styled. Quite a number of times in responding to calls from a distance in the country, he has walked many rugged and unpleasant miles only to meet the patient for whom called, over her tub of laundry or attending a church service, or, in the case of a man, tilling his land. Had the doctor sent for the \$5.00 in advance, surely he would have been spared the ordeal of traveling by foot and the precious time take in doing so. Readers are further led to conclude that doctors and nurses are a discourteous lot, whereas in fact the contrary is the truth.

Without the employment-of any colourful phraseology with which to say so, the simple reality is that the doctor, the nursing sister and the staff of Hospital nurses are far from being impolite, discourteous, disrespectful, insulting or rude to patients.

It is the case with anyone, including even the writer of the above quoted letter, that in certain circumstances a person can be and will momentarily be snappish towards another, though the other may happen to be a best friend or relative, client, customer or employer. And this occurs no matter how mild in disposition or well mannered such person might normally be.

Any tired, genteel man or woman will, at times, shelve his or her gentility when under acute strain and in some cases even the slightest strain is sufficient. It is common knowledge that the only "Crown Physician" on this island is a very tired man - rather it should be said, an overworked man. He gets neither rest nor recreation. Whether midnight or morning, midday or evening, Sunday or holiday, Xmas Day or Good Friday, it makes no difference in medical demands. There is no let-up in the medical job and its related duties for this Doctor. Not only is he a physician



seeing over 2,000 patients per month in his private clinic, or walking to calls all over Tortola (no roads, hence no taxi service and he cannot ride horseback), or sailing to the sick in out-islands and districts, but in addition, being Head of the Department, he has, without the assistance of any clerks, to carry on the administration of the Medical Department which includes the Hospital (where there is a staff consisting of a Matron and eight nurses, a laboratory technician, four maids and a janitor for direction and control); sanitation, paupers' maintenance and burial, lunatics, public health, children's clinic and school-children's health and on top of all which is the issuing of thousands of medical certificates per month to passengers. Then as a Member of the Executive Council, he is called upon to give time and attention to the sessions and business of that Council as well as professional advice to the Government on health problems and legislation. Shouldn't all that bring home to us the fact that this servant of His Majesty is overtaxed? And, indeed, one wonders that he manages to retain the characteristics of a kind, patient and obliging physician that generally emanate from him, instead of being a totally irritable and unapproachable person, as his burdensome post should tend to make him.

I would fancy that a better attitude of the people of our various local communities towards the Doctor, should be one of sympathy and forbearance with him, rather than the exhibiting of resentment in the publishing of complaints by any of us who might happen to have merited harsh talk on account of our own intolerable attitude or behaviour as a patient.

It is apt to be thought or claimed by persons here and there that the writer of this article is endeavouring to make out a defence case for the Doctor and nurses. If any there be who might so fancy, let me invite their attention to the specially selected caption of this article and to the latter part of the second paragraph. And let me also say beforehand that the writing of this article was spontaneously conceived and not solicited as some folks might perhaps wish to advance. I have not interviewed any of the parties concerned, nor discussed the matter with them. Further facts of the incident not contained in the publication came to me as the result of putting offhand and apparently casual queries to disinterested persons. I have attempted to treat the matter fairly and I hope I have succeeded.

The situation is rather an odd one in view of the fact that both Mr. Harrigan, the writer of the letter, and the "insulting physician" he wrote about, are real gentlemen. But as Mr. Harrigan's letter will leave rather bad impressions, I think it right for it to be known to those who might be inclined to think so, that there exists no real justification for the belief that the Hospital is a place for decent people to shun. If he had received the usual kind, courteous and polite treatment of the doctor and nursing staff, as every patient who conducts himself or herself in a way to merit same deserves, the chances are that Mr. Harrigan would not have published a letter of commendation or appreciation. Which made me feel that someone, whose experiences as a Hospital patient are directly the opposite of what has been published, should present the other side of things to the readers of Photo News.

The Hospital, in my opinion, is more of a home than an institution. Courtesy and personal interest in the patient are always obvious and the general atmosphere of the institution makes one feel quite contented and quite at home. The Nursing Sister-in-Charge (whome I invariably style Matron) is, to say all in a few words, a perfect lady, quite kind and gentle towards the patients and the subordinate Nursing Staff. Even if she tries to emulate sternness in circumstances warranting same, she fails in the attempt because of her naturally mild temperament.

Should a complaint be made on any of the Nurses she disciplines them appropriately. Therefore the subordinates, who in themselves are rather nice, courteous and obliging towards the sick, are so kept as they realize that "sister," as they call her, will not condone unprofessional or any other kind of misbehaviour on duty.



In conclusion I may make a plea for more consideration towards the nurses and more appreciation of their work. As everybody should realize, the nurse's job is a rather onerous and unpleasant one. In fact, the least said about the unpleasant aspects of it is the best; but everyone knows what a nasty job nursing is at times. Owing to the exigencies of duty, the nurse is compelled many a time to carry on weary and hungry. And in addition to its professional aversions nursing is often made very trying, owing to patients being disagreeable and stubborn.

Now, will readers kindly forgive me if I have failed to make my point; which is that the Hospital in Tortola is not a place to avoid but rather a homely institution, and whether we be happy while there or unhappy, contented or discontented, courteously or rudely treated, depends to the greatest extent upon our own selves.



## A Message from the Acting Governor

Government House Tortola, British Virgin Islands

I am indeed pleased to respond to the request to include a brief message in this booklet which sets out to recognize the contributions of nursing and of individual nurses to the BVI community over the years.

"One of the most valuable health resources in any community is the nurse", wrote Eleanor Roosevelt to the Director of the Pan American Sanitary Bureau in 1948, "and it is my hope that the education of nurses can be intensified in all countries...". This crucial value of the nurse has not always been recognized, and although it is fashionable to do so verbally nowadays, countries find more difficulty in practice in translating such recognition into real improvement in working conditions and terms of service.

It is all the more important, therefore, that at every opportunity the labour and achievements of nurses be recognized and honoured in other ways, (such as this booklet attempts) and that they receive high social status and profile.

I happen as a little boy in the early 1950's to have had personal experience of the nurse's importance, living in the house of my aunt, Mrs. Iris O'Neal, the only District Nurse/Midwife on the island of Virgin Gorda. The midnight call-outs with treks on foot by lantern (or by horse or boat if to the North Sound) remain vividly impressed on my mind. The monetary reward was pitiable. It was a labour of love and professionalism; a vocation, rather than a livelihood or job.

This story is repeated many times over in various ways in the profiles of other nurses set out in this booklet. I commend it to all, and express the thanks of a grateful community for all the caring that nurses have done, and continue to provide to the rest of us at our hours of greatest need and vulnerability.

**Elton Georges, OBE**

Acting Governor

13th May, 1993

*Reprinted from A Glimpse at Nursing 1922-1993, Ministry of Health*



## A Message from the Deputy Governor Government of the British Virgin Islands

It is an honour to pay tribute to the nursing profession in these islands through this booklet: *A Glimpse at Nursing*.

Nursing in the BVI has a legacy par excellence with that of other territories in the Caribbean. It had its humble beginning at the turn of the century with the establishment of Peebles Hospital. It has been nurtured by pioneering spirits like Ms Mary Davis, Adina Wheatley, Maude Donovan and later sisters Iris O'Neal, Adina Donovan and Geraldine Norman. among others, whose exemplary lives have set the stage for the profession as it is known today. However, tribute must also be paid to the stalwart band of district nurses and midwives who, during the formative years, brought healing and comfort to the sick throughout the length and breath of this territory. Nurses such as Erinita Stevens-Hill, sisters Iris Penn, Hendricks, Mrs. Rosalind Penn and Mrs. Rosa Malone come to mind.

Equally, tribute is due to the strides made in recent years in broadening the scope of the profession in providing greater community health care especially in the field of mental health and geriatric care etc. and here nurses like Mrs. Rita Frett-Georges, must be singled out further for her singular contribution in this regard as well as Ms. Vesslie Mathavious and Mrs. Millicencia Ahearne. They are securing international recognition for the nursing profession in the BVI. However, this would have been impossible without the support from nurses drawn from the region as well as that of the Regional Nurses' Association.

It is very noble to give tribute to those who through great sacrifice have made life more pleasant for all of us; therefore, I wish to applaud the efforts of the nurses in focusing attention on the contributions of their compatriots through this medium. May this initiative serve as an example to other professions in the BVI. Remember: lives of great ones all remind us that we can make our lives sublime and departing leave behind us footprints on the sands of time.

*Per aspera ad astra*: through difficulties to the stars - may this continue to inspire you to even greater achievements.

**Stanley Gordon, MBE**  
Acting Deputy Governor  
Ma, 1993

*Reprinted from A Glimpse at Nursing 1922-1993, Ministry of Health*



# HEALTH PERSPECTIVES IN THE BVI

---

by Dr. Irad Potter

*based on extract from the National Integrated Development Strategy Report 1998, 13th November 2000*

## Introduction

**T**he overall goal of the health services is the provision of high quality and accessible primary and secondary health care services to improve the quality of life and the standard of living of the people of the B.V.I. To accomplish this goal the Government aims to promote high quality, cost effective services, choice for the public, and as wide a scope of local services as possible within their technical and financial capability.

Health Sector development has to be viewed in the overall context of the BVI economy. The territory has experienced unprecedented economic growth within the last two decades, fuelled by the expanding and lucrative tourism and financial services industries, with concurrent improvements in communication, transportation and standards of living. This growth has also attracted a large and needed pool of immigrant labour and placed increased demands on housing, the social services, the educational system and the health services. Furthermore, as standards of living have improved, so has the average life expectancy of the population, resulting in greater incidences of chronic diseases and disabilities associated with lifestyles and longevity.

Over the past decades the proportion of the population under 15 years has declined, while the population of age groups 45-64 and 65 and over has remained fairly constant for the same period. On the contrary, the percentage of population between ages 15-44 increased by about 7% between 1980 and 1991. This drastic shift in the age composition of the population is a result of the high positive net-migration situation in the country, which has implications for the level of dependency ratios. The total dependency ratio plummeted from 115 in 1960 to a mere 49 by 1991. While the child dependency ratio drastically decreased from 103 in 1960 to 40 in 1991, that of the elderly moved from 12 to 9. The decreasing fertility levels, the massive migration in-flows, and the increasing levels of life expectancy over the decades have all contributed to this phenomenon.

These dramatic demographic changes with the attendant shifts in disease profiles are inflicting new pressures on the health service sector. Superimposed on this picture are the health needs of a large tourist population. A successful response will require a review of both the numbers of providers and the level of skills that these providers will bring to a rationalized and forward-looking health service in the BVI. In particular, the critical care services and emergency response capability of the hospital will demand recruitment and training of several categories of specialist health care providers.

The changing age structure has important implications for the kind of health needs and demands that the population is likely to present to the health care system. Non-communicable chronic and other degenerative diseases, as well as general care of the elderly will increasingly require the attention of the health system.

Both the labour force and the number of women of childbearing age are growing at a much faster rate than the entire population. In 1991, the male population accounted for 51.5% of the total population while the female population was slightly smaller with about 54.9% being of childbearing age (i.e. 15-44 years).

## Historical Background

The Ministry of Social Services was established in 1979 as a fourth Ministry taking part of its portfolio from the Chief Minister's Office and part from what was formally the Ministry of Natural Resources, Immigration and Public Health. In 1983, the name was changed to the Ministry of Health, Education and Welfare with the creation of a fifth Ministry in 2000, the Ministry of Health and Welfare was established.

## Health Sector Goal

The overall goal of the Health Sector is to provide an adequate and effective health service to the entire population of the BVI, and delivery of such services in an efficient manner is the main objective.

## Policy Objectives

The health sector policy objectives essentially aim to achieve the following:

- **Equity and Access:** providing greater opportunities for access to a minimum level of health care on the basis of need for care and not solely on ability to pay.
- **Effectiveness and Quality:** establishing the basis for a well integrated health care system offering quality services at primary, secondary and tertiary levels.
- **Efficiency:** maximizing the use of resources and minimizing the cost through strategic planning and sound management.
- **Financial Sustainability:** establishing procedures to reduce the expenditure gap between increasing costs and limited resources, and to ensure ongoing feasibility of the system.
- **Inter-sectoral Collaboration and Community Participation:** fostering cooperation between the Ministry of Health and other public agencies and the private sector and involving communities in monitoring and implementing the reform.

The first four objectives outlined above form core elements of a reform strategy; the fifth is considered to be a critical supporting objective given the legacy of a highly compartmentalized and hierarchical public health system.

## Main Developments of the Health Care Delivery System

Health care delivery in the BVI involves the public and private sectors. Government is the major provider and financier of health services. Persons requiring care that is not available in the territory are assisted by referrals overseas for diagnostic and treatment services.

In 1990, Public Health Department split into two operational units. Hospital and Community Health Services.



## **Peebles Hospital**

The main structure of the present hospital was completed in 1926. It was described as a cottage hospital with sixteen beds (16) and six (6) cots. Five of the adult beds constituted the main ward and were housed in what was described as “a dark and gloomy room”. Two of the latter were blocked throughout the year by chronically ill patients.

Since the 1940s the building has been the subject of numerous renovations and extensions, the latest of which were completed in 1982. At present, the hospital is a three-storey building with a capacity for 44 beds. Today, there are seven (7) medical officers and eight (8) medical specialists. Specialist medical services are available in general surgery, anesthesiology, paediatrics, obstetrics and gynecology, internal medicine, ophthalmology and dermatology. A new haemodialysis service was recently commissioned and provides an invaluable service to persons with end stage kidney disease. There is also a cadre of professional staff in Pharmacy, Physiotherapy, Medical Social Work, Medical Imaging, Biomedical Technology and other disciplines.

## **Public Health Services**

Public Health Programmes began in 1968. This included mobile child health clinics, and counseling and advisory services for the mothers in the Road Town Area and rural districts. Antenatal, food handlers and immigration clinics were held at the Road Town Clinic and visits were made to schools. Prior to this date there was no organized immunization programme. Today the territory boasts a 100% immunization coverage for under five years old against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, measles, mumps, rubella and tuberculosis. The infant mortality rate has been substantially reduced during the past thirty years

At present, Primary Health Services deliver health services on a regular basis through a comprehensive network system which include one Health Centre in Road Town and eight (8) district clinics: four (4) in Tortola, two (2) in Virgin Gorda, one (1) Jost van Dyke and one (1) Anegada. Other services provided by Community Health Services include Environmental Health, Mental Health, Health Education, Dental Health and Nutrition Services.

Programmes in the clinics especially target mothers and young children. They include the following: growth, nutrition, and developmental surveillance, immunization, vision and hearing screening, school health, antenatal, postnatal and family planning, family life education, home visiting and AIDS and sexual health counseling. Other services offered include community mental health, dental health, environmental health, health education and community nutrition.

In addition there are a growing number of private sector and non-governmental organization and establishments promoting healthy eating, natural remedies, physical exercise and traditional therapies such as massage.

Private medical practice is an important aspect of the health care delivery system in the BVI. All government consultant physicians and surgeons are allowed private practice on a part time basis. It is estimated that around fifty percent of the population use private practitioners in the territory and in neighboring Puerto Rico and the U.S. Virgin Islands. The Health Information System does not capture these health incidents and thus an accurate picture of the health of the country may not be obtainable. Private health care is provided by one (1) private hospital, two (2) private dental surgeries, three (3) private medical complexes and nine (9) solo private physicians.

Bougainvillea Hospital has eight beds and mainly offers reconstructive surgery services

although some general surgery also is done. The number of admissions in 1991 was 58, and the average length of stay was 3.5 days; the occupancy rate is 32.0%.

## **Environmental Health**

Thirty years ago, the Environmental Health Unit was staffed by one Public Health Inspector and its main focus was solid waste management and investigation of nuisance complaints. The only legal instrument for enforcing public health measurements was the 1950 Public Health Ordinance.

Today, the unit is staffed with five (5) Public Health Inspectors and clerical support. A Public Health Ordinance was enacted in 1969 and revised in 1976. The 1976 Ordinance confers ample powers on the Minister responsible for health to make regulations. In 1988, steps were taken to draft new regulations and amend deficiencies of those held over under the 1976 Ordinance. Following the improvements other programmes have been developed in Food Hygiene, Vector Control, Water Quality and Institutional Hygiene.

An important area for the conservation of the environment was the decision in 1988 to dispose of solid waste through incineration rather than the traditional method of sanitary landfill. The new incinerator became fully operational in 1994, and consistent with this fact and the increased responsibilities, the unit was given full departmental status the same year. The Solid Waste Department is responsible for the following operations: solid waste collection and disposal, operation of the Pockwood Pond incinerator, street and road cleaning, roadside trimming, gutter cleaning and beautification.

## **Mental Health**

Prior to 1969, the BVI was totally dependent on the goodwill of the Government of Antigua for the treatment of persons with chronic mental illnesses. After a slow start in 1969 a two-bedded unit was added to the hospital for treatment of mentally ill patients. In response to the growing need to provide care for people with mental health problems, the Community Mental Health Programme started in 1972 as follow-up service out of the hospital. It was later expanded and promoted to become the treatment module for the entire territory. Since then it has provided essential mental health care and family support free of charge to the territory.

## **Health Status**

### **Fertility**

The General Fertility Rates showed a marked reduction since 1970 when they were 134.5 per 1000. By 1980, and 1991, rates had fallen to 107.2 and 68.01 respectively, and continue to show gradual decline. In 1996, the rate had fallen to 61.9. The Total Fertility Rate decreased from a high of 3.57 in 1970 to 1.75 in 1991, that is, below replacement level of 2.1 births per woman of childbearing age



## Birth Rate

During the period from the 1970 to 1980 the birth rate has fluctuated between 25.7 and 24.8 per 1000 population, and showed no defined trend. From 1991 onwards, birth rate have stabilized and show a slightly downward trend from a high of 18.2 in 1991 to a low of 15.1 per 1000 in 1996, where 284 births were recorded.

## Life Expectancy

During the decade from 1970 to 1980 life expectancy at birth remained relatively stable. However, since 1980, the number of persons over the age of 60 years has steadily increased. In 1991, 7.8% of the population was above 60 years. In 1990, life expectancy at birth was 76.8 years for females and 73.3 for males.

## Mortality and Morbidity

### Mortality

Deaths that occur in hospitals are certified by a medical practitioner and reported to the National Registration Office, while those that occur at home are reported by district registrars. Given the small population size it is important to treat mortality statistics with some caution. Small variation in actual figures each year may represent large changes in rates per thousand.

The crude death rate fluctuated during the period 1991 to 1995, from a low of 4.3 per 1,000 in 1991 to 5.4 and 5.5 per 1,000 in 1992 and 1994 respectively. It showed a slight decline to 4.5 in 1995. It is likely that the next few years will see some increase in death rates as the proportion of the elderly population increases.

The infant mortality rate is subject to considerable variation due to the small denominator of live births. After 1987, infant deaths have numbered from 7 in 1987 to 4 in 1996 and infant mortality ratio in 1987 was 27.0 per 1000 live births. Increases of infant mortality rates were observed in 1987 and 1989, although the general trend is downward.

**Table 1 Health Indicators 1980, 1991, 1995 and 1996.**

Indicator	1980	1991	1995	1996
Crude Mortality Rate	7.1	4.6	4.5	4.6
Infant Mortality Rate	44.1	23.1	3.5	13.9
Dependency Ratio	67.0	49.0	47.8	47.6
Life Expectancy	69.0	74.60	74.6	74.8
Total Fertility Rate	2.8	1.9	1.8	1.9

*Source: Development Planning Unit and Health Department*

**Table 2 Principal Causes of Mortality in 1991 to 1995**

<b>Cause of Death</b>	<b>Number</b>	<b>%</b>
Heart Disease	102	25.2
Malignant Neoplasm/Cancer	87	21.5
Cerebrovascular Diseases	42	10.4
Accidents/Injuries	35	8.6
Pneumonia/Bronchopneumonia	17	4.2
Perinatal Conditions	16	4.0
Diabetes Mellitus	9	2.2
AIDS	9	2.2
Renal failure	7	1.7
Alcoholism	4	0.9
Ill-defined causes	77	19.0
<b>TOTAL</b>	<b>405</b>	<b>100.0</b>

*Source: Hospital Medical Records*

Mortality data for 1991-1995 show that Non-Communicable Chronic Diseases have been the leading cause of death accounting for approximately 60 % of all deaths. Cardiovascular disease, including ischemic heart disease, acute myocardial infarction, cerebrovascular accident (stroke) is the most frequent cause of death. The leading causes of death, all ages are: acute myocardial infarction, other diseases of the circulatory system, malignant neoplasm, cerebrovascular disease, pneumonia, other diseases of the respiratory system. Of the 38 accidental and intentional deaths in 1991-1995, 33(86.8%) were males of which twenty were under the age of 40. Eighteen deaths were due to drowning, seven due to motor vehicle accidents, and 6 due to gunshot (homicide). The main implications for this trend is that factors such as affluence, the aging process and lifestyles may be contributing agents.

### **Morbidity**

More than 50% of the territory's population is estimated to seek medical care from private physicians. Available data on morbidity are from public facilities, and do not show morbidity at private clinics. Health centre and hospital data indicate that acute respiratory infections, dermatological problems, and gastroenteritis are important causes of morbidity among children. Mental disorders and injuries stand out among adolescents and adults; and circulatory disorders (hypertension, ischaemic heart diseases, congestive heart failures), diabetes mellitus, and degenerative diseases are major causes of ill health among the elderly.



**Table 3 Principal Causes of Morbidity (Hospitalization) in 1996**

<b>Cause of Hospitalization</b>	<b>Number</b>
Asthma	97
Hypertension	92
Diabetes Mellitus	66
Psychosis	62
Bronchopneumonia	56
Ischaemic Heart Diseases	55
Abortions	55
Congestive Heart Failure	50
Diarrhoea	47
Acute Upper Respiratory Infections	45
TOTAL	625

*Source: Hospital Medical Records*

### **Communicable Diseases**

There have been no major outbreaks of communicable disease in the BVI in the last eight years.

- **Vaccine Preventable Diseases:** During the last 10 years there have been no cases of vaccine preventable diseases. The Expanded Programme of Immunization covers six diseases: diphtheria, poliomyelitis, pertussis, whooping cough, measles and tuberculosis.
- **Vector Borne Diseases:** No cases of malaria or yellow fever have been reported in the last 10 years. In late 1995 to the first quarter of 1996, 37 cases of dengue were reported. Since then, a few isolated cases were reported. There was no reported case of leptospirosis, plague or encephalitis.
- **Respiratory Infections:** Acute respiratory infection is a major cause of admission to hospital for children under 15 years. In 1996, 32 (71.1%) out of 45 patients admitted were under five years. There were no deaths from bronchopneumonia in this age group. Seven cases of tuberculosis were reported during 1992-1996. Three of these cases were reported in 1996.
- **Enteric Diseases:** Gastroenteritis is identified as a major cause of morbidity in children. Hospital admissions for gastroenteritis show a general increase from 1990 to 1996. There were no cases from 1990 to 1994, 3 in 1995 and 47 in 1996. There has been no case of typhoid since before 1981. One case of viral hepatitis was reported in 1995. Food poisoning is uncommon except for illness due to ciguatera poisoning. No cases of cholera have been reported

- **Sexually Transmitted Diseases:** Data relating to sexually transmitted diseases gives an inaccurate picture of STD situation as many infected persons are treated by private practitioners. It is likely that there is considerable under reporting of cases. The ready access and utilization of service in the US Virgin Islands and other places to preserve anonymity further exacerbates the problem. Between 1985 and September 2000, 23 persons were reported as having full-blown AIDS; 20 of whom have since died. The male to female ratio among the 23 AIDS cases was 2.1:1. Heterosexual transmission was the major route of infection with 16 (84%) cases assigned to this category. An HIV sero-prevalence study conducted in February 1996 to August 1997 revealed no positive HIV cases among the 408 pregnant women tested.

### Non-Communicable and Chronic Disease.

After mental illness, diseases of the cardiovascular system and diabetes mellitus are the most common causes of hospitalization in the BVI.

Cardiovascular disease encompasses several different diseases of the circulatory system, including ischaemic heart disease, cerebrovascular disease, hypertensive disease, chronic rheumatic heart disease, and other forms of heart disease. Since 1993, admissions for cardiovascular diseases have gradually increased from 102 in 1993 to 113 in 1994 and 159 in 1996 accounting for 10% of admissions in 1996 ; while cancer accounted for 3% of admissions and diabetes mellitus 5% in 1996.

In 1996 there were approximately 350 registered diabetics attending government clinics.

- **Mental Health:** Mental ill health is a cause of considerable morbidity in the BVI. The number of active patients attending the mental health clinic in 1996 was 200. Adult male accounted for 79 and females 105 and children 16. In 1996, fifty- six of sixty- two hospital admissions for psychotic conditions were classified as drug induced (marijuana and crack cocaine) psychoses. 44 or 78.5% were between the ages 15-44, 38 were males and 6 were females. Admissions for other mental conditions were: schizophrenia 15, dementia 5, personality disorders and anxiety and stress reaction disorders 24. Alcohol abuse resulted in 55 admissions, 47 males and 7 females.
- **Accidents and Trauma:** Accidents contribute considerably to both mortality and morbidity in the British Virgin Islands. In particular, a toll is taken on active men aged 15-64 years. Hospital statistics also revealed 17 admissions due to motor vehicle accidents in 1996.

### Conclusion

The Health Sector in the BVI has made great strides over the past thirty years. However these gains must be safeguarded and an ethos of continued improvement developed.

The future health services in the BVI will have to be client-focused with a decreased emphasis



on institutional care and a strong commitment to the strengthening of primary care services supported by a reliable referral network, to world class secondary and tertiary care services. Both primary and secondary care must be strengthened to ensure the best acute care for unexpected medical events such as trauma, cardiac and other medical events or acute decompensation of chronic disease.

At the secondary level the need for a modern hospital facility with an expanded scope of services is evident. This must provide opportunities for public-private partnerships for professional health care provider practice as well as accommodations in keeping with the desire of the populace. This must then be supported by contracting with a centre of excellence to provide tertiary care. The technology is available for the development of a network of primary, secondary and tertiary care by way of telemedicine. Such a network will provide greater opportunity for medical updates and real time consultations to remote locations. It will also increase the local confidence in the services as both the competencies and capacities would be enhanced. Furthermore the need for treatment outside the territory would be minimized resulting in considerable cost savings to the territory as well as the maintenance of continued family support to those in need of care.

A first priority will have to be the enactment of updated legislation, in order that the various units in the health service will have a framework in which to function. This is particularly important for the areas of mental health, social work and environmental health but no area is exempt. The entire process will of necessity have to be phased and will require commitment of considerable capital funding over several years for upgrading of the physical infrastructure and technology. In addition, long-term recurrent budgeting will be required for staffing, training and maintenance of equipment and supplies.

The Ministry of Health must be strengthened to improve the capacity to monitor, analyze and report on the state of the public health including identification of need. This would include:

1. The development of existing and new information resources to improve quality of data output for analysis and monitoring of public health problems.
2. The development of regulations and the capacity to protect the public from malpractice, unsafe products, procedures or services.
3. The development of the capacity to provide assurance of public safety through standard setting, licensing of institutions and practitioners, occupational registration, monitoring and enforcing, national coordination and technical advise.

## **Health and Medical Legislation 1950 – 2000**

Mental Health Ordinance 1985

Nurses Registration Bill 1963

Drugs Ordinance 1977

Drugs (Prevention of Misuse) Act 1988

Drugs (Prevention of Misuse) Act 1996

Antibiotics and Therapeutic Substances Act (cap. 176) 199.Rev

Compulsory Vaccination Ordinance 1927 (0) 3/1927

Congenital Disabilities (Civil Liability) Act 1976 UK

Coroners Act (cap.15) 1191 Rev.  
Food & Environment Protection Act 1985 (UK)  
Importation Prohibition (epidemic Diseases) Ordinance (Cap. 179) 1991 Rev  
Infant Life (Preservation Act (cap.33) 1991 Rev  
Legitimacy Act (Cap.271) 1991 rev.  
Leprosy Ordinance (cap.181)  
Medical Act 4 of 2000



# HER MAJESTY'S PRISON AT A GLANCE

---

by Ashford Frett

**T**he Prison and Police Headquarters occupied the same compound, with the Police having administrative responsibility for the service; it was not until 1956 when legislation was enacted to divorce the administration of the Prison from under the control of the Police and the post of Keeper of Police was introduced, but the Police maintained administrative control of the service until 1975. Earl Hall from Belize was appointed the first Keeper of the Road Town Prison, he held the post until the early 1980's.

One of Mr. Hall's mandate was to train a BV Islander to take over the Administration of the service. This was not realized until 1986 when Ashford Frett, the first local Superintendent of Prison was appointed he continues to serve in that capacity. With a staff complement of six officers and a prison population of four inmates in 1957, the service has grown significantly, both in prison population and in personnel.

A prison report dating back to 1843 recommended that the Prison in Road Town was not fit to keep prisoners and should be closed. This was not realized until 20th May 1997 when the Road Town prison was emptied of its inmates who were moved to the new and improved facility in Balsom Ghut located on the north eastern end of Tortola over-looking Guana Island.

During the fifty (50) years of representative Government, the Prison has undergone some significant, administrative and legislative changes, that have impacted positively the quality of life of those persons who have fallen within the system. Changes such as having the administration of custodial sentences imposed by the Courts locally, rather than having the prisoner sent to Antigua to serve his time which was the norm in earlier years. This change was around the late 1950's to early 1960. Another change relates to moving from the Road Town Prison, which was built to accommodate not more than 24 inmates, to the new Balsom Ghut Prison that has the capacity to accommodate 120 inmates and a staff complement 49 officers.

With the introduction of drugs into the BVI society in the mid to late 1970's, the type of offences and the kind of offenders have changed dramatically. There are now white-collar crimes of drug trafficking and crime of violence against the person as opposed to the former years when petty larceny and vagrancy were the most prevalent offences!

In 1999 the total prison population was forty-four (44). When compared to the number admitted in 1998, it was noted that there were some significant changes in the inmate makeup. A noticeable shift was also recorded in the age of those incarcerated. Prisoners in the twenty-nine (29) years and under age group decreased by 75% while persons in the age group thirty (30) years and over decreased only by 4.8%. A 65% increase was recorded in persons with non-British Virgin Islands status with 47% of those persons being admitted for drug trafficking. This in turn led to an increase in the number of persons incarcerated for longer periods as drug trafficking carries longer sentences.

Setting up of Rehabilitation Services has also been a new development. The new programme design will provide opportunity for the social, spiritual, physical and personal development of the individual through training. The objectives of the programme are three fold:-





# Fourteenth Legislative Council

**Speaker**



Hon. Reuben Vanterpool

**Ninth District**



Hon. Ralph T. O'Neal  
Chief Minister

**Second District**



Hon. J. Alvin Christopher  
Deputy Chief Minister  
Minister for  
Communications and Works

**Third District**



Hon. Julian Fraser  
Minister for  
Natural Resources and Labour

**Fifth District**



Hon. Ethlyn Smith  
Minister for  
Health and Welfare

**First District**



Hon. Andrew Fahie  
Minister for Education and Culture

**Territorial at Large Representative**



Hon. Reeial George

**Sixth District**



Hon. Omar Hodge

**Territorial at Large Representative**



Dr. the Hon. Orlando Smith

**Territorial at Large Representative**



Hon. Ronnie Skellon

**Seventh District**



Dr. the Hon. Kedrick Pickering

**Fourth District**



Hon. Mark Vanterpool

**Eighth District**



Hon. Lloyd Black

**Territorial at Large Representative**



Hon. Eileene Parsons

**Attorney General**



Mr. Chernon Jallow





11th Legislative Council

Front Row - Left to Right: Honourable Conrad Maduro, Louis Walters, Margaret Borde, Waiwyn Brewley, Keith Flax, Ralph T. O'Neal  
Back Row: Terrance Lettsome, Karl Alterlury (Attorney General), Cyril Romney, Oliver Cills, Omar Hodge, H. Lavity Stoutt.

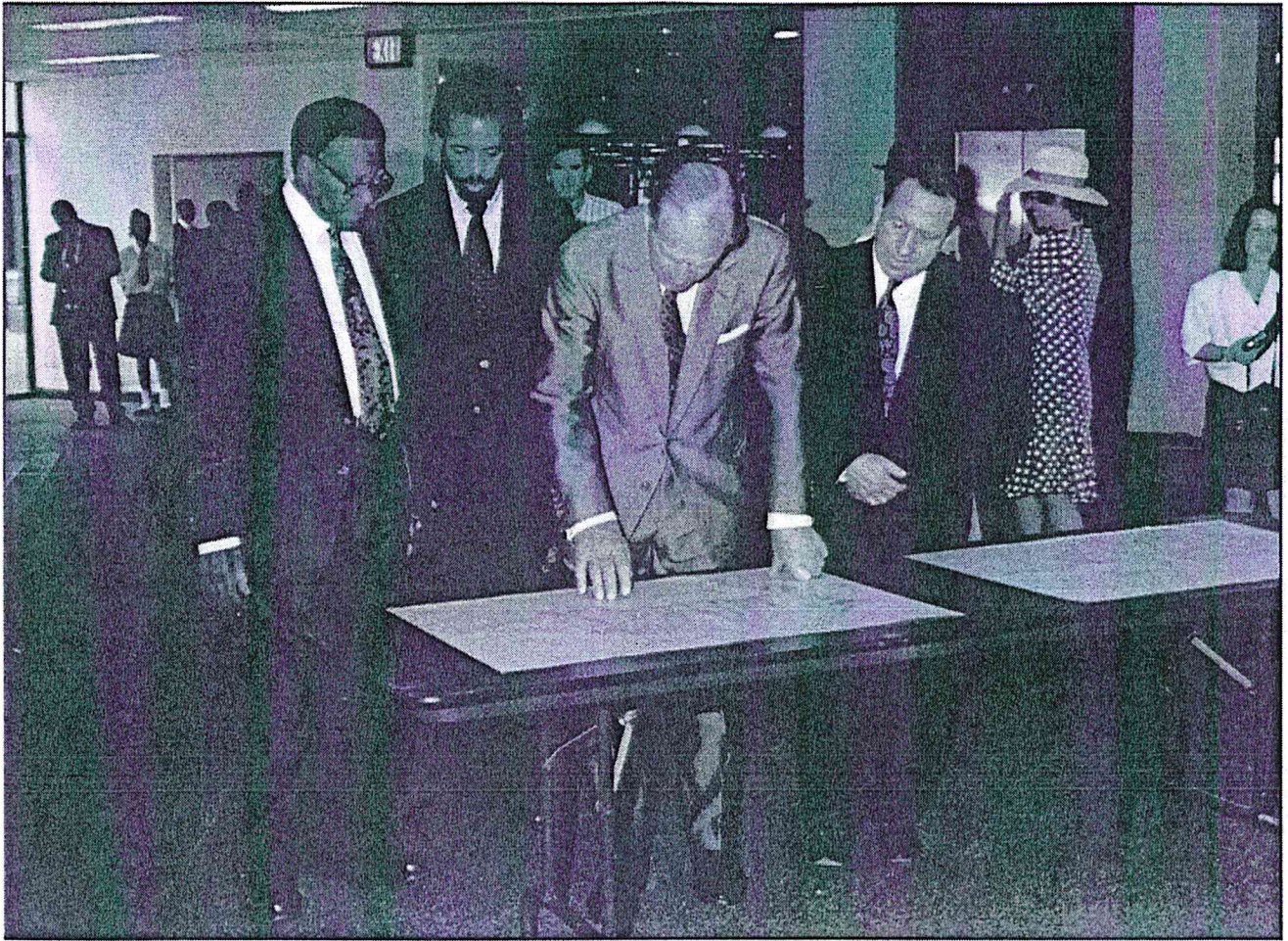




13th Legislative Council 1995 - 1999

- Front Row: Keith L Flax - Speaker, H Allington Hodge - Clerk  
 2nd Row: Terrance B Lettsome, Conrad A Maduro, Eileene L Parsons, Ethlyn E Smith, E Walwyn Brewley, Omar W Hodge, Dancia R Pen - Attorney General  
 3rd Row: H Lavity Stoutt - Chief Minister, Aundre E Penn, J Alvin Christopher, Hon. Ralph T O'Neal, Oliver Cills, Recial R George, Alfred Frett





His Royal Highness The Duke of Edinburgh on a visit to British Virgin Islands in 1993



H Lavity Stoutt with Dr. Charles Wheatley President of HLSCC at New York Fund Raiser, 1992



Fund Raising Event for H Lavity Stoutt Community College - New York, October 1992.  
Left to Right: Mr. Lester Hyman, Mr. and Mrs. William Cheney, H Lavity Stoutt, Mr. & Mrs. Henry Jarecki





Commonwealth Parliamentary Association Conference - Canada  
 2nd Left: Donald Trotman, Ralph T O'Neal, T B Lettsome,  
 2nd Right: A Hodge



British Virgin Islands/US Virgin Islands Friendship Day, Honourable Ethlyn Smith

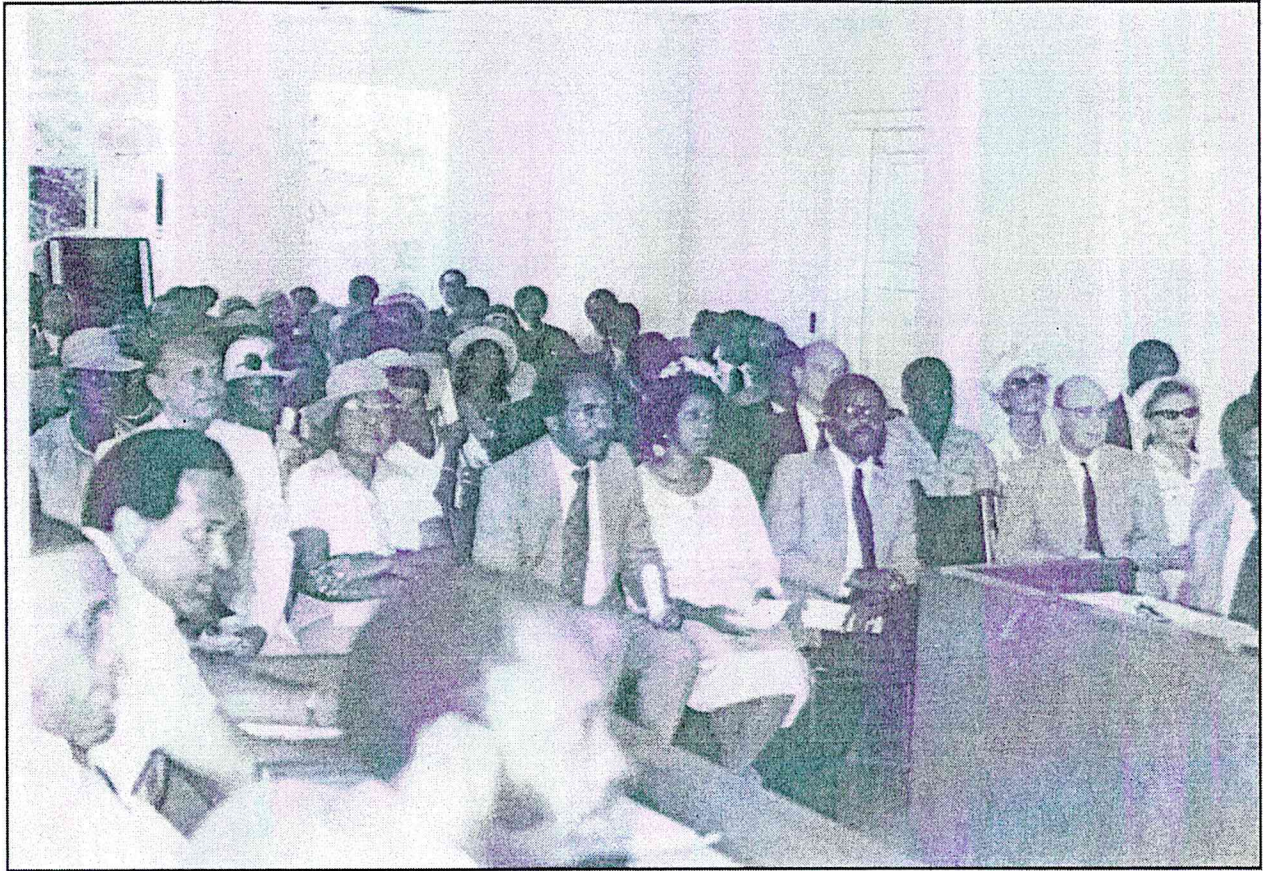


Legislative Council Building



Left to Right: Clerk - Allington Hodge,  
 Speaker- Keith L Flax - 1983-1997, Acting Governor -  
 Elton Georges OBE, 1983-





Opening of Sitting of the House

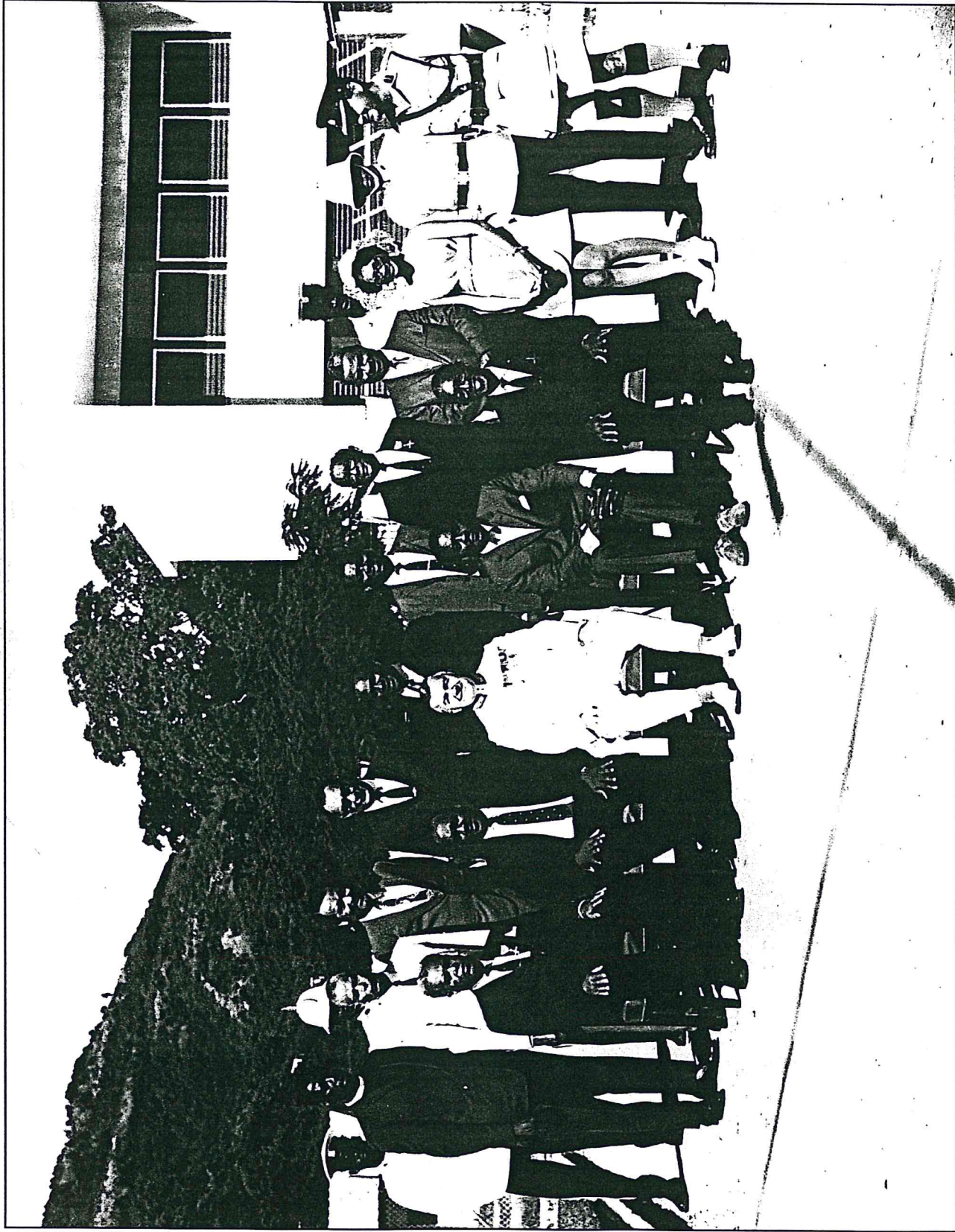


Left to Right: K Barn, Ralph T O'Neal, Omar Hodge, Prince Stoutt



Speaker Ivan Dawson, OBE (1975-1983) and Governor J. A. Davidson OBE (1978-1982)





Sixth Legislative Council 1969 - 1971

Front Row: Henry O. Creaque, Speaker, Nolan Jacobs - Attorney General John S Thomson - Administrator, H Lavity Stoutt - Chief Minister, Ivan Dawson

Back Row: Desmond Mason - Chaplain, E. Leopold Smith, Cyril B Romney, I. Gianville Fonseca, Q William Osborne, Terrance B Lettsome, Joseph R O'Neal, H Robinson O'Neal, Victoreen Romney - Clerk, Brina Greaves - Chief of Police



1. To capture the interest and involvement of all prisoners through the quality of activities and incentives offered.
2. Provide opportunities for skills learned to be transferred into the society upon discharge.
3. To be financially accountable for its function and activities.

The programme is implemented under the supervision of a principal officer. The activities of the programme are organized within an eight hour work day. Prisoners are required to work and fulfill their employment obligations, as though they are working on the outside. Their level of output is measured and rewarded through an incentive scheme.

Although the programme is available to all prisoners, there is not sufficient work space within the secured compound to provide adequate working opportunity for the category 'B' prisoners who cannot be trusted to work in open conditions, such as on the prison farm. As a result most category 'B' prisoners remain either confined to their respective cells or sit idly around the compound. This idleness by prisoners has the potential of breeding disruption within the institution. As the population continues to grow, serious attention must be given to providing adequate inmate activity space, if control is to be maintained on a long basis.

A location on the compound has been identified where a structure can be erected that would provide additional workshop space; this we hope would provide temporary activities for growing number of category 'B' prisoners. As the prison population increases, attention must be paid to maintaining a balance between security, discipline and rehabilitation; if these functions are unevenly balanced they can provide for major disturbances in the institution. What existed at the Road Town prison was a system of work assignments to clean up the Government Buildings, Burial Grounds and Parks when required to do so. Skilled prisoners desirous of working were allowed to practice their skills with support from the department. A structured Rehabilitation Programme geared to meeting the needs of the prison population could not be developed. This was due in part to a lack of work space, overcrowding and lack of finance the development of a structure programme where prisoners could be assigned to work on a timely and supervised basis.

Fortunately, the environment at the new prison is supportive. There is no overcrowding; space is available. Activities of this programme include religious and educational instructions, carpentry, tailoring, screen painting, concrete work and farming. A marketing programme is being developed, realistic production targets are being set and training of prisoners is taking place. These activities not only assist the rehabilitation process of prisoners but they also serve to bring stability to the service.

The ability to capture the interest of prisoners, and to motivate them to participate in the work programme on a voluntary basis is one of the challenges of the department, since one can no longer force a prisoner to work. The department must present a complete Sentence Plan for each prisoner that would provide employment, inform the process for rehabilitation and the management of the individual.

# Section V

## 50th Anniversary Commemorative Activities, Pictures *and* Speeches

Interdenominational Church Service .....	368
Ceremony Commemorating the Site of the First Sitting of the Legislative Council in the Virgin Islands .....	370
Ceremony in Honour of the First Elected Members of the Legislative Council .....	373
Special Sitting of the Legislative Council .....	381
Ceremony in Honour of Past and Present Chairman, Members, Officers & Clerks of the Legislative Council of the Virgin Islands .....	382
Special Sitting of the Legislative Council, Anegada .....	394
Ceremony in Honour of Theodolph Halburn Faulkner .....	395
Lecture: Evolution of Legislative Systems & Alternative Models for the Millennium .....	401
Opening of Historical Exhibition of the Legislative Council of the Virgin Islands & Unveiling of 50th Anniversary Stamp Issue .....	414
Pageant by Students of Primary & Secondary Schools .....	420
Mock Legislative Council Debate by BVI High School Students .....	423
Cultural Food Fair & Exhibition .....	425
Ceremony Honouring Citizens of the Virgin Islands .....	426



# Interdenominational Church Service

*Sir Rupert Briercliffe Hall  
Sunday, 19th November, 2000  
3:00pm*

\*1. Processional

**BVI High School Choir**  
*Millennium Praise Anthem by  
Verna Penn-Moll  
Music by Neville Pole*

\*2. Choral Introit

**H. Lavity Stoutt**  
**Community College Chorale**

\*3. Invocation

**Pastor Melvin Turnbull**  
*Cane Garden Bay Baptist Church*

4. Introduction/Welcome

**Hon. Ralph T. O'Neal, OBE**  
*Chief Minister*

\*5. Hymn - Lift Every Voice & Sing

**Congregation**

6. Old Testament Reading - Psalm. 133: 1-3

**His Excellency the Governor**  
*Francis J. Savage, CMG, LVO, OBE*

7. Choral Item - God of Our Fathers

**Old Timers and  
Foggy Mountain Boys**

8. Epistle - 1 John 4: 7-21

**Dr. The Hon. D. Orlando Smith, OBE**  
*Leader of the Opposition*

# Ceremony Commemorating the Site of the First Sitting of the Legislative Council in the Virgin Islands

*Old Elementary School Site, Lower Estate  
Monday, 20th November, 2000  
9:00am*

National Anthem

**BVI High School Band**

Invocation

**Pastor Pearl Smith**

Historical Perspective

**Dr. Quincy Lettsome**

*A Moment of Silence*

Reading of excerpts from  
the Minutes of the First Sitting

**JoRyan Palmer  
Sharoma Hodge  
BVI High School Students**

Unveiling of Site Marker

**Theodolph Landon Faulkner**

Remarks

**His Excellency, the Governor  
Mr. Francis J. Savage, CMG, LVO, OBE**

**The Honourable Chief Minister  
Mr. Ralph T. O'Neal, OBE**

Closing Remarks

**Mrs. Eugenie Todman-Smith**  
*Member, Legislative Council Commemorative Committee*



9. Solo - He's Got the Whole World **Miss Tracy Flax**
- \*10. Gospel Reading - Luke 6:27-36 **Mrs. Deborah Hodge**  
*National Youth Council*
11. Liturgy  
     Thanksgiving **Fr. Peter Brannelly**  
*Roman Catholic Church*
- Intercession **Fr. David W. Henry**  
*St. Georges Anglican Church*
12. Chorale Item - If My People by H.T.Burleigh **H. Lavity Stoutt**  
**Community College Chorale**
13. Message **The Rev. Mr. Selwyn Vanterpool,**  
*MBE, MPS, LTh*  
*President, Leeward Islands District of*  
*the Methodist Church in the Caribbean*  
*and the Americas*
- \*14. Closing Hymn - Soldiers of Christ **Congregation**
15. Closing Prayers **Pastor Commet Chalwell**  
*Circuit Overseer, Church of God of Prophecy*
- \*16. Benediction **Pastor Lucia Woods Ph.D**  
*Agape Total Life Centre*
- \*17. Recessional **BVI High School Choir**

\* Congregation Please Stand



**Audience members during the Site Ceremony.**



**Inscription on plaque placed at the Site of the First Meeting of the Restored Legislative Council.**



*Ceremony Commemorating the Site of the First Sitting of the Legislative Council*



Theodolph Landon Faulkner, son of Theodolph Halburn Faulkner, unveil the site marker. His father was a key figure in the restoration of the Legislative Council. His wife Myra looks on with Master of Ceremony for the programme Alford Penn in background.



BVI High School student Sharoma Hodge reads minutes recorded at first meeting of the Legislative Council on 5th December 1950.



Students of the Althea Scatliffe Primary School wait in anticipation of the unveiling.



Students of the BVI High School received an important history lesson by witnessing the commemoration ceremony.



Legislators past and present, government officials, overseas guest were among those gathered to witness the commemoration of the site of the first sitting off the restored Legislative Council in the Virgin Islands.



HE Governor Francis Savages, Chief Minister Hon. Ralph T. O'Neal and Mr. & Mrs. Faulkner pose at site marker.



# Ceremony in Honour of the First Elected Members of the Legislative Council in the Virgin Island

*Legislative Council Building  
Monday, 20th November, 2000  
10:00am*

**Chairman**  
**Cyril B. Romney**  
*Former Chief Minister*

Invocation	<b>Pastor Reginald Georges, MBE</b> <i>Former Regional Overseer, Church of God of Prophecy</i>
Historical Perspective	<b>Mrs. Jennie Wheatley, MBE</b>
Unveiling of Busts & Responses	<b>Families of First Elected Members of the Legislative Council</b>
Remarks	<b>Hon. Reuben W. Vanterpool</b> <i>Speaker</i>  <b>Hon. Ralph T. O'Neal, OBE</b> <i>Chief Minister</i>  <b>Hon. D. Orlando Smith, OBE , FRCS</b> <i>Leader of the Opposition</i>
Closing Remarks	<b>Mr. Kedrick Malone</b> <i>Chairman, Legislative Council Commemorative Committee</i>



## UNVEILING CEREMONY OF FIRST FOUR ELECTED MEMBERS

A speech delivered by Chief Minister Hon. Ralph T. O'Neal OBE

Ladies and Gentlemen,

I am indeed most pleased that part of the celebration for the 50th Anniversary of the Restoration of the Legislative Council includes the unveiling of the busts of the first four elected members. I am also very pleased that the families of these four members are present here today and from what they have told me they are proud of the fact that one of their family members was so much involved in the restoration of the Legislative Council and that the present Council have seen fit to acknowledge the part they played and have these busts erected here.

It is hoped that we the present members would gain inspiration each time we come to the Chambers and see these busts there and remember that they served this country and because of the sacrifice they made we should endeavour to carry on the traditions of serving the people of these islands.

As Clerk of the Council, I had the privilege of working with all of them except Mr. DeCastro, but I knew him before he became a member of Council and his was a life of service to the whole community of the British Virgin Islands. It was therefore no surprise that he took part in the great march of 1949 and then became an elected member of Council. He continued this life of service until he became ill but even then at his home he would give sound advice drawing on his knowledge and experience.

It was a wonderful experience working as Clerk of the Council and although Mr. John Charles Brudenell Bruce had a much shorter time than Mr. Penn and Mr. Fonseca, his tact and diplomacy were greatly admired and added very much to the tone of the debate. It is now customary to describe members of Council as either being left or right, hawks or doves, conservatives or liberals, democrats or republicans. While some people who remember Mr. Bruce and Mr. Penn might describe them as doves, I can venture to describe them as being hawkish when it came to the Virgin Islands having nothing to do with the Federation of the West Indies.

How right they were when the ill-fated federation was dissolved in 1962. I can also venture describe Mr. Penn as being hawkish when it came to the economic development of the British Virgin Islands. In fact he was the man who advocated that these islands should become a financial centre and he devoted a lot of time in making representation for the reduction of income tax. He was successful in the campaign for the abolition of death duties and capital gains tax. It was he, who as member for Trade and Production, set up the first Tourist Advisory Board and got the first and got the first experts to come in to advise on tourism development as he saw the potential for tourism in the Territory. As a member of the Legislative Council and the Member for Trade and Production, he was always ready to exploit any possibility for British Virgin Islanders to be gainfully employed here or abroad and there are people who can testify to his work in the establishment of a slipper factory by Gustave and Co. of the Virgin Islands and the recruitment of workers for the sugar industry in St. Croix. He was always willing to give of his time in the cause of the British Virgin Islands and I can never forget

Works and Communications from 1957 to 1960 and he was one of those elected members who saw the need to control the sale of land to non British Virgin Islanders and he had the courage



is best for our country.

We owe them the determination to continue to develop and protect our economic strengths, as well as to seek other industries for our continued growth.

we owe them the determination to develop develop strong social programs, in health, education social welfare and all the other programs which are necessary .

And we owe them the determination to move forward with a clear vision for our future and that of our children and to devise and follow a plan for our entire development rather than meandering in the hit and miss fashion that we so often do.

I am truly honored to be a part of this ceremony and a part of the political milieu that guides our country and which these gentlemen have been so instrumental in developing.



**The Audience gathered at the honour ceremony. In front row, Mrs. Myra Faulkner, Mr. Edris O'Neal, Chief Minister Hon. Ralph T. O'Neal and HE Governor Francis Savage.**



## HONOURING THE FIRST ELECTED

A speech delivered by Leader of the Opposition, Dr. the Hon. D. Orlando Smith

Chief Minister etc. Good Morning

It is with great humility and respect that I find myself part of this ceremony to honor Messers H.R. Penn, I.g.Fonseca, Brudnell Bruce and Carlton Decastro

I say this because of the extremely important part they have played in this country's political development, in reestablishing representative government, in fulfilling the predictions of the editorial in a St Thomas daily paper which said that. "The people of the B.V.I. would continue to live in misery unless someone rises up among them who is heedless of reprisals to give vigorous battle to the existing state of affairs."

Some 47 years before the date of which I speak the people of this country had given up all pretence at representative government and the legislature was dissolved leaving the country to be run from the head of the presidency in St.Kitts.

This after Emancipation and the flight of white enterprise and wealth.

It took the return of BVI Islanders who had traveled and experienced the freedom in New York and The U.S, Virgin Islands, like Moses Stephens a Tortolian who had returned home from New York and who started the civic league, to awaken the consciousness of the rest of the community, to perhaps even summon the courage to tell Mr. Faulkner of their woes.

But happen it did and he galvanized support from the community, and things begun to happen.

Mr. Penn described Mr. Faulkner as a flamboyant and talkative man who made friends easily.

Messers I.G.Fonseca and Carlton Decastro two of the gentlemen whom we are honoring today joined Mr., Faulkner and together they organized the demonstration of 1949.

After the demonstration was successful and the secretary of state had accepted the need to go forward these men mobilized a party in which name they would contest the election.

At that election these two as well as Mr.H.R.Penn and Brudnell Bruce who were independent candidates and whom we are also honoring here today were elected, two from the party and two independents.

What was demonstrated here ladies and gentlemen was the indomitable spirit of man?

It will not be held back forever. There will always come a point, through whatever catalyst that it will break free and forge for itself a new identity.

The question now is as Mr. Reagan asked when he was contesting the presidency of The United States of America "Are we better off"

The answer I would say is a definite yes. Politically we have advanced dramatically; we have had two subsequent constitutional changes and have true representative government. And since the last Elections we have emerged two strong parties a sure sign of a maturing democracy.

Economically we have long been out of grant and aid, have two, at least at this time, strong economic pillars, and are able plan and execute more and more significant developments in our infrastructure, and to develop stronger social programs.

Do we then owe these gentlemen a debt of gratitude?

Again a resounding yes!

Along with that gratitude we also owe them much more.

We owe them the determination to continue to explore all the aspects of that freedom for which they fought, to educate our people about it and to choose wisely as we seek to embrace what



is best for our country.

We owe them the determination to continue to develop and protect our economic strengths, as well as to seek other industries for our continued growth.

we owe them the determination to develop develop strong social programs, in health, education social welfare and all the other programs which are necessary .

And we owe them the determination to move forward with a clear vision for our future and that of our children and to devise and follow a plan for our entire development rather than meandering in the hit and miss fashion that we so often do.

I am truly honored to be a part of this ceremony and a part of the political milieu that guides our country and which these gentlemen have been so instrumental in developing.



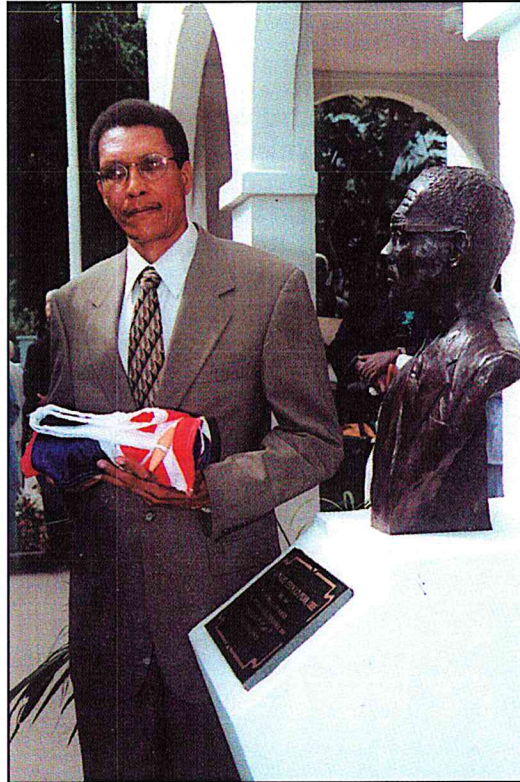
**Part of the audience at ceremony honouring the first four elected members of the restored Legislative Council.**



*Ceremony in Honour of the First Elected Members of the Legislative Council*



**Jennifer Fonseca-Wassell stands beside bust of her father, Isaac G. Fonseca, First elected member of the first Legislative Council after restoration.**



**Reginald Penn stands beside the bust of his father, H. R. Penn, second elected member of the First Legislative Council after restoration.**



**Lambert de Castro receives flag from Honour Guard as he stands beside the bust of his father, Carlton Leslie deCastro, third elected member of the First Legislative Council after restoration.**



**Diana Bruce stands beside the bust of her father, H John C. Brudenell-Bruce, fourth elected member of the First Legislative Council after restoration.**



*Ceremony in Honour of the First Elected Members of the Legislative Council*



Former Chief Minister and master of ceremony for the programme, Mr. Cyril Romney, kept audience attentive with his oratory skills and stories.



BVI Culture and education icon Mrs. Jennie Wheatley delighted and educated audience with a unique historical perspective.



Bronze busts of the first four elected members grace the entrance to the Legislative Council Building.





*Ceremony in Honour of the First Elected Members of the Legislative Council*



**Port of the audience on hand to witness the unveiling of the bronze busts .**



**The audience on hand to witness the unveiling. The four bronze busts are draped with the BVI flag in the background.**



# Special Sitting of the Legislative Council

*Sir Rupert Briercliffe Hall  
Monday, 20th November, 2000  
11:00am*

On the Occasion of the 50th Anniversary of its restoration, the 14th Legislative Council decided to meet at the Sir Rupert Briercliffe Hall in order to accommodate the large crowd in attendance.



**Government members at special sitting**



**Opposition members at special sitting.**



**H.E. Governor Savage addressing the special sitting.**



**H.E. Governor Charles Turnbull of the USVI (2nd left), Hon Osbourne Flemming, Chief Minister of Anguilla (3rd left), and other guests at special sitting.**



# Ceremony in honour of Past and Present Chairmen, Members, Officers & Clerks Of the Legislative Council of the Virgin Islands

*Sir Rupert Briercliffe Hall  
Monday, 20th November, 2000  
7:00pm*

*Chairman*

**Elton Georges, OBE**

\*The Procession led by his Excellency the Governor

**Mrs. Lorna Smith**  
*Announcer*

\*National Anthem

**BVI High School Band**

\*Invocation

**The Rev. Canon Lionel Rymer**

Introduction of Guests & Presentation of Gifts

**Dr. Esmeralda O'Neal**  
**Mrs. Olive Vanterpool**

All About the Blues - *Composer, Mr. Pat Strommer*

**Bregado Flax School**

Summary of Legislative Accomplishments

**Mrs. Rita Frett-Georges**

Presentation of Essay Winners

**Primary School Student**

Presentation to Honourees

**Mr. Alford Penn, OBE**

*(donated to the Legislative Council by Hon. Reuben Vanterpool)*

Response on behalf of Members

**Hon. Ralph T. O'Neal**

Musical Selection - *Moonlight Sonata* by L. Beethoven

**BVI High School Band**

Introduction of Guest Speaker

**Mr. J.S. Archibald, QC**

Guest Speaker

**Dr. the Hon. Denzil Douglas**  
*Prime Minister of St. Kitts & Nevis*

Song - *Impossible Dream*

**Robert Chalwell**  
*Director of Music, HLSCC*

Poem - "*The Virgin Island Negro*" by A. Osorio Norman

**Students of HLSCC**

Closing Remarks

**Kedrick Malone**  
*Chairman, Legislative Council Commemorative Committee*

The Recession

**BVI High School band**



The Commemorative Gift presented to honourees and family representatives. The painting was donated to the Legislative Council Commemorative Committee by Hon. Reuben Vanterpool. Each picture is framed in mahogany with the 50th Anniversary commemorative logo engraved at the top and the honouree's name and time of service to the Legislative Council inscribed at the bottom. The following text is inscribed on the painting: *The Virgin Islands Sloop, unique in the world, transported our Representatives to the Federal Legislative Council Meetings in Antigua from 1902 to 1956.*



## ADDRESS BY THE PRIME MINISTER OF ST. KITTS & NEVIS, DR. THE HON. DENZIL L. DOUGLAS

*Sir Rupert Briercliffe Hall, Road Town, Tortola, British Virgin Islands*

*Monday 20th November 2000*

Thank You Mr. Archibald, our distinguished and learned Queen's Counsel for your kind words of introduction.

Your Excellency Governor Frank Savage; Chief Minister of the British Virgin Islands, the Distinguished Hon. Ralph T. O'Neal and Rev O'Neal and distinguished Members of the Executive Council, past and present; the Hon. Reuben Vanterpool, Hon. Speaker and Members of the Legislative Council, both Past and Present; Your Lordship, Mr. Justice Neville Smith, Distinguished members of the Diplomatic Corps and also of the Clergy, Distinguished Ladies and Gentlemen and students.

Firstly, I bring YOU greetings on behalf of the Government and People of the Federation of St. Kitts and Nevis on this historic occasion, marking the 50th Anniversary of the Restoration of the Sitting of the Legislative Council in the Virgin Islands. It is indeed an honour for me to participate in such a historic event. I wish to thank the organisers and the Government and People of the British Virgin Islands for your genuine warmth of welcome and profuse hospitality that have greeted me since I arrived in the territory earlier today.

Our islands being part of the Leeward Islands chain as well as the greater Caribbean, cannot afford to grow apart. Our recent experiences with the World Trade Organisation (WTO), the Organisation for Economic Cooperation and Development (OECD) and other international organisations have shown us the need to harness our resources and attack our problems in a unified manner if we expect to be respected in the emerging global economy.

The government of St. Kitts and Nevis has remained committed to regionalism for the last six decades. Moreover, it was St. Kitts that became the focus for the thrust of reform in the Caribbean during the struggles of the 1930's.

After attending the various ceremonies today to mark the 50th Anniversary of the legislative empowerment of the people of the Virgin Islands, please permit me to ask myself aloud in your presence the following question. What is my vision for the Caribbean and what role would the BVI play in the realisation of this vision?

My Vision, Ladies and Gentlemen, is to achieve a United Caribbean, A United Caribbean, that stretches from the islands of the Bahamas in the North to the Dutch islands of Aruba, Curacao and Bonaire in the South. In such a Vision, I envisage these Virgin Islands with its per capita income of 3 5,000 United States Dollars, with its high standard of living and its successful economy, playing a pivotal role in the success of the Caribbean region. It is for this reason that the development of these Virgin Islands is a matter that goes beyond academic interest for the people of St. Kitts and Nevis.

My Government is interested in exploratory talks with the Government of the British Virgin Islands to deepen bilateral relations between our two countries in a range of matters concerning mutual, cultural and economic development, sports, immigration and other related areas. Through improved dialogue, we believe that it is possible to establish a more functional relationship, which would improve the quality of the lives of our respective peoples.

Distinguished Ladies Gentlemen, the Caribbean will have to face the challenges and



contradictions of globalization and will have to come to terms with a new economic order in which its status as the world's most protected area will come under severe and increasing pressure. There must be a fundamental repositioning of the Caribbean in the new global economy and a drastic sea of change in the relationship between ourselves in the region and with entities abroad with whom we have traditionally enjoyed the benefits of special relationships.

The Caribbean, I submit, will have to reorder and redefine its own development strategy, redefine its relationship with traditional economic partners, strike out in new directions with new trade and economic groups, and acquire the capacity to survive and prosper in a new international trade regime which places a premium on the survival of the fittest and most competitive.

The spirit of our times calls for a new partnership, a partnership between the Caribbean Peoples. A truly successful partnership between all of the Caribbean, as we move into the new millennium, must rest on at least three interrelated premises.

Firstly, that the prosperity, peace and stability of the Caribbean remain of deep and abiding interest, both to the peoples and the governments of the Caribbean. Secondly, that the struggle to achieve these desired conditions must flow from a genuine process of consultation and dialogue; and thirdly, that the multidimensional approach to achieving these conditions is more likely to yield beneficial and enduring results than an uni-dimensional approach that attempts to address a single aspect of our problems.

The twenty-first century Caribbean must be one which will be re-ordered to compete with the very best. It must seek to optimize the use of the creative talents of its people as the cutting edge of its development strategy, and it must secure a niche for itself in a tumultuous global economy characterized by rapidly changing technology. We must therefore position ourselves as a highly competitive Live producer and exporter of services and high-valued manufactured goods---without losing our own cultural values and forms which have crafted a unique Caribbean identity.

We in the Caribbean are an aspiring society that will not settle for anything less than First-Class. We in St. Kitts and Nevis, like you here in the British Virgin islands believe that here in the Caribbean we have created a unique culture which gives us a special perspective on life and life's problems.

It would be nothing short of disastrous if our culture were to be destroyed or overwhelmed by powerful economic forces from outside of the region. This potential danger must not be addressed episodically or be reduced to mere utterances, but we must begin to fashion a real substantive defense to the cultural onslaught that necessarily will accompany the economic transformation that is heralded by globalization.

Already CARICOM is seeking to fashion the development of a Single Market and Economy that would seek to dismantle many of the barriers that inhibit the rapid unification of our region. I have a vision of the British Virgin islands becoming a part of that micro-bloc. Indeed, your role in the process towards regional integration, albeit only in a functional cooperation capacity at present, is well documented, by among others, your membership in the University of the West Indies, your membership in the Organization of Eastern Caribbean States, your membership in CARICOM and the Caribbean Development Bank, your participation in regional sports, in Leeward Islands Cricket and therefore in West Indies cricket; in Volleyball, Track and Field and Basketball; and of course your participation in the Caribbean Festival of Arts.

Let me pause at this moment and take this opportunity to congratulate you on your participation in the Seventh Caribbean Festival of Arts (CARIFESTA), hosted by St. Kitts and Nevis last August. Your delegation has done you proud and the performance of the Lashing Dogs was a favourite with the huge crowd of residents and visitors. I must inform you that through the grapevine, I have learnt of discussions of bringing the Lashing Dogs back to St. Kitts and Nevis



to participate in our annual Christmas/Carnival Celebrations late December/early January.

I wish to emphasise that these are laudable efforts. However, if we are to be part of the integration process, we need to do more. We must involve the entire populace in the defence of our heritage, otherwise the danger exists that globalization would be nothing short of a return to the colonial experience for our entire region. This, I insist, must never, ever happen.

I ask you therefore to ponder on these questions. Are the countries of the Caribbean in general and the British Virgin Islands in particular preparing for this challenge? Or is the mood of our leaders one of "positive watchfulness"? I submit that time is running out very quickly. Our future would be shaped on what actions we take in the present, our past is already history and as one of the relatives of the 5 original legislators whom we celebrated said this morning "To honour our past is to support our future."

Mr. Chief Minister, Mr. Speaker, Members of the Executive and Legislative Branches of Government, distinguished Ladies and Gentlemen, the British Virgin Islands has become home to many persons from other Caribbean nations and countries far away and St. Kitts and Nevis is proud of its contributions made in the preparation for people empowerment here in the British Virgin Islands.

Though there are no formal inter-governmental relationships now existing between my Federation and your islands, several persons from these islands have attended the then St. Kitts-Nevis Grammar School as you have heard earlier today and this evening. The present distinguished Chief Minister, the Hon Ralph O'Neal and the former distinguished Chief Minister, Mr. Cyril Romney and the late I. G. Fonseca, are among the products that we are proud of in St. Kitts and Nevis. Mr. J. R. O'Neal one of your distinguished sons, began his own training at our then Cunningham Hospital in Basseterre, St. Kitts and worked alongside our present Governor General, Dr. Sir Cuthbert Montraville Sebastian

Many people from St. Kitts and Nevis have found a home and work here in the British Virgin Islands and have made and are continuing to make a sterling contribution to the development of the British Virgin Islands. Your own Queen's Counsel, who has so eloquently introduced me tonight, Mr. Joseph S. Archibald, Mr. Lionel Barker, Mr. Merritt Herbert, Mr. Basil Blake, Mr. Keith Matthew, Mr. Sydney Farara and Mr. Theodore Skeete, have made their mark in various areas in this country.

St. Kitts and Nevis, has on occasions, turned to the British Virgin Islands for technical assistance and I wish to place on record, the assistance given by your esteemed Director of Financial Services, Mr. Robert Mathavious. As Minister of Finance in St. Kitts and Nevis, the immediate past Chairman of CARICOM and as a member of the present CARICOM Bureau, I wish to commend Robed who has provided us, in St. Kitts and Nevis and indeed the entire Caribbean region, with expert advice and guidance in dealing with the Caribbean Financial Action Task Force, the Financial Action Task Force and the OECD in putting together internationally-acceptable guidelines for the regulation and the supervision of our international financial services sector.

Tonight, please allow me to commend your earliest, your later and your present legislators, who with a passion for self determination sat in your restored legislature and enacted laws that have enabled the British Virgin Islands to develop a service-oriented type of economy that is the envy of not only your Caribbean neighbors but the wider international financial community.

My Government is presently committed to the diversification of its traditionally agricultural-based economy and will do so through a number of developmental projects, one of which is well-known as the Whitegate Development Project. This speaks of the construction of a new town from Harris to Newton Ground on the northwestern tip of St. Kitts. It includes the building of hotels,



condominiums, golf courses, a state-of-the-art horse race track and a marina. I believe that we can learn a lot from you in ensuring proper management in the preservation of marine life and the eco-system as well as your experience as the yachting and bareboat capital of the World. We celebrate with you the contribution that your legislators have made towards these specific achievements.

Your Excellency, Distinguished Chief Minister and Speaker and Members of the Legislature, Ladies and Gentlemen, permit me to recognise, one of your own, one of your celebrated past legislators who is celebrated today as your National Hero.

The late Hamilton Lavity Stoutt, like Sir Robert Llewellyn Bradshaw of St. Kitts and Nevis was a man who came not from the capital, a man who came of humble beginnings, a man who never had the opportunity to enter a Grammar School or a University. who however rose to the highest esteemed and elected office of the land. He gave his life in the service of his people and has secured the educational, cultural, social, economic and political benefits that all British Virgin Islanders -both Belongers and Non-Belongers enjoy today. The honour that you have restored upon him is symbolic of the honour and the high esteem in which you hold your own legislators present and past in this country.

I am very elated to learn, that like our own National Assembly in St. Kitts and Nevis which has set aside September 16th every year - the birthdate of Bradshaw and France, as National Heroes Day, your Legislature just last month, passed the necessary legislation to make the birthdate of Hamilton Lavity Stoutt, a holiday in recognition of his sterling contribution to the British Virgin Islands and closer working relationship with the neighboring U.S. Virgin Islands. I commend you for this important achievement.

My Government of St. Kitts and Nevis congratulates the people of the British Virgin Islands for the difficulties you have surmounted in the past and hope that all the people will continue to benefit from the future, economic, political and social development.

The British Virgin Islands - 'Nature's Little Secret' remains poised as a center of excellence, relying on small size and at the same time using the benefits of such size. It continues to build on a long legacy as part of a modern dynamic international business environment. The tradition of its heritage combine with its modernity in a fusion which together reflect grace, promise and hope for the future of your people

Chief Minister, Mr. Speaker, Members of your Council, the sterling service of the former legislators must continue to be the guiding light for present and future generations. You should try to appreciate how happy my heart was tonight when that little lad came here and read his winning essay. These are the future leaders we need to nurture for the future to carry on this great legacy in your country and the Caribbean region.

As lawmakers, we must set the example for this environment to continue to flourish. Let us all resolve to see ourselves as builders, as givers rather than takers, as loyal and compassionate citizens, parents, children, spouses and friends. The British Virgin Islands deserves nothing less.

Theodolph Faulkner, I. G. Fonseca, Carlton De Castro, C. Brundell-Bruce and Howard Penn; Lavity Stoutt, Sir Ola Georges, Q. W. Osborne, Willard Wheatley, Cyril Romney. Ralph O'Neal, Terrence Lettsome (and I had the privilege today at lunch to sit next to this stalwart of some 28 years,); Ivan Dawson, and many others have made a sterling contribution in the evolution of a democratic representative system, identification and successful management of a new economic and social order, provision of educational and professional opportunities at the highest level and the empowerment of the youth, for the overall development of the British Virgin Islands.

Serving Legislators, you are here because they were here before you. Their legacy has been transformed into your own inspiration and into your new challenges. You of this present



*Ceremony in Honour of Past and Present Chairmen, Members, Officers & Clerks  
of the Legislative Council of the Virgin Islands*

generation are now called upon to rededicate yourselves. You have no other course. They have left you with no other choice but to rededicate yourself with patriotism, unity and vision.

I wish to remind you, just as I reminded my own people during our 17th anniversary of Independence celebrations a few weeks ago, that Unity is a prerequisite for survival. United we stand, Divided we fall' is as pertinent now as it was when first coined. Each and everyone of you, each and every political leader and political party must join in joyous celebration of the things that unite you.

The unity of which I speak should prevail not only during this week of special celebration, but it should prevail throughout the entire year. Of course, there are going to be differences and this is only to be expected and that is good. But I am sure that the things that unite you are more than the things that divide you here in the British Virgin Islands.

As legislators you must have a vision for your District and for the British Virgin Islands. What is that vision for the next five years, the next ten years, the next 50 years?

You, I remind you, are all moments in the life of the spirit. As such, each of you counts. Each of you must believe himself or herself capable of making a difference in the British Virgin Islands and in the Caribbean region. Take hold now of your vision, individually and collectively, and set it to work to build these tranquil islands of yours.

My dear ladies and gentlemen, in closing, I emphasise, Patriotism! Unity! and Vision! These are the thoughts I leave with you, not only as you celebrate the 50th Anniversary of the First Sitting of the Legislative Council in the Virgin Islands, but the days and years ahead for the benefit of all in the British Virgin Islands and the Caribbean.

Your Excellency the Governor, Mr Chief Minister, Mr. Speaker, Legislators, British Virgin Islanders, Belongers, Residents, Caribbean People, let us resolve to put our hands to the plough to do all that is necessary to bring about this transformation in the relations of our people and our dearly beloved countries.

Again. I congratulate all concerned on this most momentous occasion. God Bless you, I thank you.



**Honourees and family representatives of honourees**



## Past and Present Living Chairmen, Members, Officers & Clerks of the Legislative Council of the Virgin Islands

### **SPEAKERS**

**KEITH L. FLAX**  
Speaker of the Virgin Islands  
Legislative Council  
1983 - 1997

**REUBEN VANTERPOOL**  
Speaker of the Virgin Islands  
Legislative Council 1997 to present

### **ELECTED MEMBERS**

**LESLIE MALONE**  
Member of the Virgin Islands  
Legislative Councils  
1954 - 1963

**EDWIN LEONARD**  
Member of the Virgin Islands  
Legislative Council  
April to August 1954

**WALDO O'NEAL**  
Member of the Virgin Islands  
Legislative Council  
1957 - 1960

**IVAN DAWSON CBE**  
Member of the Virgin Islands  
Legislative Councils 1957 - 1975  
Speaker 1975 - 1983

**RALPH TELFORD O'NEAL OBE**  
Clerk of the Virgin Islands Legislative  
Council 1962  
Second Nominated Official Member  
1966  
Member of the Councils 1975 - present

**ALBAN U. ANTHONY**  
Member of the Virgin Islands  
Legislative Councils  
1975 - 1983

**LEOPOLD E. SMITH**  
Member of the Virgin Islands  
Legislative Council 1967 - 1971  
Nominated Member 1975

**TERRANCE B. LETTSOME**  
Member of the Virgin Islands  
Legislative Councils  
1963 - 1971, 1979 - 1999

**OLIVER CILLS**  
Member of the Virgin Islands  
Legislative Councils  
1971 - 1983, 1986 - 1999

**CONRAD A. MADURO**  
Member of the Virgin Islands  
Legislative Councils  
1971 - 1975, 1983 - 1990, 1995 -  
1999

**REEIALA. GEORGE**  
Member of the Virgin Islands  
Legislative Councils  
1971 - 1975, 1995, 1999 - present

**PRINCE M. STOUTT**  
Member of the Virgin Islands  
Legislative Councils  
1979 - 1983, 1990 - 1995

**CYRIL B. ROMNEY**  
Financial Secretary of the Virgin  
Islands Legislative Council  
Member of the Councils 1979 - 1995

**OMAR W. HODGE**  
Member of the Virgin Islands  
Legislative Councils  
1979 - present

**EARL P. FRASER**  
Member of the Virgin Islands  
Legislative Council  
1983 - 1986

**E. WALWYN BREWLEY**  
Member of the Virgin Islands  
Legislative Councils  
1983 - 1999

**CYRIL LEWIS WALTERS MBE**  
Member of the Virgin Islands  
Legislative Councils  
1986 - 1995

**J. ALVIN CHRISTOPHER**  
Member of the Virgin Islands  
Legislative Councils  
1995, 1999 - present

**ETHLYN E. SMITH**  
Member of the Virgin Islands  
Legislative Councils  
1995, 1999 - present

**ANDRE' ERIC PENN**  
Member of the Virgin Islands  
Legislative Council  
1995 - 1999

**EILEENE L. PARSONS**  
Member of the Virgin Islands  
Legislative Councils  
1995, 1999 - present

**ALFRED FRETT**  
Member of the Virgin Islands  
Legislative Council  
1995 - 1999

**ANDREW A. FAHIE**  
Member of the Virgin Islands  
Legislative Council  
1999 - present

**MARK H. VANTERPOOL**  
Member of the Virgin Islands  
Legislative Council  
1999 - present

**JULIAN FRASER**  
Member of the Virgin Islands

Legislative Council  
1999 - present

**KEDRICK D. PICKERING MD**  
Member of the Virgin Islands  
Legislative Council  
1999 - present

**LLOYD K. BLACK**  
Member of the Virgin Islands  
Legislative Council  
1999 - present

**DANIEL ORLANDO SMITH OBE, FRCS**  
Member of the Virgin Islands  
Legislative Council  
1999 - present

**RONNIE W. SKELTON**  
Member of the Virgin Islands  
Legislative Council  
1999 - present

### **NOMINATED MEMBERS**

**JOSEPH REYNOLD O'NEAL CBE, OBE**  
Nominated Unofficial Member of the  
Virgin Islands Legislative Councils  
1950 - 1971  
Deputy President and Acting  
Chairman of the Council 1966

**EMOGENE CREQUE**  
Acting Nominated Unofficial Member  
of the Virgin Islands Legislative  
Council  
three months in 1965

### **ATTORNEYS GENERAL**

**CHERNO JALLOW**  
Attorney General of the Virgin  
Islands Legislative Council 1999 -  
RUTH DANCIA PENN OBE, QC  
Attorney General of the Virgin  
Islands Legislative Council  
1992 - 1999

**LEWIS HUNTE**  
Attorney General of the Virgin  
Islands Legislative Council  
1982 - 1986

**JOSEPH S. ARCHIBALD QC**  
Crown Attorney of the Virgin Islands  
Legislative Council  
1964 - 1965

**EDGAR A. C. HEWLETT**  
Acting Attorney General of the Virgin

Islands Legislative Council  
1970

**LIONEL W. BARKER**  
Crown Attorney and Attorney  
General of the Virgin Islands  
Legislative Councils  
1965 - 1996

**FINANCIAL OFFICIALS**

**DOUGLAS DIXON WHEAT-  
LEY**  
Acting Financial Secretary of  
the Virgin Islands Legislative  
Council

**ALEXANDER OGILVIE**  
**SHIRLEY MBE**  
Acting Financial Secretary of  
the Virgin Islands Legislative  
Council

### **CLERKS**

**SELWYN L. VANTERPOOL**  
MBE, MA, MPS, L Th  
Clerk of the Virgin Islands  
Legislative Council

**MARVIN E. FLAX DS**  
Clerk of the Virgin Islands  
Legislative Council  
1964 - 1968

**MARGARET G. RYMER**  
**BORDE**  
Clerk of the Virgin Islands  
Legislative Councils  
1968, 1972 - 1987

**VICTOREEN ROMNEY**  
**VARLACK**  
Clerk of the Virgin Islands  
Legislative Council  
1969 - 1972

**HUGH ARLINGTON**  
**HODGE**  
Clerk of the Virgin Islands  
Legislative Councils  
1987 - 1998

**JULIA A. LEONARD MASSI-  
COTT**  
Clerk of the Virgin Islands  
Legislative Council 1998 -  
1999

**OLEANVINE PICKERING**  
**MAYNARD**  
Acting Clerk of the Virgin  
Islands Legislative Council  
1999



*Ceremony in Honour of Past and Present Chairmen, Members, Officers & Clerks of the Legislative Council of the Virgin Islands*



**Alford Penn (left) and Phyllis Shirley (center) present Verna Faulkner-White, daughter of the late Theodolph H. Faulkner, member of the First Legislative Council, with a gift in his behalf.**



**Alford Penn (left) and Phyllis Shirley (center) present David Glanville Fonseca, son of the late Isaac G. Fonseca, member of the First Legislative Council, with a gift in his behalf.**



**Eugenie Todman-Smith (left) and Phyllis Shirley (center) present Marlene Penn Trotman, daughter of the late Howard Reynold Penn, member of the First Legislative Council, with a gift on his behalf.**



**Alford Penn (left) and Phyllis Shirley (center) present Yvette Malone, daughter of the late Carlton Leslie deCastro, member of the First Legislative Council, with a gift on his behalf.**



**Alford Penn (left) and Phyllis Shirley (center) present Diana Bruce, daughter of the late John Charles Brudenell-Bruce, member of the First Legislative Council, with a gift on his behalf.**



*Ceremony in Honour of Past and Present Chairmen, Members, Officers & Clerks  
of the Legislative Council of the Virgin Islands*



**Hon. Ralph T. O'Neal, Chief Minister, (right) receives a gift from Alford Penn (left) and Phyllis Shirley (center).**



**Dr. the Hon. D. Orlando Smith, Leader of the Opposition (right) receives a gift from Alford Penn (left) and Phyllis Shirley (center).**



**Terrence B. Lettsome, past legislator, (right) receives a gift from Alford Penn (left) and Phyllis Shirley (center).**



**Waldo E. O'Neal (right) receives a gift from Alford Penn (left) and Phyllis Shirley (center).**



**Cyril B. Romney, past legislator, (right) receives a gift from Eugenie Todman-Smith (left) and Phyllis Shirley (center).**



**E. Walwyn Brewley, past legislator, (right) receives a gift from Eugenie Todman-Smith (left) and Phyllis Shirley (center).**



*Ceremony in Honour of Past and Present Chairmen, Members, Officers & Clerks  
of the Legislative Council of the Virgin Islands*



**Oliver Cills, past legislator (left) receives a gift from Alford Penn (centre) and Phyllis Shirley (right).**



**Earl Frazer, past legislator (right) receives a gift from Alford Penn (left) and Phyllis Shirley (centre).**



**Alred Frett, past legislator, (right) receives a gift from Eugenie Todman-Smith (left) and Phyllis Shirley (centre).**



**Andre E. Penn, past legislator, (right) receives a gift from Eugenie Todman-Smith (left) and Phyllis Shirley (centre).**



**Angel Smith, past legislator, (right) receives a gift from Alford Penn (left) and Phyllis Shirley (centre).**



**C. Lewis Walters, past legislator, (right) receives a gift from Eugenie Todman-Smith (left) and Phyllis Shirley (centre).**



*Ceremony in Honour of Past and Present Chairmen, Members, Officers & Clerks  
of the Legislative Council of the Virgin Islands*



**Alban U. Anthony, past legislator (right) receives a gift from Alford Penn (centre) and Phyllis Shirley (left).**



**Alford Penn (left) and Phyllis Shirley (centre) present Douglas Wheatley, son of the late Willard Wheatley, past Chief Minister, with a gift on his behalf.**



**Eugenie Todman-Smith (left) and Phyllis Shirley (centre) present Persia Stoutt, daughter of the late Hamilton Lavaty Stoutt, past Chief Minister, with a gift on his behalf.**



**Dancia Ruth Penn, past Attorney General (first Virgin Islander to hold post), (right) receives a gift from Eugenie Todman-Smith (left) and Phyllis Shirley (centre).**



**The audience stands during the honour ceremony.**



**Hon. Denzil Douglas, Premier of St. Kitts-Nevis and Guest Speaker, (centre) receives a gift from Shakima Stoutt, Miss BVI (left) while Master of Ceremony Elton Georges (right) looks on.**



# Special Sitting of the Legislative Council

*Emile Dunlop Community Centre, Anegada  
Tuesday, 21st November, 2000  
10:00am*

On the Occasion of its 50th Anniversary after restoration, the 14th Legislative Council decided to meet at the Emile Dunlop Community Centre, the Settlement, Anegada, in recognition of the significant role played by Anegadian Theodolph Halburn Faulkner, in the restoration of the Council.



**Speaker Hon. Reuben Vanterpool (Rear) convenes first meeting of the Legislative Council on Anegada. In foreground is Ag. Clerk Oleanvine Maynard (right) and officer Desary Cameron**



**A portion of the Gallery of the very first Sitting of the Council on Anegada**



**Government members before the very first Sitting of the Legislative Council.**



**Opposition members of the very first Sitting of the legislative Council.**

Ceremony in honour of  
**Theodolph Halburn Faulkner**

*Faulkner Family House, Anegada  
Tuesday, 21st November, 2000  
1:00pm*

Chairlady

**Dr. Pearl I. Varlack**

National Anthem

**Katherine Soares**

*Student, Anegada School*

Invocation

**Katherine Faulkner**

Historical Perspective

**Mrs. Shirley Faulkner-Walters**

Poetry Reading

**Mrs. Judith Vanterpool**

*- Poem of Rufus Faulkner*

Pageant Presentation

**Anegada School**

Unveiling of Bust

**Verna Faulkner White, Judith Faulkner Vanterpool  
Veronica Faulkner Fahie, Theodolph Landon Faulkner**



*Ceremony in Honour of Theodolph Halburn Faulkner*



On the occasion of the 50th Anniversary of its sitting, the 14th Legislative Council decided to restore the birth place of Theodolph Halburn Faulkner and designate it as a national historical site. The building was restored by Mr. Faulkner's son, Theodolph Landon Faulkner, his son-in-law Treavor Fahie and Darwin Potter along with their work crews. A bronze bust of Theodolph Halburn Faulkner (covered by BVI flag) was also unveiled at the Honour Ceremony and is located at the front entrance to the historical site.



## CEREMONY AT ANEGADA TO MARK 50TH ANNIVERSARY & UNVEILING OF BUST OF THEODOLPH FAULKNER

*Hon. Ralph T. O'Neal OBE, Chief Minister*

Ladies & Gentlemen, Today is a red-letter day in the island of Anegada. In addition to there being a formal meeting of the Legislative Council on Anegada., the first time a formal meeting has been held outside of Road Town. it is also the first time that I know of that the home of a British Virgin Islander has been declared a national monument. All this has been done in honour of the memory of the late Theodolph Halburn Faulkner, who was born right here - years ago. Some people may wonder why the fuss. some people may wonder why declare the house in which he was born and lived a national monument. some may wonder why erect a bust of Mr. Theodolph Faulkner in Anegada. why should it be they wonder. People may have no objection to having busts of other people erected in the Capital. that may be ok to them.

The great march of 1949 could not have happened at that time without the daring, without the determination, without the guts of Mr. Faulkner, and my dear people, bear it in mind and always remember that Mr. Fonseca's mother came from Anegada. Mr. DeCastro's mother came from Anegada. We owe a debt of gratitude to Anegada which produced such valiant men. To add further to this there are other distinguished sons and daughters whose parents came from Anegada -the late Henry Osmond Creque and the late Dr. Norwell Harrigan.

Every Anegadian should feel justly proud and every British Virgin Islander should also feel proud that this event is taking place today. Those who were alive in 1949 would really appreciate the hard times that this territory went through. The difficulties we had when the Government launch went to the out districts of Tortola and sister islands taking Government officers, including the Medical Officer once per month. Sometimes when the Government launch was unavailable a chartered launch might be put in place. Sometimes there was no launch available so we had to do without a visit.

Mr. Faulkner considered that his wife was treated badly by the medical officer and decided that the time had come that something must be done to awaken the people to action. Throughout history we find that there have been demonstrations and marches to protest actions that the people did not like. The great march in India organised by Mahatma Ghandi to protest against the salt tax imposed by the English, the great march organised by Martin Luther King JR. to protest against racial discrimination in the United States, all had their effect.

Getting the British Virgin Islanders together for a protest march was no mean task. People who had not been accustomed to protest marches to membership in Labour Unions or Political Organisations would be very difficult to convince that a march would have the desired effect. Furthermore the B.V.I. was considered to be a place where people were law abiding and in the forties, to say anything that would be considered bad about the Government, and especially the Commissioner was tantamount to committing a criminal act.

In a conversation with Mr. Faulkner some years ago, he related to me some of his experiences. He said how he was warned by the older people especially that he must be careful as the Commissioner might send the Police to lock him up if he continued his meetings in the Market Square in Road Town. He therefore had a plan to escape if the Policeman came. He had some men on the look out who would give him early warning and he had organised an escape route so that by the time Police got by the Market Square he would be somewhere else. It must be remembered that there were not many policemen nor was there any vehicular traffic in those days. After the



third meeting and no policeman came, he felt free to organise more meetings. This he did and more and more people joined forces with him. One boat captain complained that there was a fellow from Anegada who was keeping noise in Road Town and he could not get to rest when his boat came to the wharf. He was certain that the police would lock him up.

It was no doubt that Mr. Theodolph Faulkner exposed himself to a lot of danger. but he championed the cause for the restoration of the Legislative Council and that movement started 50 years ago has continued to this day. The political, social and economic changes that have occurred in the Territory are a result of the work begun by Mr. Faulkner.

There are some people who would only dwell on what might be Mr. Faulkner's shortcomings. Don't we all have our shortcomings? The great Sir Winston Churchill one night after a blistering attack on the opposition was told by Mrs. Bessie Braddock. "'Winnie you are drunk". Sir Winston replied, "Yes, Bessie I am drunk but when I wake up in the morning I will be sober, but you are ugly and when you wake up, you will still be ugly". We owe it to the later Mr. Charles Vanterpool of Anegada. said and I quote, "if you go to sleep drunk, the chances are you will wake up sober next morning, but if you go to sleep with a head full of ignorance, next morning you would awake still ignorant". Ladies and gentlemen. we are concerned about the good things that Mr. Faulkner did and we must begin to honour those people who were prepared to make the sacrifice so that we today can reap great benefits.

When I look back at my own childhood days and consider that it was only by a mere chance that I was able to get to Grammar School in St. Kitts. and I remember that after grammar school I wanted to go to University and I tried very hard to borrow money to finance a university education but all efforts failed. I could not raise the money until I had worked for many years before I could enter a university door. Today it is possible to get scholarships right, left and centre. It is my duty to ensure that this continues and I know that all the members of the Legislative Council are of the same view.

It is hoped that this meeting in Anegada today is indicative of the Government's interest and the Council's interest in bringing Anegada on the front burner and the debt of gratitude we owe to the late Theodolph Faulkner and the people of Anegada will continue to remind us that we should continue to ensure that this is done.

Today we have made a further step in recognition of the work done by this great pioneer. Not only is the Administration Building named in his honour but the family has been gracious to have this building declared a national monument and the Executive Council has agreed that it should be renovated and the area fenced and a bust erected. Furthermore Executive Council has also decided that the Public Works Department will be responsible for maintaining the building and yard. I would hope that the building will be opened at certain hours during the and that there will be a collection of pictures and other materials that visitors would be attracted to the building and also school children would be able to visit and have lessons about the history of the islands.

I am indeed most grateful and appreciative to the members of the Faulkner family who so willingly agreed that the house should be declared a national monument and from my discussions with Theodolph's brother, Mr. Vanburn Faulkner and the children of the late Theodolph Faulkner they were very pleased that this is being done in his honour. I am sorry that Mr. Vanburn could not be here today. I ask the children of Mr. Theodolph to convey to him my regrets. It is my hope that the people of Anegada will continue to take care of this National Monument and be not afraid to tell it abroad of the work that Mr. Faulkner did not only for Anegada but for the British Virgin Islands.





The children of Thodolph Halburn Faulkner pose with government officials around bust unveiled at site of his birth. Left to right are daughters Veronica Faulkner Fahie, Verna Faulkner White, Judith Faulkner Vanterpool, Chief Minister Ralph T. O'Neal, Governor Francis Savage, Opposition leader Dr. Orlando Smith, Theodolph Landon Faulkner, son, and his wife Myra Faulkner.



Horace Barone Jr., president of the Anegada Progressive League (left), presenting a plaque to the Chief Minister, Ralph T. O'Neal.



Chairlady of the honour ceremony Dr. Pearl Varlack (blue dress), Legislators past & present and other audience members at ceremony.



*Ceremony in Honour of Theodolph Halburn Faulkner*



**Chief Minister, Ralph T. O'Neal** about to cut the ribbon to the Faulkner house and declare it a national historical site.



**The Theodolph H. Faulkner Administration Building, Anegada.**



**Children of the Anegada School** after presenting a pageant at the Faulkner Honour Ceremony.



**Chief Minister Ralph T. O'Neal, OBE** (right) presents an Anegada land title to Shirley Faulkner-Walters.

# Lecture Evolution of legislative Systems and Alternative Models for the Millenium

*H. Lavity Stoutt Community College  
Tuesday, 21st November, 2000  
7:30pm*

Opening Remarks

**Dr. Quincy Lettsome**  
*Deputy Chief Education Officer,  
Ministry of Education and Culture*

Introduction

**Dr. Michael O'Neal**  
*Vice President,  
H. Lavity Stoutt Community College*

Guest Speaker

**Professor Neville C. Duncan**  
*Director of the Sir Arthur Lewis Institute of Social and Economic Studies,  
University of the West Indies, Jamaica*  
*"Evolution of Legislative Systems and Alternative Models for the Millenium"*

Question Period

Closing Remarks

**Mr. Ian Austin**  
*Resident Tutor of the  
University of the West Indies*





Professor Neville C. Duncan delivers his lecture at the H. Iavity Stoutt Community College.

## THE EVOLUTION OF LEGISLATIVE SYSTEMS AND ALTERNATIVE MODELS FOR THE MILLENNIUM IN THE BRITISH VIRGIN ISLANDS

*Lecture delivered by Neville Duncan, Professor of Caribbean Policy Issues  
Director of Sir Arthur Lewis Institute of Social and Economic Studies University of  
the West Indies*

### Introduction

The British ideas about good government and Colonial development in the Caribbean area influenced official action in regard to constitutional advance and appropriate constitutional status. France saw and understood, from the very beginning, that the colonies it had acquired throughout the world would have a destiny of incorporation into mainland France as an integral part of the French Republic. The citizens of the colonies would be unmistakably French (whether the people of the colonies wanted that status or not).

Departmentalisation conferred, at last, the status as citizens of France on Martinique, Guadeloupe and Guyane and formally acknowledged them as an integral part of the French Republic.

The British view was quite different and filled with variations. An initial distinction of the smaller versus the less smaller countries was employed when the 1958-1962 Federal Experiment failed. Even then it was instructive to note that many of the British Caribbean Territories were never seriously considered for participation in the Federation. The extent of British citizens living in the colonies became a very important way of treating Territories differently, although this was not openly acknowledged or seriously denied.

An additional criterion for differential among the less small countries of the Bahamas and Barbados, and of the six that remained Dependencies (now British Territories Overseas in the Caribbean and North Atlantic Region), Anguilla, Bermuda, the Cayman Islands, Montserrat, the Turks & Caicos Islands and the Virgin Islands<sup>1</sup>, could be deduced. With less precision, the residential proportion of British settlers to the total population appeared to have some importance.

Of the lot, Barbados and the Bahamas, which achieved independence status, were treated somewhat differently from other states which became independent in this region by being allowed to continue with the Old representative system, with timely modifications, until formal independence was granted.<sup>2</sup> A similar factor could be reasonably adduced concerning why Britain retained these six under her control, notwithstanding an earlier effort to incorporate Anguilla as part of the Federation of St. Christopher & Nevis.

So both ultra smallness (population size and area) and relatively decent levels of British residential populations would contribute to the explanation. Of course there are other explanations, such as these "specks of dust" are: reminders of a colonial past of great glory, vital security outposts, are economic resources in relation to the offshore economic zones, and, a secure protected retreat for British financial dealings, among others. It is of significant that a factor which should have overridden most of these factors in order to make formal independence a reality was never pushed to the forefront – namely the significant economic success of territories such as the Cayman Islands, the Virgin Islands and Bermuda. May be it was the very status under the



British flag that was important, at least in the early years, to the success of the offshore financial sector and tourism services!<sup>3</sup> It is a powerful argument, which still remains, but emotional connections with the metropole, unresolved “citizenship” issues, and an unwillingness to deeply examine sustained economic progress issues under the direction of the local Legislature may be critical to the continuance of the existing political status of the Virgin Islands.

Even within the British Overseas Territories, the process of constitutional advance was variable and excruciatingly nit-picking. Part of the difficulty has been a result of internal special interests disputes within each Territory preventing or delaying the emergence of a unified front. However, a significant factor was differences in orientation by the British themselves (whether Governor, Colonial Secretary or relevant British ministries) towards the Territories. The differences were both altruistic or self-serving resulting mainly from notions of Good Government. These notions were also applied to those Territories which eventually secured formal independence from Britain as well as those remaining under British rule.

This notion started with the political systemic form known as the Westminster/Whitehall version of liberal democracy. British colonial rule promoted administrative efficiency and effectiveness as the lodestone of good governance.<sup>4</sup> The larger mission, in theory, was the development and welfare of the colonies and their peoples.<sup>5</sup> The Colonial Development and Welfare fund along with the creation of the Development and Welfare Organization (DWO) after 1940 were key aspects of this commitment.<sup>6</sup> This was a task for the British state whenever Territories appeared to be inadequately endowed with qualities of administrative efficiency, effectiveness or political legitimacy.

The timing of the entry of masses into the formal political framework was also important. In many Caribbean Territories, this was institutionalised through labour movements and popular-based political parties in the framework of freely contested elections. The full capture of the anglophone Caribbean state by powerful economic interests was therefore modified by the clientelistic relations between state politicians and voters. This further restricted the capacity of the state to act in the interest of the society as a whole.<sup>7</sup>

In most of the British Overseas territories in this region there were added difficulties. The domestic Legislatures which developed were/are generally too small in number of representatives to sustain an appropriate party system or allow for many vital Westminster-like features to guarantee ‘good governance’ in the British usage for their Territories. Selwyn Ryan, saw these aspects as real problems for several of the independent states of the OECS.<sup>8</sup> Indeed, he proposed the increase, in the membership of lower houses of parliaments, to a minimum of 24.<sup>9</sup> As he argued, this would make it possible for monitoring committees to be adequately manned, provided of course, that the size of the executive is not correspondingly enlarged.<sup>10</sup> A further argument is that this would allow for a larger backbench enabling parliamentarians to service their constituency more effectively.<sup>11</sup>

If, God forbid, the economy was to slide into a secular decline, would it find itself in the position of many other Anglophone Caribbean states? Without financial resources, would the Legislature retain a capacity to manage conflicts among special interests? The Caribbean state has been weakened by the difficulty it has had recently in collecting and redistributing, rents, subsidies and various forms of patronage. The sharp reduction in financial inflows (as development aid, grants, foreign direct investments) did not help. A number of other factors took on more significance. The first was the poor economic and financial position of the once overwhelmingly powerful domestic landed and business interests. A second factor was the inadequacy of popular electoral support to provide a sufficient degree of relative autonomy of the state. A third factor



was the state's submission (reluctant or voluntary) to international financial institutions, and the multiplex demands emerging from a differentiated civil society. All these factors led to a sharp reduction in the good governance capability of the state, in meeting the needs of its variegated populations.

These are indeed pertinent questions for a change in constitutional status to independence, or one very close to this status, would require both confidence in economic, social and cultural development strategies for the medium- and long-term and the administrative capacity for effective implementation. Indeed, the state, in this age of the minimization of the state, may have to consider a more interventionist approach based on deep partnerships with business, labour and other vital non-state sectors, creating a new system of governance. The state would need significant reform in the way in which it conducts its business and to have the requisite authority and legitimacy from all sectors of the population in order to succeed. These are no easy tasks. They would have to be put in place whether or not the comforts provided by tourism and the offshore financial system continue. Regrettably, the emerging new financial architecture and the search by rich countries for a multilateral agreement on investment do not presage continuation of good fortune or better times in these sectors.

## THE CONSTITUTIONAL SITUATION OF THE VIRGIN ISLANDS

### The situation in the Virgin Islands

The territory of the Virgin Islands incorporates 40 islands and islets of which at least 12 are permanently occupied. The four largest islands currently effectively delineated the Territory for political and administrative purposes are Tortola, Anegada, Virgin Gorda and Jost Van Dyke. Population size and its distribution are determinant elements for most purposes. It is around 19,000 persons in the year 2000. Tortola's population is around 14,000 and Virgin Gorda's under 3,000. So it is a micro-territory, with micro electoral districts, and a relatively small-sized Legislature. For several political purposes, its population composition, and the relevance of each group, further micronize the Territory. About 40 per cent of its population are immigrants from the Anglophone Caribbean. Ten per cent are from North America and Europe and from the Dominican Republic. The rest, about 50 per cent, are "native" (many from the UK) Virgin Islanders, which is a very important consideration in any current or future constitutional proposal for the Territory.

The politics and approach to economic growth and development, by the Virgin Islands, are decisively influenced by the current pillars of its economic success. The offshore financial sector hosts a significant number of international business registrations and has been organised to provide speedy registrations and effective ancillary services. The number of tourists which stop-over out-numbered the local population some eighteen and a half times in 1994. As such, considerable pressure was put on the carrying capacity of the Territory. Of course, tremendous ancillary economic possibilities exists for the domestic population — possibilities which are not often fully seized. As in many tourist destinations, the potential of highly profitable connection between domestic agriculture and fishing, on the one hand, and tourism, on the other, has not been fully developed. Yet, the Territory, as a whole, enjoys one of the highest per capita incomes in the Anglophone Caribbean and, perhaps, one of the most equitable distribution of incomes and assets.

A brief review of the constitutional history of the island is important. The islands were named by Columbus, in 1493. In 1793 the planters were permitted a completely elected House of Assembly of 12 members and a partly elected and partly nominated Legislative Council. This was the Old Representative system of white planters and merchants. It excluded the majority population.

Two important changes occurred, one in 1867 and the other in 1872, with the collapse of the planter society and their virtual abandonment of the islands. A new constitution was established after the abolition of the House of Assembly. It provided only for a fully nominated Legislative Council. Five years later the Territory was incorporated into the colony of the Leeward Islands. The Legislative Council was abolished in 1902 and the Virgin Islands acquired separate status again in 1956, under an Administrator, when the Leeward Islands collective colonies were broken up. The Virgin Islands never sought to be a part of the Federation of the West Indies (1958-1962) thus signalling a wish for a separate identity. In 1971, the title of Administrator was changed to Governor.

Although it was not exactly clear which grouping(s) in the Virgin Islands did the rejecting, a system of government with the status of and similar to a local government council was proposed in 1964. The local Legislative Council debated extensively a report of the Proudfoot Commission and arrived at a consensus of the appropriate form of Government. An agreement was reached at a Constitutional Conference in London in 1966. This documented in the Virgin Islands Constitution Orders 1967-71.

This agreement permitted the establishment of seven electoral districts returning seven elected members to a Legislative Council and allowing for a nominated Executive Council, presided over by the Governor, as the policy-making body. A few years later, in 1973, the Deverell Commission was appointed to envision the path for further constitutional advance, based on the wishes of the people and taking into account special local features. When it was recommended that there should be popular control in the determination and execution of policy, the Virgin Islands Government (Governor and Executive Council) rejected it.

A new constitution was established in 1973. The Territory was managed by a Governor appointed by the Queen of Great Britain, through an Executive Council. It comprised the Governor, as Presiding Officer, a Chief Minister (an elected representative), not less than two, nor more than three other Ministers, and an Attorney General. There was a Legislative Council of nine elected members (an increase by two over the previous Constitution system), the Attorney General as an ex-officio member, with a Speaker elected by the members of the Legislative Council from outside its membership.

The Governor has special responsibilities, in his own right, exercisable, if he wishes, on the advice of the Executive Council or the Legislative Council (for external affairs, defence, internal security, the public service and the administration of the Courts). On these matters he was ultimately accountable to the Queen through the British Secretary of State and the British Parliament. In his deliberate judgement, with the prior permission of the Secretary of State for the Colonies, he is able to delegate in writing to the Chief Minister, or any other Minister designated by him, such responsibility for matters relating to external affairs or internal security, as he may think fit, and upon such conditions as he may impose. Additionally, in urgent matters, he was able to act first and then subsequently report as soon as practicable to the Secretary of State. All other matters within his special responsibilities allowed him, after consultation with the Chief Minister, to assign, to any member of the Executive Council, responsibility for the conduct of such business on his behalf.



## *Lecture*

Two points stand out. The Governor had considerably more than ordinary reserve powers. If he exercised his powers softly and assigned them without much micro-managing to members of the Executive Council, the authority of the Executive Council would be considerably enhanced. If the Governor chose to be highly restrictive, then the authority of the Executive Council would be severely diminished. Much depended, therefore, on the personality and predilections of the particular Governor on whether the Virgin Islands' government authority was enlarged or diminished. Unless the Legislative and Executive Councils were prepared to undertake major initiatives in economic and social development, the government of the Territory largely rested in the hands of the Governor and the Secretary of State in Britain.

In 1993, the Wallace Commission reviewed the Constitution of the Virgin Islands. The implementation of the recommendations is still an unfinished project but the creation of four additional seats in order to increase the number of elected representatives in the Legislative Council to 13 was undertaken in time for the 1995 general elections.

Significant other elements of the recommendations include the following:

1. that in the exercise of his special responsibilities the Governor should consult with the Executive Council;
2. the quorum of the Legislative Council should be seven;
3. the Speaker of the Legislative Council should be elected from the elected members of the Legislative Council or from outside;
4. both the reserve legislative powers of the Governor and his power to refuse assent to a Bill should be abolished;
5. provision should be made for the protection and privileges on members of the Public Service Commission;
6. A Bill of Rights should be included in the constitution; and, inter alia,
7. there should be a Boundaries Commission.

The Report commented on the question of Independence for the Virgin Island and noted that there were only a few persons who were actively promoting the idea but nevertheless commended them on this. Additionally, the report made a number of recommendations about believer status and the need for rationalisation with the constitution and the Passport Act. A recommendation was made that a Committee be appointed to define believer status.

Overall, the Report was remarkably conservative although the impression was given that it was seeking to modify, somewhat, the authority of the Governor and embellish that of the Executive Council. A constitutional implementation project was established to keep these issues alive but the process has been very slow. Neither the successive Governors, the British Government or the local political directorate seem clear on the need for more rapid and real devolution of authority to the Virgin Islands.

In keeping with a promise to review the at large voting system, a report was ordered by the British government and submitted before the last general elections. The status of that examination is unsure. Nevertheless, several findings in that report are relevant to the consideration of the constitutional, economic and political future of the Virgin Islands. This is made even more potent by two current developments. One is the offer of British Citizenship to Virgin Islanders and the other is the action of the CGCED and the US Government in relation to the operations of the offshore financial sector. Both could constitute real threat to the viability of the Virgin Islands.

Is the system of Government in need of reform to meet the challenges of structural adjustment and globalization?

The arguments here are not easy. It depends how the judgements are made. On the one hand, if the current system cannot be deemed to be holding back economic, social, political and cultural progress; and the majority of persons with voting rights do not want to change it in any fundamental way; then it may be best to leave it more or less as it is. A reactive response to present and future challenges may be all that is needed. Can one argue with GDP growth and relatively high per capita income?

On this composite argument, the idea would be to undertake some piecemeal reforms here and there as become overwhelmingly necessary. Such was the case with the enlargement of the of the elected members from nine to 13 and the introduction of the at-large seats as a way around the ticklish problem of how to redraw district (constituency) boundaries to accommodate the change. One recommendation of the Wallace Commission was therefore adopted but it was never clear what identified problems were being resolved or whether such a small change would tend to lead to the hoped for outcome.

Without examining the protean concept of globalization in any detail, let us examine two aspects of it of the greatest importance for the Virgin Islands — the emerging new global financial architecture and the changed nature of the hospitality industry. Can a country that is not fully independent take or be allowed to take, in good time, the political and administrative steps necessary both to respond to and take anticipatory steps necessary to sustain an offshore financial sector in this emerging financial order?

Let us merely examine a few scenarios. The black-listing of many small country off-shore financial sector as offering unfair low tax competition and, perhaps, are engaging in “illegal” money laundering, seems more a result of a power play on the part of the OECD countries. Their financial sector was increasingly being less-favoured. It certainly does not constitute a genuine attempt to establish a truly democratic and participatory global regime fair to weak and strong countries alike. Even their own civil society revolted against the back-door way these OECD countries sought to arrive at a Multilateral Agreement on Investment (MAI). The OECD did not seem to think their own people had an interest.

In a new testing of the waters, but now against weaker and oftentimes smaller countries, on a single aspect of a future MAI, it should be clear that they did not care about the negative and economic and social impact on countries such as the Virgin Islands. Britain belongs to this OECD group. It was involved in a serious conflict of interest here and, through the Governor, has direct legal control over foreign affairs and external finance. Should this continue to be so or should such authority be shifted to the local Legislature?

Here are some other activities representing the future both of the offshore and domestic financial sectors. They are by no means exhaustive or the most important but they illustrate a need for local power and authority that only is truly available from being independent. To meet the needs of globalisation, of domestic development, and investment in other productive activities in the Virgin Islands, the government would need to:

1. develop a capital market as a pre-condition for attracting foreign portfolio investments;
2. avoid the use of short-term money for long-term or development projects; and
3. put in place all the necessary conditions conducive to the orderly development of the sector domestically and offshore.



Which government would wish to do all this for the Virgin Islands? The answer is only a local Virgin Island government. It would have to be vested with the full constitutional authority and the political will to imagine an economic and social development path that is home grown. It would seek to achieve international standards in personnel quality, regulations, and services offered while fully developing all aspects of the domestic financial sector (bank and non-bank).

The hospitality industry has changed in many ways. Some of the important features are cruise shipping and all-inclusive facilities on land. Both involve bulk marketing through tour operators in the country of origin of the visitors. The domestic industry in the Virgin Islands has not seriously responded to these changes being comfortable in being a yachting centre and offering inadequate ancillary services. Real asset-owning and controlling opportunities have not fallen to the local population in satisfactory ways. Globalization has allowed for Virgin Islanders to go about the world to do business in setting up, for examples, a cruise liner based in Miami, tour operating firms in the USA or the EU, or franchising businesses elsewhere in the world. An entrepreneurial state is needed to respond in new ways to global challenges. By definition, this kind of state cannot be non-independent.

In this environment, can merely going along to go along be good enough to guarantee a secure future to the people of the Virgin Islands? Where does reform of the constitution fit in all of this? In a world in which the information age has arrived at speeded up pace, in which all economics, society, culture, religions, ways of working, and the like, have changed, can a fundamental change in government be far behind? Civil society has emerged. Its members, in their extensive variety, are demanding participation in political life, not as it is, but in a new form of governance. Can the Virgin Islands avoid the change or postpone it, and if so, to what advantage?

### Findings on Preferences of Virgin Islanders

Let us now examine some findings that came out of the Duncan Report and the definition of what problems needed to be resolved, which those persons consulted identified. The debate over whether the at-large system should be retained as is or become the way in which all representatives are chosen, whether in a nine elected, or thirteen elected, or any other higher number elected for the Legislative Council) invariably raised questions about the wider governmental system.

It was identified that without sufficient authority in the Legislative Council to truly make decisions and see to their implementation, identified weaknesses would hardly be corrected by new electoral arrangements. As the Legislative system is now constructed and functions, political parties do not truly function as they should in a competitive multiparty arrangement. The weakness of the Legislative Council in decision-making, generates political party organizational, policy, and political aggregation of interests problems. Redefining the roles of Governor, Executive Council and the Legislative Council to give primary importance to a legislature dominated by a strong party, with majority electoral support and a clear developmental agenda would make a fundamental difference. The true situation is that the Legislative Council relatively weak in the entire legislative process.

Those elected under party labels seem to have one realistic choice: join the government as a minister of government or face marginalisation. The Legislative Council continues to meet infrequently, bills are still being rushed through the legislative process, debate seems pointless, the Committee system works fitfully, if at all, and is clearly dominated by the Executive Council. The circumstance therefore exists in which all reforms to the electoral system, including a necessary

further increase in seats, would fail to have the desired positive effects.

Some of these desired effects would be to produce a government strong enough to govern through a Legislature with fulsome governmental powers and authority, directly responsive and responsible to the electorate of the Virgin Islands. For this a sufficient number of elected representatives is needed. The current size of thirteen elected representatives is not sufficiently large to provide a strong back-bench, in the normal situation, to keep its own party government under a performance surveillance and give the head of government more options to replace non-functioning ministers. As it is, the Chief Minister can raid the ranks of those in opposition. It is also too small, normally, to create an opposition truly shadowing, with intensity, the operations of government.

Enough persons are needed from the back bench, opposition party or parties and independents, to effectively allocate tasks such as serving on the committees of the Legislature, shadowing Ministries, presenting more varied views, and participating in some functional aspects of state governance. More representatives may actually be encouraged to transcend attention to primarily parochial interests and private individuals.

Evidently, a new behavioural culture is needed in the Legislature. There should be more formal collaboration and cooperation among the members of the legislature and a sharing out of the task, if the size remains as low as it is now. Insufficient use is being made of committees of the Legislature. When they do function, they take a long time to report, such reports are filed away when action is not taken expeditiously, and the findings are hardly ever debated in public. There is hardly any outcome.

The Standing Orders of the House should be changed to permit a much more interactive question time and allow more debate to take place in the Legislative Council. The Speaker could permit such interchange to happen without the formal change but, if there are written rules, there would be a consequential a right to demand performance.

Research and information facilities and ready access to important data and information should be made mandatory for all members of the Legislative Council in order to strengthen the capability of all members to make quality contributions to the debates on Council. Legislative drafting assistance should also be rendered to the opposition, back-bench members and 'at-large' representatives to enable them to propose bills and have them debated in the Legislative Council. All this is conditional on the willingness to have more frequent sittings of the Legislative Council. Perhaps a higher compulsory number of sittings of the Legislative Council per session/year should be written into the Standing Orders.

The effects of the mixed representation in the Legislative Council and its impact upon the workings of Government has been deemed minimal in spite of the apparent sufficiency of numbers of members on Back-Bench and in the Opposition. No negative impact is noted. This makes possible further experimentation with such a system to increase the elected membership of the Legislative Council to 18 or more without having to redraw constituency boundaries. The mixed system psychologically and experientially has served to further empower the electorate. Each elector now can directly choose up to five representatives (his/her district representative plus the four 'at-large' representatives).

Each voter is more likely to feel that he or she has better representation in the Legislative Council. Their problems of access to the Chief Minister and other Ministers seems reduced because voters can secure the assistance of any of the available five representatives in achieving their goals. Furthermore, it seems to have the benefit of encouraging the others representatives not to be left out of the representation of personal interests game, especially the person's actual



district representative. These can be considered important psychological gains for the electors. It partially explains their liking either for the continuation of the mixed-representational system or of the expansion in the numbers of the 'at-large' representatives, even to the point of suggesting that all members of the Legislative Council, not just the Chief Minister and other Ministers, should be elected 'at-large'.

It is still the case, however, that in general the electorate has not reached the stage where it can easily overcome a focus on self-regarding ends. These tend to promote decisions based on popularity, favouritism and family ties that are said to be a prevalent feature of political life in the electoral districts. This is partly due to a past in which the possession of land formed the basis of a strong degree of independence and produced a high degree of classlessness. More importantly, it was also a past devoid of popular collective behaviour generating labour movements and the rise of the masses characteristic of many territories once under British rule in the Caribbean. Even now there are no strong political parties or social and political movements.

The strongest emotion is reserved for the issues surrounding the grant of Belonger Status and the fear of the political and social eclipse of the indigenous Virgin Islander. This fear is one of the strongest restraining factor against the adoption of a totally 'at-large' system unless effective safeguards can be built into it. The Ferara Committee, reporting on September 30, 1997 had stated that the fear of indiscriminate or uncontrolled grant of (Belonger) Status which could lead to a loss of political and economic control by Virgin Islanders, clearly existed and was well-founded. Another kind of fear of the 'at-large system' is the possibility that the outer islands may not have adequate representation. Formal devices would have to be built in to ensure that they would have satisfactory representation in the Legislative Council.

These ways of treating problems identified at various times with the present structure of government are not suggested so that the system as a whole can better imitate that at Westminster. Revealed here is an attempt to develop a system of governance more in tune with the historical, social, political, economic and community life features of the Virgin Islands and of its future needs. Many of these suggestions are best dealt with through a more open national consultation process seeking agreement on a new, more relevant and more appropriate system of governance. So far, this has been primarily a non-generic approach seeking a non-radical solution to identified needs of Virgin Islanders which stops short of, but may lead to, full independence.

If, however, the desire is to create a new governance system within the framework of a fully independent Virgin Islands, then the recommendation would be for a more generic approach. This would be based on clear understandings of what challenges need to met by a new system of governance in this coming new century at the end of a millennium. Some of these would be on the future of sovereignty and citizenship in a rapidly changing world; the defense of identity, culture and values in a super-materialist world; and the defence systems against the threat of health plagues (HIV/AIDS, Ebola Virus, Malaria, etc.). Some others would include economic and trading interdependence; and hospitality and financial services advances; and education, training and apprenticeship which simultaneously meet the needs of the new workplace and human personal development. To believe that these challenges can be successfully dealt with within the existing non-independent status in a timely manner is to reject the awesome changes that are affecting all states and territories in many direct ways.

It is better to anticipate and act propitiously than to react with unprepared structures and resources. It would have been important for the Virgin Islands to have been closely and directly involved in the Free Trade Area of the Americas negotiations and the post-LOME ACP/EU agreements and upcoming negotiations. If present and future leaders and citizens would wish to

and do take the Territory into independence, it would have been infinitely better to be part of the current processes than seek to join later when other countries have already fixed the parameters of participation. The same, of course, goes for current debates about special treatment for small states in all multilateral agreements, and for the upcoming 'Millennium' round of multilateral trade negotiations under the auspices of the World Trade Organisation, not to mention, perhaps, separate negotiations on a new global financial architecture. Of course, one could merely not bother with this hard work and hope that other small states succeed in making the sunshine of their agreements fall on all. There is, however, the real danger that your participation and special expertise might have had a significant positive influence on the global restructuring process. That contribution, I am sure, is being missed.

### Conclusion

I dare now to set a national discussion agenda, knowing fully well that the present arrangements have "worked" to meet a fair proportion of the needs of each and every Virgin Islander. I make these suggestions also because I believe we all agree that anything which substantially contributes to deepening and widening the democratic process while improving efficiency, effectiveness and accountability, must be good for all.

1. Parliamentary democracy would considerably be strengthened if the Legislative Council:
  - i. is expanded to 18 or 19 elected representatives; and
  - ii. it becomes the sole legislative authority.

The increased cost would be worth it. Becoming the sole legislative authority would mean that a Cabinet system of government be brought into existence replacing the Executive Council. It would be up for discussion/negotiation what powers the Governor would retain independent of the Legislature and the modality of exercising these powers, including the one of assent to bills of the House.

2. The electoral system could continue to be based on the simple majoritarian system (or first-past-the-post) with a mixed system (district and at-large seats) or go over completely to an at-large system.

The latter system would be the easiest to implement administratively and could be complemented by the establishment of a new form of legislated and empowered local government/community power structure. The Territory, on one possible format, could be divided into, say, three districts (constituencies) in which the at-large voting rights would be restricted to those eligible voters in the one district (constituency) in which he or she is registered.

3. Pay full attention to ensuring that the Legislative Council, in its procedures and processes function as intended.

It should meet more frequently. Committees of the Legislative Council, both Standing and



## Lecture

Select should be appointed and important tasks, including the chairing of these Committees, assigned to the non-Ministerial members.

It should become mandatory that these committees shall meet, shall produce reports within a specified time, that these reports be debated in public and in the Legislative Council, and that the Standing Orders be amended or allowed to evolve to ensure full democratic participation of all representatives in the business of the Legislative Council.

Adequate facilities for the hiring of support staff relating to research, data-processing, legislative drafting, access to public data, and so on should be provided to all representatives in the Legislative Council.

4. Political parties should ensure that their candidates have the capacities and competencies to address territorial and international issues and challenges, and have the support through a transparent selection process, at a party convention.

Political parties should professionalise and upgrade their Secretariats and practice internal party democracy. This is not a constitutional matter but it is a vital ancillary factor.

11 *ibid.*

10 *ibid.*

9 *ibid.*

8 Ryan, Selwyn *Winner Takes All: The Westminster Experience in the Caribbean*, ISER, UWI, St. Augustine, 1999. See pp.347-349. There were other interesting proposals such as a two-term limit on the effective Head of Government, new electoral systems arrangements, fixed election dates, more local government and greater neutrality for the public sector managers.

The overriding assumption is that the Westminster variety of liberal democracy is the best suited for former British colonies.

7 Stone, Carl, *Democracy and Clientelism in Jamaica*, Transaction Books, New Brunswick and London, 1980; and Carlene Edie, *Democracy by Default: Dependency, Clientelism and the State in Jamaica*, Lynne Rienner, Boulder, Colorado, 1991.

6 Soomer, June Ph.D. Thesis, Department of History, UWI, Barbados

5 Lee, J.M. *ibid.*

4 Lee, J.M. *Colonial Development and Good Government*, 1967

3 The French DFAs, benefited from massive French largesse and so had little interest in independence though its native economy drastically declined. On the other, the BOTs' native economy flourished with the same effect. How odd!

2 Spackman, Ann, *Documents in Constitutional Development, 1922-19...*,

1 Davies, Elizabeth W., *The Legal Status of British Dependent Territories: The West Indies and North Atlantic Region*, Cambridge University Press, 1995, p.1 had noted that each of the latter six had been acquired by the British during the seventeenth and eighteenth century.



Part of the audience at the H. Lavity Stoutt Community College during Professor Neville Duncan's Lecture.



# Historical Exhibition of The Legislative Council of the Virgin Islands (1950 - 2000) and Unveiling of 50th Anniversary Stamp Issue

*Legislative Council Building  
Wednesday, 22nd November, 2000  
10:00am*

Opening Remarks

**Mr. Keith Flax**  
*Former Speaker*

Invocation

**Dr. Vincent David, Pastor**  
*Seventh Day Adventist Church, Road Town*

Historical Perspective

**Dr. Quincy Lettsome**

Unveiling and Presentation of Stamps

**Representatives of Families  
and the Hon. Reuben Vanterpool**  
*Speaker*

Remarks

**Hon. Ralph T. O'Neal, OBE**  
*Chief Minister*

**Dr. The Hon. D. Orlando Smith, OBE**  
*Leader of the Opposition*

Declaration of Opening of Exhibition

**The Reverend Mrs. Edris O'Neal**

Closing Remarks

**Mr. Kedrick Malone**  
*Chairman, Legislative Council Commemorative Committee*

## Description of Stamps

- 10¢** This stamp features Dr. Q. W. Osborne, OBE who was elected from 1963 - 1979 and Mr. Arnando Scatliffe who was elected from 1963 - 1967. The predominant colours are green, gold, black, white, blue and peach.
- 15¢** This stamp features Mr. H. Robinson O'Neal an elected member from 1967 - 1971 and Mr. Austin Henley elected from 1971 - 1977. The predominant colours are grey, gold, blue, pink, black, tan and white.
- 20¢** This stamp features Mr. Wilfred W. Smith an elected member from 1954 - 1957 and Mr. John C. Brudenell Bruce, MBE elected from 1950 - 1957. The predominant colours are blue, grey, gold, peach, yellow, black and white.
- 35¢** This stamp features Mr. I. Glanville Fonseca, OBE elected from 1950 - 1971 and Mr. Howard R. Penn elected from 1950 - 1963. The predominant colours are green, peach, gold, orange, blue, black and white.
- 50¢** This stamp features Mr. Theodolph H. Faulkner an elected member from 1954 - 1957 and 1960 - 1963 and Mr. Carlton L. de Castro, OBE elected from 1950 - 1954. The predominant colours are beige, gold, blue, green, black and white.
- 60¢** This stamp features Hon. Willard Wheatley, MBE an elected member from 1971 - 1986. He was appointed Chief Minister from 1971 - 1979. The predominant colours are white, torquoise, light pink and black.
- \$1.00** -This stamp features Hon. H. Lavity Stoutt an elected member from 1957 - 1995. he was also appointed Chief Minister during 1967 - 1979, 1979 - 1983 and 1986 - 1995. The predominant colours are white lilac, gold and black.

*The Royal Cypher appears on all stamps.*



**50th Anniversary Stamp Issue.** Each of the families of the legislators appearing on the stamp were presented with a commemorative gift of the stamp personalised with the past member's name and time of service to the BVI. See photos following.



## ANNIVERSARY EXHIBITION

A speech delivered by Leader of the Opposition, Dr. the Hon. D. Orlando Smith

Albert Einstein the great scientist once said, A hundred times a day I remind myself that my life depends on the labors of other men living or dead.

For the past two days we have paid homage to the men who were the catalysts for the restoration of our legislative council, who were essentially our heroes.

Today it is time to remember all those who have labored in that same cause, those on whose labors our lives have depended.

The daily news of 1949 had said in its editorial a rumbling sound was coming out of the B.V.I. and will soon attract the attention of no. 10 Downing Street.

The attention of no. 10 Downing Street was indeed attracted and as a result our Legislature was reinstated.

The fire which was lit by Mr. Faulkner has been kept going by these men.

As in a relay race they have done their part and have passed the baton to others who must carry it and not allow it to drop.

Those men had written in their deposition to the Administrator that one of the purposes of the demonstration was to try to achieve a measure of political freedom for themselves and the generations of the future.

And certainly that purpose has been achieved.

We have had three reviews of our constitution since that time; each designed to improve the type of representation for the people of our community. The latest a mix, such that representatives are elected both on a district and on a territorial basis, resulting in five representatives for each person.

But we cannot stop there, that would be a disservice to those men who were so bold and did not care about reprisals as they started us on this road.

Last night I attended a lecture by Professor Duncan of U.W.I. and he reminded us that in this new global village we must be always reviewing our political and economic situation, and adjusting so that we will stay competitive.

And this means that we must explore all aspects of political freedom and have open and frank discussions with our community about them so that we will be ready to make well informed choices about where our country is headed.

What is also important is the participation in the management of its own affairs, which this has also brought to the community.

The ability to select their representatives and just as important the ability to change their government in efforts to have persons whom the community believes can best manage and have the best interest of the community at heart.

Our community has clearly become more politically aware over the past several decades, and more concerned about the many continuing issues facing our country especially in the social services sector. This can only be good for us, and can only result in better representation. And this is needed even more as we go into a new partnership with the United Kingdom, and as we take part, as we must if we are to grow, in the new global economy.

For all this we certainly owe a debt of gratitude to all who have gone on before us and on whose labors we now depend.





The audience at the historical exhibition and 50th anniversary stamp issue unveiling ceremony.

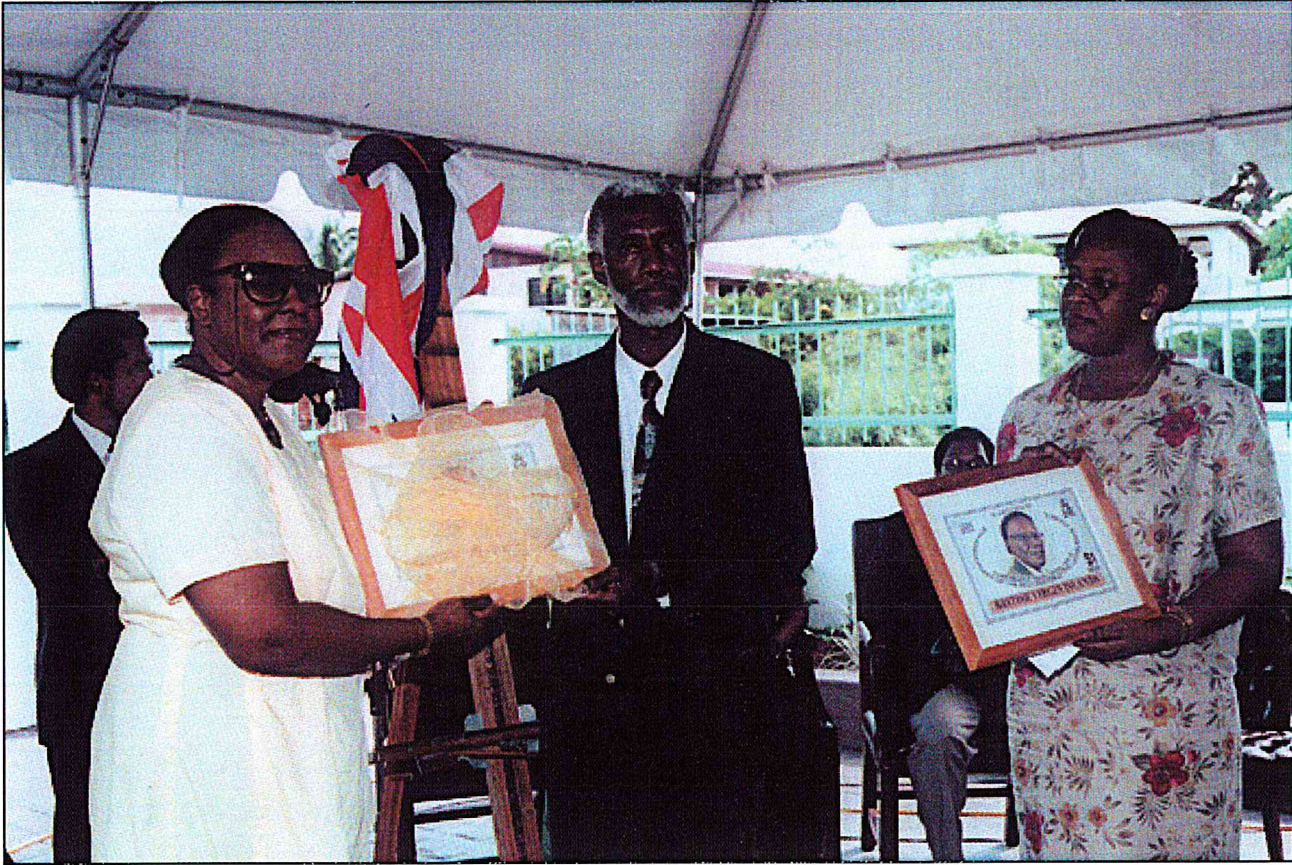


Veronica Faulkner Fahie, daughter of Theodolph H. Faulkner and Rosemarie de Castro, daughter of Carlton L. de Castro pose with commemorative gift presented by speaker Reuben Vanterpool.



Marlene Penn Trotman, daughter of H.R. Penn and Jennifer Fonseca-Wassel, daughter of I.G. Fonseca pose with commemorative gift.





Peggy Stoutt, daughter of former Chief Minister H. Lavity Stoutt accepts commemorative gift from Speaker, Hon. Reuben Vanterpool. Postmistress Marilyn Richards presented framed commemorative stamps to Speaker on behalf of Postal Service.



Mrs. Sylvia Scatliffe, and Wil Osbourne, son of Q.W. Osbourne, pose with gift.



Mrs. Daisy Henley holds commemorative gift of Austin Henley and Robinson O'Neal presented by Speaker Vanterpool.





Douglas Wheatly accepts commemorative gift from speaker Vanterpool of his father, former Chief Minister Willard Wheatley. Postmistress Marilyn Richards looks on.



Mrs. Edris O'Neal cuts ribbon to opening of historical exhibition of Legislative Council 1950-2000.



Members of the public examined historical documents from 1700 to present, photos from 1950 to present and other items at the historical exhibition.



# Commemorative Pageant

*Sir Rupert Briercliffe Hall  
Thursday, 23rd November, 2000  
10:00am*

Invocation

**Minister Kevin Smith,**  
*New Life Baptist Church*

Welcome Remarks

**Mr. Angel Smith,**  
*Chief Education Officer*

Remarks

**Hon. Ralph T. O'Neal,**  
*Chief Minister*

Remarks

**Hon. Andrew Fahie**  
*Minister of Education and Culture  
Youth Affairs and Sports,*

## **Pageant**

**Scene I -** The Beginning of the Movement.

**Scene II -** The Great Demonstration and March of 1949.

**Scene III -** The First General Election and Restoration of the Legislative Council.

**Scene IV -** Second General Election, the BVI becomes a Colony.

**Scene V -** Introduction of the Ministerial System of Government and the Challenge by Positive Action.

**Scene VI -** Seventh and Eighth Legislative Councils. Demonstrations and the Chief Minister becomes responsible for Finance.

**Scene VII -** Thirteenth Legislative Council. Reintroduction of At Large System.

**Scene VIII -** Fourteenth Legislative Council.  
Death of Chief Minister, H.L. Stoutt  
and addition of a Fifth Minister.

### From Scene II

Vote of Thanks

**Dr. Quincy Lettsome**

*Deputy Chief Education Officer, Pageant Coordinator*

Students from all of the primary schools in the territory (public & private schools in the Territory (public & private) participated in the pageant. Eight (8) scenes from the 50 years of the life of the Legislative Council were re-enacted.



From Scene II: The Freedom March of 1949: Over 1500 BVI Islanders, from all over, descended upon Road Town to participate in the protest march in November, 1949.



From Scene I. Theodolph Faulkner in the Market Square speaking out against the commissioner with Fonseca, de Castro and another supporter by side.



From Scene I: BVI Islanders gathered to hear Faulkner, Fonseca and de Castro in the Market Square.





From Scene V: Mr. Noel Lloyd of the Positive Action Movement reads petition before leading demonstration with other BVI Islanders.



From Scene VI: Demonstration by BVI Islanders against the Governor of the day.



From Scene VII: Member addressing the 13th Legislative Council after reintroduction of the at large system.



Students from all of the Territory's Primary schools were on hand to witness the historical pageant.



# Mock Legislative Council Debate

*Sir Rupert Briercliffe Hall  
Thursday, 23rd November, 2000  
7:30pm*



**Members of the BVI High School Literary and Debate Society after the Mock Legislative Council Debate.**

**Back, L-R** - Kevi Potter, Natoya Frett, Renee Creque, Indra Hanley, Nicola Maduro, Reynaldo Hewlett, Shalia Chinnery, Rick Grant, Kelvin Hewlett, Nereida Skelton, Daylan Vanterpool, Gavin Jaiqopaul, Martha Ramirez.

**Front, L-R** - Cara Spann, Noreen Challenger, Kinisha Forbes, Rawlston Henry, Burton Challwell.





**Chief Minister  
Renee Creque**



**Opposition Leader  
Martha Ramirez**



**Opposition Member  
Rawlston Henry**

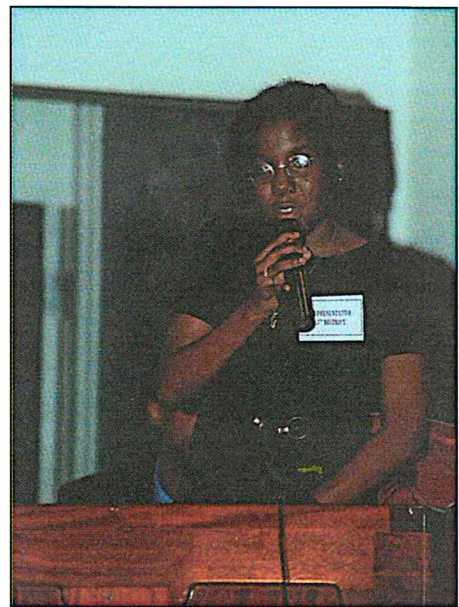


**Government Member  
Cara Spann**





**Opposition Member  
Daylan Vanterpool**



**Government Member  
Kinisha Forbes**



**Speaker  
Kevi Potter**



**Government Member  
Natoya Frett**



# Reception and Dinner Honouring Citizens of the British Virgin Islands

*Long Bay Beach Resort  
Friday, 24th November, 2000  
6:15pm*

Call to Order

**Hon. Reuben Vanterpool**  
*Chairman*

Invocation

**Pastor John Cline**  
*New Life Baptist Church*

Welcome Remarks

**Hon. Eileene L. Parsons**  
*Territorial Representative*

Remarks & Introduction of the British Virgin  
Islands National Honour of Distinction

**Hon. Ralph T. O'Neal OBE**  
*Chief Minister*

Presentation of Honours

**District Members of 14th Legislative Council**

Toast to Honourees

**Hon. J. Alvin Christopher**  
*Deputy Chief Minister*

**Hon. Ronnie Skelton**  
*Territorial Representative*

Remarks

**Dr. the Hon. D. Orlando Smith OBE**  
*Leader of the Opposition*

Closing Remarks

**Mr. Kedrick Malone**  
*Chairman, Legislative Council Commemorative Committee*

*~ Dancing ~ Sensations 2000*

On the occasion of the 50th Anniversary of the restoration of its sitting of the 14th Legislative Council initiated the British Virgin Islands National Honour of Distinction. The award recognized individuals whose contributions to the political, educational, economic, social, spiritual and national development of the British Virgin Islands shaped the society for this and future generations.

The following thirty-six honourees were selected by the nine (9) District Representatives in consultation with the four (4) Territorial Representatives. The complete list of honourees was then approved by the 14th Legislative Council.

Each honouree, or their representative, was presented with the British Virgin Islands National Honour of Distinction consisting of the following:

1. Medal of Distinction: A one and a half inch medallion of sterling silver plated in gold with the BVI coat of arms insignia (vigilate) on one side and the inscription "*British Virgin Islands National Honour of distinction*" on the other.
2. Certificate of Distinction signed by the Chief Minister and Leader of the Opposition.
3. 50th Anniversary Commemorative gift consisting of a timepiece inscribed with the words, "*Presented to (person's name) for Timeless and Distinctive Service to the People of the British Virgin Islands, 24th November 2000.*"

### Names of Honourees

---

<p><b>District One:</b>  H. Lavity Stoutt  Benjamin Romney  Isabella Morris  Elmore Stoutt</p>	<p><b>District Four:</b>  Joshua Smith Sr.  L. Adorothy Turnbull  Henry O. Creque  Noel Lloyd</p>	<p><b>District Seven:</b>  Francis Lettsome  Rosalind Penn  Terrance B. Lettsome  Leslie F. Malone</p>
<p><b>District Two:</b>  Wilford Stoutt  Ethiene Chinnery  Irene Parsons  Melvin Turnbull</p>	<p><b>District Five:</b>  Christalia Hodge  Wellington Callwood  Liston Smith  Henry Hodge</p>	<p><b>District Eight:</b>  Carris Penn  Claremont Davies  Berrisford Smith  Vanella Chalwell</p>
<p><b>District Three:</b>  Valarie Thomas  Inez Brathwaite  Randolph Mactavious  Earl Frazer</p>	<p><b>District Six:</b>  Alcedo Hodge  Vernon Farrington  Joyce Samuels  Rasahuru</p>	<p><b>District Nine:</b>  Darwin Potter  Florecia George  Alfredo Vanterpool  Grace Flax-Waters</p>



*Citizens Honour Ceremony*



**Mr. Elmore Stoutt, honoree, accepting award from Hon. Andrew Fahie.**



**Peggy Stoutt accepting award from Hon. Andrew Fahie on behalf of her father, former Chief Minister the late Hamilton Lavity Stoutt.**



**Hon. Andrew Fahie accepting award on behalf of his grandfather, the late Benjamin Romney. Michelle Hodge of Legislative Council staff presents.**



**Mrs. Eugenie Glasgow accepting award from Hon. Andrew Fahie on behalf of Isabella Morris.**



**Hon. Alvin Christopher presenting award to honoree Mr. Ethiene Chinnery.**



**Hon. Alvin Christopher presenting award to pastor Melvin Turnbull, honoree.**





Hon. Lloyd Black (centre), on behalf of Dr. the Hon. Kedrick Pickering, presents Mr. and Mrs. Timothy Penn, accepting on behalf of honoree Mr. Carris Penn (d).



Hon. Lloyd Black (left) presents honoree Berrisford Smith.



Hon. Lloyd Black (right) with honoree Vaniella Chalwell.



Hon. Ralph T. O'Neal (left) with honoree Darwin Potter.



Hon. Ralph T. O'Neal (right) with honoree Floresa George.



Hon. Ralph T. O'Neal (centre) with Miriam Dasante (right) and Rupert Vanterpool (left), children of honoree Allenton Vanterpool.





Hon. Ralph T. O'Neal (left) with Yolanda McCoy who accepted award on behalf of honoree Grace Flax-Waters



Hon. Ronnie Skelton gives a toast during the honour ceremony.



Pastor Inez Braithwaite, honoree, speaking during the ceremony. Hon. Fraser in background.



Dr. the Hon. D. Orlando Smith addresses honorees and guests.



Hon. Fraser with honoree Mr. Randolph Mactavious.



Mrs. Clarice Lettsome accepting on behalf of Valarie Thomas, honoree, from Hon. Julian Fraser.





**Hon. J. Alvin Christopher toasts the honourees during the ceremony.**



**Hon. Eileene Parsons welcomes everyone to the honour ceremony.**



**Hon. Ralph T. O'Neal (left), on behalf of Hon. Omar Hodge, and honoree Vernon Farrington.**



**Mr. Ifield Lettsome accepting on behalf of Francis Lettsome from Hon. Lloyd Black, on behalf of Dr. the Hon. Kedrick Pickering.**



**Mr. Carvin Malone accepting on behalf of Mr. Leslie Malone from Hon. Lloyd Black, on behalf of Dr. the Hon. Kedrick Pickering.**



**Hon. Lloyd Black (left), on behalf of Dr. the Hon. Kedrick Pickering, and honoree Terrence Lettsome.**



*Citizens Honour Ceremony*



**Mrs. Utia Scatliffe, daughter of the late Claremont Davies, accepting award on his behalf from Hon. Lloyd Black.**



**Hon. Ralph T. O'Neal (left), on behalf of Hon. Omar Hodge, and honoree Mrs. Joyce Samuels.**



**Hon. Ralph T. O'Neal (left), on behalf of Hon. Omar Hodge, and honoree Alcedo Hodge.**



**Mr. Robert Chalwel, accepting on behalf of the late Rosalind Penn, from Hon. Lloyd Black.**



**Hon. Alvin Christopher presenting award to honoree Mrs. Irene Parsons.**



**Hon. Alvin Christopher presenting award to Mr. Wilford Stoutt, honoree.**





**Hon. Ralph T. O'Neal, on behalf of Hon. Omar Hodge, presenting award to Mrs. Frances deCastro Walters on behalf of her brother Rasahuru (AKA Walter Lindsay deCastro, deceased).**



**Hon. Mark Vanterpool presenting award to Mr. Noel Lloyd, honouree.**



**Hon. Julian Fraser presenting award to Mr. Earl Fraser, honouree.**



**Hon. Mark Vanterpool presenting award to Dr. the Hon. D. Orlando Smith who accepting award on behalf his father Joshua Smith (deceased).**



**Hon. Ethlyn Smith presents award to Ms. Christalia Hodge, honouree.**



**Hon. Mark Vanterpool presenting award to Mrs. Joan Creque Farrara who accepted award on behalf of Henry Creque (deceased).**



Citizens Honour Ceremony



Hon. Mark Vanterpool presenting award to Miss Adorothy Turnbull, honouree.



Hon. Ethlyn Smith presents award to Mr. Berton Smith and Ms. Tracy Smith who accepted on behalf of Liston Smith (deceased).



Hon. Ethlyn Smith presents award to Mr. Robert Mathavious who accepted on behalf of Henry Hodge.



Hon. Ethlyn Smith presenting award to Mr. Leando Nibbs who accepted award on behalf of Mr. Wellington Callwood (deceased).



Part of the gathering at the Citizens Honour Dinner and Ceremony.



Kedrick Malone, Chairman of the Legislative Council Commemorative Committee (right) presents Hon. Ralph T. O'Neal with the first copy of the 50th Anniversary publication, *Empowerment through Representation*.



# Schedule of Activities

## 19 - 24 November, 2000



Date	Time	Activity	Venue
Sunday, 19th	3:00pm	Interdenominational Church Service	Sir Rupert Briercliffe Hall
Monday, 20th	9:00am	Ceremony Commemorating the Site of the First Sitting of the Legislative Council in the Virgin Is.	Site of Old Elementary School Lower Estate
	10:00am	Ceremony in Honour of the First Elected Members of the Legislative Council of the Virgin Islands	Legislative Council Building
	11:00am	Special Sitting of the Legislative Council	Sir Rupert Briercliffe Hall
	7:00pm	Ceremony in Honour of Past and Present Chairmen, Members, Officers & Clerks of the Legislative Council of the Virgin Islands	Sir Rupert Briercliffe Hall
Tuesday, 21st	10:00am	Special Sitting of the Legislative Council	Emile Dunlop Community Centre Anegada
	1:00p.m	Ceremony in Honour of Theodolph Halburn Faulkner	Faulkner Family House Anegada
	5:00pm	Chief Minister's Reception	Anegada
	7:30pm	Lecture: "Evolution of Legislative Systems & Alternative Models for the Millennium" (by Professor Neville C. Duncan)	HLS Community College
Weds., 22nd to Fri., 24th	10:00am 10:00am-6:00pm	Opening of Historical Exhibition of the Legislative Council of the Virgin Islands & Unveiling of 50th Anniversary Stamp Issue	Legislative Council Chambers
Thurs., 23rd	10:00am	Pageant by Students of Primary & Secondary Schools	Sir Rupert Briercliffe Hall
	7:30pm	Mock Legislative Council Debate BVI High School Students	Sir. Rupert Briercliffe Hall
Friday, 24th	11:00am	Cultural Food Fair & Exhibition	The Palm Grove
	7:00pm	Ceremony Honouring Citizens of the Virgin Islands	Long Bay Beach Resort

#### Other Activities:

1. Primary School and High School essay competition (winners will be presented at the Ceremony of Honour)
2. Newspaper supplement (week of 12 November, 2000)
4. Quizzes (morning devotion)

Note: Elections were held on 19 November, 1950. Members were formally elected on 20 November and the first sitting of the Legislative Council took place on 5 December, 1950.



# *Contributors*

**J.S. Archibald QC**

Attorney and Former Attorney General

**Iris de Castro**

Businesswoman

**Neville Duncan**

Professor, University of the West Indies

**Gerard St. C. Farara QC, LLB**

Attorney

**Keith L. Flax**

Businessman and Former Speaker

**Ashford Frett**

Keeper of Prisons

**Rita Frett-Georges, MBE**

Coordinator of Gender Studies, Virgin Islands Studies Programme, H. Lavity Stoutt Community College and Consultant to the Women's Desk, Chief Minister's Office

**Elton Georges OBE**

Deputy Governor

**Allington Hodge**

Deputy Registrar and Former Clerk of the Legislative Council

**Bertand Lettsome**

Chief Conservation & Fisheries Officer

**Quincy F. Lettsome, Ph.D**

Author and Deputy Chief Education Officer

**Vernon E. Malone, QPM, LLB, CPA**

Commissioner, Royal Virgin Islands Police Force

**Giorgio Migliavacca**

Philatelic Expert

**Hon. Ralph T. O'Neal**

Chief Minister

**Hon. Eileene L. Parsons**  
Member, Legislative Council of the Virgin Islands

**Dancia Penn OBE, QC**  
Attorney and Former Attorney General

**Ermin Penn**  
Coordinator, Millenium Project Office

**Verna Penn-Moll MBE**  
Author

**Richard Peters**  
Managing Partner, Harney Westwood & Riegels

**Vernon Pickering**  
Author and Executive Editor, Island Sun Newspaper

**Dr. Irad Potter**  
Director of Health Services

**Lorna Smith**  
Coordinator, Public Sector Development Programme

**Eugenie Todman-Smith**  
Former Chief Personnel Officer, Government of the British Virgin Islands

**Hugo Vanterpool**  
Author and Senior Lecturer, H. Lavity Stoutt Community College

**Pearl I. Varlack, Ph.D**  
Author and Former Professor, University of the Virgin Islands

**Shirley Walters-Faulkner**  
Author and Ag. District Officer, Anegada

**Charles Wheatley OBE, Ph.D.**  
President, H. Lavity Stoutt Community College

**Jennie N. Wheatley MBE**  
Author and Director, Virgin Islands Studies Department, H. Lavity Stoutt Community College

**Medita Wheatley**  
Director General, UNESCO



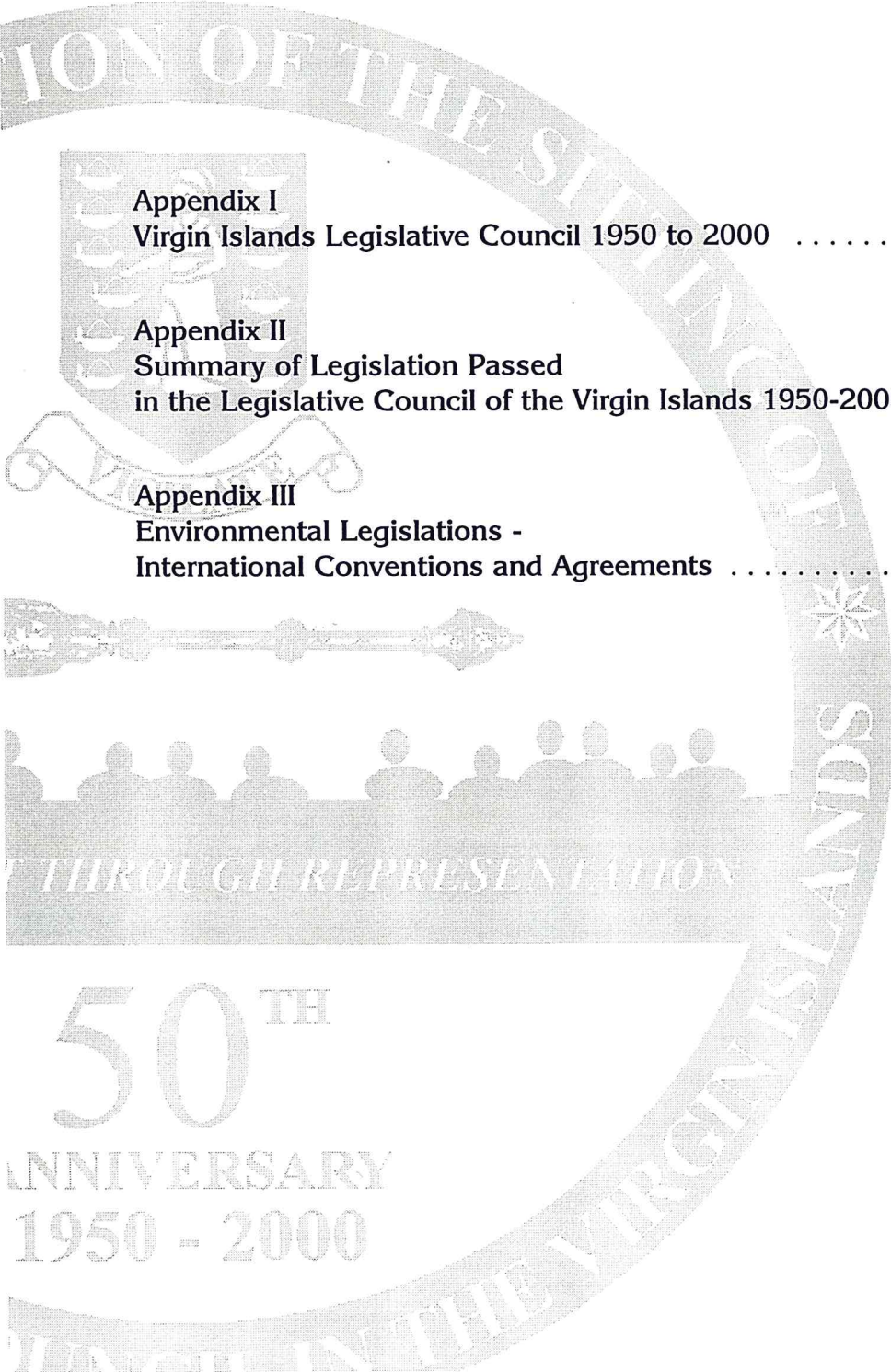


**Future Prime Minister?**

Derek Vanterpool of Alexandrina Maduro Primary School reading his winning essay at the Ceremony Honouring Past Chairmen, Members, Officers & Clerks of the Legislative Council.



# Appendices



**Appendix I**  
Virgin Islands Legislative Council 1950 to 2000 .....1

**Appendix II**  
Summary of Legislation Passed  
in the Legislative Council of the Virgin Islands 1950-2000 .....7

**Appendix III**  
Environmental Legislations -  
International Conventions and Agreements .....29





# Appendix I: Virgin Islands Legislative Council 1950 to 2000

## The Pre-Ministerial Period to March 1967 1950-1960

OFFICES	First 1950 to 1954	Second 1954 to 1957	Third 1957 to 1960
<b>PRESIDENT (CHAIRMAN)</b>	John A.C. Cruickshank (d) 1950-1953 E.A. Evelyn, ISO (d) (Ag) 1953-1954 Lt. Col. H.A.C. Howard (d) 1954	Lt.Col. H.A.C. Howard (d) 1954-1956 Geoffrey P. Allsebrooke 1956-1957	Geoffrey P. Allsebrooke 1960
<b>LEGAL OFFICIALS</b>	None (The Attorney General sat in Antigua)	Herman A. Besson (d) <i>Legal Assistant</i>	Herman A. Besson 1958 <i>Legal Assistant</i> Oliver M. Browne 1959 George A. Redhead (d) <i>Crown Attorneys</i>
<b>FINANCIAL OFFICIALS</b>	James Olva Georges (d) Kt. OBE Benjamin A. Romney (d)	Thomas E.A. Perkins	Dennis S. Mordecai
<b>NOMINATED OFFICIAL MEMBERS</b>	Dr. W. T. Joseph A.C. Franklin <i>replaced in 1950 by</i> Norwell Harrigan MBE (d) <i>replaced in 1951 by</i> Arthur Caines <i>replaced in 1952 by</i> McWelling Todman (d) 1952-1954		
<b>NOMINATED UNOFFICIAL MEMBERS</b>			
<b>1<sup>st</sup> Nominated Unofficial 2<sup>nd</sup> Nominated Unofficial</b>	James Olva Georges Benjamin A. Romney	James Olva Georges Joseph R. O'Neal CBE, OBE	James Olva Georges Joseph R. O'Neal Emogene A. Creque (Ag)
<b>ELECTED MEMBERS OF THE SINGULAR CONSTITUENCY</b>			
<b>1<sup>st</sup> Elected Member</b>	Isaac G. Fonseca (d)		
<b>2<sup>nd</sup> Elected Member</b>	Howard R. Penn OBE (d)		
<b>3<sup>rd</sup> Elected Member</b>	Carlton L.E. de Castro (d)		
<b>4<sup>th</sup> Elected Member</b>	J. Charles Brudenell-Bruce (d)		
<b>ELECTED DISTRICT MEMBERS</b>			
<b>First</b>		Wilfred Smith (d) Works & Communications	H. Lavity Stoutt (d)
<b>Second</b>		Howard R. Penn Trade & Production  Isaac G. Fonseca	Howard R. Penn  Isaac G. Fonseca Works & Communications
<b>Third</b>		Edwin H. Leonard (April-August 1954)  J. Charles Brudenell-Bruce (1955-1957)	Ivan Dawson CBE
<b>Fourth</b>		Leslie F. Malone	Leslie F. Malone Trade & Production
<b>Fifth</b>		Theodolph H. Faulkner (d)	Waldo E. O'Neal
<b>CLERK</b>	Henry O. Creque OBE (d)	Henry O. Creque	Henry O. Creque
d – Deceased Ag. – Acting			





**The Pre-Ministerial Period to March 1967 and  
The Ministerial Period as from March 1967  
1960-1971**

OFFICES	Fourth 1960 to 1963	Fifth 1963 to 1967	Sixth 1967 to 1971
<b>PRESIDENT (CHAIRMAN)</b>	Capt. G.F. Bryan, CMG, OBE 1962 Martin S. Staveley (d) CMG, CVO, OBE, MC	Martin S. Staveley CMG,CVO,OBE,MC 1966	John S. Thompson (1966-March 1971)
<b>SPEAKER</b>			Henry O. Creque
<b>LEGAL OFFICIALS</b>	George A. Redhead 1962 John A.B. Renwick QC <i>Crown Attorneys</i>	John A.B. Renwick 1964 Leo I. Austin 1964 Joseph S. Archibald QC 1964-1965 Lionel W. Barker 1965-Feb.1966 <i>Crown Attorneys</i>	Lionel W. Barker 1968 <i>Attorney General from March 1967</i>
<b>FINANCIAL OFFICIALS</b>	Henry O. Creque	Henry O. Creque	George B. Mitchell
<b>NOMINATED OFFICIAL MEMBERS</b>		Norwell Harrigan 1964 Ralph T. O'Neal 1966	
<b>NOMINATED UNOFFICIAL MEMBERS</b>			
<b>1<sup>st</sup> Nominated Unofficial</b>	James Olva Georges Cecil E. Gorges (Ag) <i>May-August 1961</i>	James Olva Georges	James Olva Georges
<b>2<sup>nd</sup> Nominated Unofficial</b>	Joseph Reynold O'Neal	Joseph R. O'Neal	Joseph R. O'Neal
<b>ELECTED DISTRICT MEMBERS</b>			
<b>First</b>	H. Lavity Stoutt Communications & Works	H. Lavity Stoutt Communications & Works	H. Lavity Stoutt (UP) [CM] Education
<b>Second</b>	Howard R. Penn Trade & Production Isaac Fonseca	Armando Scatliffe (d) Isaac Fonseca	Ivan Dawson (UP) Natural Resources & Public Health
<b>Third</b>	Ivan Dawson	Ivan Dawson Trade & Production	Leopold E. Smith (UP)
<b>Fourth</b>	Leslie F. Malone	Alban U. Anthony (VIP) Communications Works & Industries	Alban U. Anthony (VIP) [DCM]
<b>Fifth</b>	Theodolph H. Faulkner	Q. W. Osborne OBE MD (d)	Isaac G. Fonseca
<b>Sixth</b>	<i>No District existed</i>	<i>No District existed</i>	Terrance B. Lettsome (UP) Communications Works & Industry
<b>Seventh</b>	<i>No District existed</i>	<i>No District existed</i>	H. Robinson O'Neal (VIDP) (d)
<b>CLERK</b>	Ralph T. O'Neal OBE 1962-1963 Julian M. Clarke OBE 1963	Julian M. Clarke 1964 Selwyn Vanterpool 1964-1965 Marvin E. Flax 1965	Marvin E. Flax 1968 Margaret G. Rymer-Borde MBE 1968 Joshua J. Smith MBE 1969 (d) Victoreen Romney-Varlack 1969-1970
I—Independent NDP – National Democratic Party UP – United Party VIDP – Virgin Islands Democratic Party VIP – Virgin Islands Party		CM – Chief Minister DCM – Deputy Chief Minister DS – Deputy Speaker OL – Opposition Leader CCM – Concerned Citizens Movement	d – Deceased Ag. – Acting





## 1971-1983

OFFICES	Seventh 1971 to 1975	Eighth 1975 to 1979	Ninth 1979 to 1983
SPEAKER	Howard R. Penn	Ivan Dawson	Ivan Dawson
ATTORNEY GENERAL	Edgar A.C. Hewlett (AG) 1975 Nolan Jacobs 1972 (d) Paula F. Beaubrun (d)	Jack Smith Hughes, OBE (d) Clare I. Roberts Paula F. Beaubrun 1977 (d) Michael J. Bradley 1978 Velma I. H. Gayle 1979	Sandra M.H. DeSilva 1982 Lewis Hunte
FINANCIAL OFFICIALS	Cyril B. Romney Douglas Wheatley (Ag) Alexander O. Shirley (Ag) J.A. Frost	J. Anthony Frost Frank W. Essex (Ag) G. Whittaker (Ag) (last officer to serve as a Financial Official)	
NOMINATED MEMBER	Ivan Dawson	Leopold Smith	
ELECTED DISTRICT MEMBERS			
First	H. Lavity Stoutt (VIP) [OL]	H. Lavity Stoutt (VIP) Natural Resources & Environment	H. Lavity Stoutt (VIP) [CM] Finance
Second	Austin Henley (VIDP) (d)	Austin Henley (DP) [OL]	Prince Stoutt (VIP)
Third	Oliver Cills (VIDP) Communications Works & Industries	Oliver Cills (VIDP) [OL]	Oliver Cills (VIP)
Fourth	Dr. Q. W. Osborne (VIDP) Natural Resources & Public Health	Alban U. Anthony (VIP) Communications Works & Industries	Alban U. Anthony (VIP) [DCM]
Fifth	Conrad A. Maduro (UP) Natural Resources & Public Health	Dr. Q. William Osborne (VIDP)	Cyril B. Romney (I)
Sixth	Willard Wheatley MBE (d) (I)[CM] Finance (as of 1977), Education	Willard Wheatley (I)[CM] Education	Omar W. Hodge (VIP)[DS]
Seventh	Reeial George (VIP)	Ralph T. O'Neal (I)	Terrance B. Lettsume (VIP) Communications Works & Utilities
Eighth			Willard Wheatley (I)
Ninth			Ralph T. O'Neal (VIP) Social Services & Education
CLERK	Victoreen Romney-Varlack 1971-1972 Margaret G. Rymer-Borde	Margaret G. Rymer-Borde	Margaret G. Rymer-Borde
I—Independent NDP – National Democratic Party UP – United Party VIDP – Virgin Islands Democratic Party VIP – Virgin Islands Party		CM – Chief Minister DCM – Deputy Chief Minister DS – Deputy Speaker OL – Opposition Leader CCM – Concerned Citizens Movement	d – Deceased Ag. – Acting





## 1983-1995

OFFICES	Tenth 1983 to 1986	Eleventh 1986 to 1990	Twelfth 1990 to 1995
<b>SPEAKER</b>	Keith L. Flax	Keith L. Flax	Keith L. Flax
<b>ATTORNEY GENERAL</b>	Lewis S. Hunte 1986	Karl S. Atterbury 1990 (d)	Donald A.B. Trotman 1992 Davidson K. Baptiste 1993 (Ag.) Ruth Dancia Penn OBE QC
<b>ELECTED DISTRICT MEMBERS</b>			
<b>First</b>	H. Lavity Stoutt (VIP) [OL]	H. Lavity Stoutt (VIP) [CM] Finance	H. Lavity Stoutt (VIP) [CM] Finance
<b>Second</b>	Conrad A. Maduro (UP) Natural Resources & Labour	Conrad A. Maduro (UP) [OL]	Prince Stoutt (VIP)
<b>Third</b>	Earl P. Fraser (UP) [DS]	Oliver Cills (VIP) Communications & Works	Oliver Cills (VIP) [DS]
<b>Fourth</b>	E. Walwyn Brewley (UP) Communications & Works	E. Walwyn Brewley (UP)	E. Walwyn Brewley (CCM)
<b>Fifth</b>	Cyril B. Romney (I) [CM] Finance	Cyril B. Romney (I)	Cyril B. Romney (I) [OL]
<b>Sixth</b>	Omar W. Hodge (VIP)	Omar W. Hodge (VIP)[DCM] Natural Resources & Labour	Omar W. Hodge (CCM)
<b>Seventh</b>	Terrance B. Lettosome (VIP)	Terrance B. Lettosome (VIP)[DS]	Terrance B. Lettosome (VIP) Communications & Works
<b>Eighth</b>	Willard Wheatley (I)[DCM]	C. Lewis Walters, MBE (VIP) Health, Education & Welfare	C. Lewis Walters (VIP) Health, Education & Welfare
<b>Ninth</b>	Ralph T. O'Neal (UP)	Ralph T. O'Neal (UP) (VIP) [OL] [DCM] Natural Resources & Labour	Ralph T. O'Neal (VIP) [DCM] Natural Resources & Labour
<b>CLERK</b>	Margaret G. Rymer-Borde	Margaret G. Rymer-Borde 1987 Hugh A. Hodge	Hugh A. Hodge
I—Independent NDP – National Democratic Party UP – United Party VIDP – Virgin Islands Democratic Party VIP – Virgin Islands Party		CM – Chief Minister DCM – Deputy Chief Minister DS – Deputy Speaker OL – Opposition Leader CCM – Concerned Citizens Movement	
		d – Deceased Ag. – Acting	





## 1995-PRESENT

OFFICES	THIRTEENTH 1995 to 1999	FOURTEENTH 1999 to Present	
SPEAKER	Keith L. Flax 1997 Reuben W. Vanterpool	Reuben W. Vanterpool	
ATTORNEY GENERAL	Ruth Dancia Penn, QC 1999 Cherno Jallow (Ag.)	Cherno Jallow (c)	
ELECTED DISTRICT MEMBERS			
FIRST	H. Lavity Stoutt (VIP) [CM] Angel Smith (VIP) (1995-1999)	Andrew A. Fahie (VIP) Education & Culture as from July 2000	
Second	J. Alvin Christopher (VIP) Communications & Works	J. Alvin Christopher (VIP)[DCM] Communications & Works	
Third	Oliver Cills (VIP) Natural Resources & Labour	Julian Fraser (VIP) Natural Resources & Labour	
Fourth	E. Walwyn Brewley (CCM)[OL]	Mark H. Vanterpool (NDP)	
Fifth	Ethlyn E. Smith (CCM)	Ethlyn E. Smith (CCM) Health & Welfare as from July 2000 (VIP)	
Sixth	Omar W. Hodge (VIP)	Omar W. Hodge (VIP)	
Seventh	Terrance B. Lettsome (VIP)	Kedrick D. Pickering MD (NDP)	
Eighth	Andre E. Penn (UP)	Lloyd K. Black (NDP)	
Ninth	Ralph T. O'Neal (VIP)[DCM][CM] Finance	Ralph T. O'Neal (VIP)[CM] Finance	
TERRITORIAL DISTRICT	Reeial A. George (VIP [DS])	Reeial A. George (VIP [DS])	
TERRITORIAL DISTRICT	Eileene L. Parsons (I) Health Education & Welfare	Eileene L. Parsons (VIP) [DCM] to July 2000 Health Education & Welfare NDP as from July 2000	
TERRITORIAL DISTRICT	Alred Frett (VIP) 1998 Health Education & Welfare	D. Orlando Smith OBE,FRCS (NDP) [OL]	
TERRITORIAL DISTRICT	Conrad A. Maduro (UP)	Ronnie W. Skelton (NDP)	
CLERK	Hugh A. Hodge 1998 Julia A. Leonard-Massicott	Julia A. Leonard-Massicott 2000 Oleanvine Maynard (Ag.)	
I—Independent NDP – National Democratic Party UP – United Party VIDP – Virgin Islands Democratic Party VIP – Virgin Islands Party		CM – Chief Minister DCM – Deputy Chief Minister DS – Deputy Speaker OL – Opposition Leader CCM – Concerned Citizens Movement	
		d – Deceased Ag. – Acting	





## Appendix II: Summary of Legislation Passed in the Legislative Council of the Virgin Islands 1950-2000

(Compiled by Library Services Department)

Ordinance	Proposal introduced by	Reason
Aid to Pioneer Enterprises, 1951	McWellington Todman	
District Council Ordinance, 1952 (see 81c of Minute 1952)	A. C. Franklin	
Customs Duties (Amendment) Ordinance, 1952	A. A. Caines	
Road (Amendment) Ordinance, 1952	C. L. deCastro	
Wild Birds Protection (Amendment) Ordinance, 1952	McWellington Todman	
Wild Birds Protection (Amendment) Ordinance, 1953	McWellington Todman	
Hotel Aid Ordinance, 1953	McWellington Todman	
Cinematographs (General Legislature Competency) (Repeal) Ordinance, 1953	McWellington Todman	
Income Tax (Amendment) Ordinance 1953	A. A. Caines	
Passengers Tax (Amendment) Ordinance, 1953	A. A. Caines	
Harbour & Wharfs Ordinance, 1954	T. F. A. Perkins	
Legislative Council (Extension of Duration) (Repeal) Ordinance, 1954		
Labour (Amendment) Bill, 1954	N. E. A. Harrigan	
Prison Ordinance, 1954	N. E. A. Harrigan	
Land and House Tax Ordinance, 1954		
Midwifery (Amendment) Ordinance, 1954	N. E. A. Harrigan	





Ordinance	Proposal introduced by	Reason
Motor Vehicle Bill 1954		
Water and Electricity Ordinance, 1954	N. E. A. Harrigan	
Animal Diseases Bill, 1955		A new Bill which will give greater safeguards against the possible * and spread of dangerous animal diseases
Land & House Tax Bill, 1955		A new bill designed to provide a new basis for the assessment of land & house taxes to improve the machinery of collection and enforcement and to provide a period within which property may be reclaimed if sold on provost marshal sale
Crown Suit Bill, 1955		A new Bill for the purpose of regulating suit proceeding by and against the Crown
Education Bill, 1955		Replace the existing Colonial Law and designed to define the respective spheres of church and state in the field of primary education
General Loan and Stock Ordinance, 1956	T. E. A. Perkins	To define the terms and conditions application cable to loans hereinafter authorised to the raised by the Legislature of the Colony
Supplementary Appropriation 1954(Amendment) Ordinance 1956	T. E. A. Perkins	To rectify an error made in the Principal Ordinance
Firearms Ordinance, 1956	T. E. A. Perkins	To repeal and replace the Ordinance now in force with respect to the licensing and control of firearms which is regarded as inadequate to meet the modern conditions.
Interpretation and General Clauses Act (Amendment) Ordinance, 1956	Herman A. Besson	To extend the definition of Governor to include the officer administering the Government of the Colony in all legislation having effect July 1 <sup>st</sup> .
Criminal Procedure Act(Amendment) Ordinance, 1956	Herman A. Besson	To Amend the Criminal Procedure Act, as amended, to restore the Attorney General of the Leeward Islands the power to remit cases to the enquiring Magistrate.
Indictments (Amendment) Ordinance, 1956	Herman A. Besson	This bill seeks to effect the necessary amendment to Section 3 (1)
The Supreme Court (Amendment) Ordinance, 1956		To amend the Supreme Court Act, 1939 as adapted by the Adaption of Laws Regulations, 1956
Pound Ordinance, 1956	Herman A. Besson	To provide for the shooting or destroying of trespassing sheep; and the increase in Pound Fees.
Public Assistance Ordinance, 1956	Herman A. Besson	To make provision for the public assistant of poor and destitute persons.
Land Acquisition bill, 1957	Herman A. Besson	To enact a Land Acquisition Ordinance by the Legislature of the Colony of the Virgin Island





Ordinance	Proposal introduced by	Reason
External Trade Bill, 1957	H. R. Penn	To make provision for the regulation of imports to and exports from the Colony by means of licensing system.
Virgin Islands Constitution & Elections Ordinance (Amendment) Bill, 1957	H. R. Penn	To amend the Virgin Islands Constitution and Elections Ordinance, 1954, by making provision for a public officer.
Births and Death Bill, 1957	H. R. Penn	To replace the Births, Deaths and Marriages Register Ordinance, 1907, as amended, by comprehensive and modern legislation providing for the registration of births and deaths only.
Public Holidays Act (Amendment) Bill, 1957	H. R. Penn	To remove Labour Day from the Schedule of Public Holidays in the Principal Act and to introduce St. Ursula's Day and also seeks to establish a Colony Day the 1 <sup>st</sup> July.
Animal (Diseases, Importation and Exportation) (Amendment) Bill, 1957	H. R. Penn	To correct certain errors in spelling or words in the Principal Act, to provide for a maximum penalty for regulations made by the Governor in council under Section 12
Registration of United Kingdom Patents Act (Amendment) Bill, 1957	H. R. Penn	
Police Act (Amendment) Bill, 1957	H. R. Penn	To enable provision to be made in the Police Regulations for the hearing and punishment of the offences in Section 28 (2) (c), 29 and 31 of the Principal Act.
Legal Tender (Adoption of United States Currency) Bill, 1957	H. R. Penn	
General Loan And Stock Ordinance, 1958	Herman A. Besson	To rectify clause 4 typographical errors in section 14 (92) of the Principal Ordinance
Law Reform (Miscellaneous Provision) Bill, 1958	Herman A. Besson	To revise in with regards to the abolition of the doctrine and to make provision governing the liability of the owners of dogs for injury to persons, poultry and small stock.
Cruikshank Gratuity Bill, 1958	H. O. Creque	Mr. Cruikshank should be deemed to have continued to be Commissioner of the Virgin Islands from the said 1 <sup>st</sup> July, 1956 to the date of his death and this bill seeks to make such provision as are necessary for the said purposes.
Virgin Islands Constitution and Election (Amendment) Bill, 1958	Herman A. Besson	To amend the Virgin Islands Constitution and Elections Ordinance, 1954 by making provision to the effect that a person holding the office of Dept. President, member of the LegCo. or the Executive Co. shall be considered not to be a public officer.





Ordinance	Proposal introduced by	Reason
Matrimonial Caused Act (Amendment) Bill, 1958	Herman A. Besson	To make provision whereby the rule in the above case (Russell v. Russell, 1924) will be completely abolished and thereby to bring the Matrimonial Causes Act of this Colony into line with section 32 of the UK Causes Act, 1950 (c.25).
Title of Registration Act (Amendment) Bill 1958	Herman A. Besson	To revise the Act in the following section (Clause 2 & 3) by seeking to amend the Act in other respects which are deemed necessary
Pension (Increase) Bill, 1958	Herman A. Besson	To increase pension in the Colony in a manner similar to increases in the UK; the removal of the income limits and pension limits; the abolition of the lower rates of increases etc.
Lunacy and Mental Treatment (Amendment) Bill, 1958	Herman A. Besson	This seeks to remedy the defect in Clauses 2 and 4 of this Bill. Clause 3 rectifies an error or omission in the Principal Ordinance; to amend subsection (2) of section 39.
Minerals (Vesting) Bill, 1958	Herman A. Besson	To vest all minerals in the Colony as defined in the Interpretation Clause in the Crown and to prohibit mining with out licence.
Criminal Procedure Act (Amendment) Bill, 1958	Herman A. Besson	To make provision which are deemed necessary regarding the attendance of witnesses at court; the arraignment and trial of insane persons; the custody of accused persons found insane; Clause 4 & 6 of the Bill .
Buildings (Amendment) Bill, 1958	Herman A. Besson	To supplement and clarify certain provision of the Principal Ordinance in Clause 2, Section 14
External Trade (Amendment) Bill, 1958	Herman A. Besson	To amend paragraph C of subsection 4 of the Ordinance
Commissioner of the Virgin Islands (Validation of Acts) bills, 1958		
Appropriation Bill, 1958	H. O. Creque	To make provision for expenditure for the services of the Colony for the year ending 31 <sup>st</sup> December, 1958
Registration of Births And Deaths (Amendment) Bill, 1958		To amend the Principal Ordinance by removing any doubts in the application
Supplementary Appropriation Bill, 1958	D. S. Mordecai	To give legal sanction to certain payments from the Public Treasury
Development Electricity & Cold Storage Loan (Amendment) Bill, 1958	Herman A. Besson	To amend the Principal Ordinance as follows to provide that the Crown Agents may raise the loan on behalf of the Governor in section 2.
Leprosy (Amendment) Bill, 1958	Herman A. Besson	To amend clauses 2 & 9, to seek to clarify 3, 4, 5, 6 and 7 .
Distribution and Price of Goods Bill, 1958		
Beaches Control Ordinance, 1959.		To control the use of the floor of the sea, and of the foreshore and beaches of the Colony in the interest of the public.





<b>Ordinance</b>	<b>Proposal introduced by</b>	<b>Reason</b>
Cinematographs Bill, 1959	Oliver M. Browne	To make provision for the safety of the public and licensing of theaters
Motor Vehicles Insurance (Third Party Risks) Bill, 1959	Oliver M. Browne	To provide again Third Party Risk arising out of use of Motor Vehicles
Land Acquisition (Amendment) Bill, 1959	Oliver M. Browne	To amend section 17 of the Land Acquisition Ordinance, 1957 No. 4 of 1957
Turtles Protection Bill, 1959	Oliver M. Browne	To provide for the protection of Turtle within the Colony of the Virgin Islands
Electricity, Ice and Cold Storage Bill, 1959	Oliver M. Browne	To provide for the generation and supply of electricity the operation of cold Storage Plants and the ale of ice
Pension (Increase) Act (1953) Amendment Bill 1959		
Exchange Control Regulations Bill, 1959	D. S. Mordecai 2 <sup>nd</sup> Official Member	For the making of regulations suitable for the special circumstances of the Colony of the Virgin Islands
Bailiffs Commission Bill, 1959	D. S. Mordecai	To enable Bailiffs to be paid a remuneration of 5% on arrears of rates and taxes levied by them.
Treasury (Amendment) bill 1959	D. S. Mordecai, April 1959	To amend the Principal Ordinance by deleting section 6
Road (Amendment) Bill, 1959	G. A. Redhead	To regulate the width of roads, exclusive of ditches and drains, etc.
Pioneer Services and Enterprises Ordinance 19-1960-1969		
Magistrates Code of Procedure Act (Amendment) Bill, 1960	Herman A. Besson	To amend the Principal Act by increasing certain amounts payable for maintenance
Beach Utilization Bill, 1960	Herman A. Besson	
Summary Jurisdiction Act (Amendment) Bill, 1960	Herman A. Besson	
Beach Protection Bill, 1960	Herman A. Besson	
Small Charges Act (Amendment) Bill, 1960	Herman A. Besson	
Burials Grounds Bill, 1960	Herman A. Besson (2 <sup>nd</sup> Official Member)	To provide for the burial of dead human bodies in burial grounds and to discourage such burials outside of grounds.
Aliens Land Holding Regulation Act (Amendment) Bill, 1960	Herman A. Besson D. S. Mordecai	To Amend section 4 of the Aliens Landholding Regulations Act





Ordinance	Proposal introduced by	Reason
Aerodromes Bill, 1960	Herman A. Besson	To enact legislation for the purpose of regulating and controlling the use of Aerodromes in the Colony
Income Tax (Amendment) Bill, 1960	D. S. Mordecai	To amend section 8 (A), relettering various paragraphs and clause 3
Cinematographs (Amendment) Bill, 1960	Herman A. Besson	
Land surveyor Bill, 1960	Herman A. Besson	
Immigration and Passport Act (Amendment) Bill 1960	Herman A. Besson	To amend clause 3, 4-17 and 20
Imperial Lighthouse Dues Act (Repeal) Bill, 1960	Herman A. Besson	To repeal the Imperial Lighthouse dues Act, 1933
Appropriation Bill 1960	N. E. A. Harrigan	To provide for the service of the Colony for the year end 31 <sup>st</sup> December
Pensions (Amendment) Bill 1960	Herman A. Besson	To safeguard the superannuation position of officers who have transferred
Wild Birds Protection (Amendment) Bill, 1960	Herman A. Besson	To provide for the prohibition of certain methods of killing or taking wild birds
Customs Duties (Amendment) Bill, 1960	Herman A. Besson	To remove the restriction places on the exemption of scientific apparatus and instruments from customs duties and to permit the machinery & equipment of foreign armed forces stationed in the territory
Marriages (Validation), 1961		For the avoidance of any doubt which may arise as to the validity of the celebration of certain marriages performed or purposed to have been performed by the Registrar General of the Colony, and notwithstanding anything contained in the Marriage Ordinance, 1924, or in any law amending or relating to the small, the marriages, the particulars of which are set out in the Schedule hereto shall be deemed to have been validly celebrated.
Public Assistance (Amendment) Ordinance, 1961	N. E. A. Harrigan	To amend the Ordinance increasing the membership of the committee, etc.
Alien Bankers Act (Amendment) Bill, 1961		To make specific provision for the revocation grant
Aliens Land Holding Regulation Act (Amendment) Bill, 1961		To amend the Principal Act
Little Dix Road (Right of Way) Bill, 1961		To provide for the limitation of the right of way through part of the road leading to Little Dix Bay on the island of Virgin Gorda.
Criminal Procedure Act (Amendment) Bill, 1961	H. A. Besson	To empower the court to impose a fine on conviction of felony and to allow time for payment of fine.
Magistrate's Code of Procedure Act (Amendment) Bill, 1961	H. A. Besson	To increase the civil jurisdiction





Ordinance	Proposal introduced by	Reason
Limitation Ordinance, 1961.		An Ordinance to consolidate and amend the law relating to the limitation of actions and arbitrations.
Trustee Bill, 1961	H. A. Besson	To regulate the law relating to trustees as the present statutory.
Vehicles and Road Traffic (Amendment No. 3) Bill, 1961	H. A. Besson	To make provision for the granting of concessions to operate omnibus services
National Parks Bill, 1961	N. E. Harrigan	To constitute the National Parks Trust as a body corporate and to provide for them.
Summary Jurisdiction Act (Amendment) Bill, 1961	H. A. Besson	To increase the jurisdiction of the courts
Pension (Amendment), 1961		
Electric Installation (Buildings) Ordinance, 1961.		An Ordinance to provide for the licensing of persons who carry out the electric wiring of buildings, the regulation of such operations and generally the prevention or minimising of danger to persons or property which may arise from the electric wiring of buildings.
Probation Of Offenders, 1961		
Public Holidays Act (Amendment), 1961		To make provision for any public holidays for any which may fall on a Saturday, does so fall on the Monday following such Saturday shall be substituted for the day originally appointed under this Act.
Prison (Amendment) Act, 1961		To amend by inserting a new section 18A in the Principal ordinance
Restriction of Offensive Weapons Bills, 1962	J. D. B. Renwick	To prohibit the making, keeping, disposing and importation of flick knives and other certain dangerous weapons
Workmen's Compensation, 1962		To provide for the payment of compensation to workmen for injuries suffered in the course of their employment.
Sedition and Undesirable Publications Act (Amendment) Ordinance, 1962		To amend further Sedition and Undesirable Publication Act, 1962 by substituting the definition of expression "prohibited publication"; etc.
Small Trespass Act (Amendment) Ordinance, 1962		To amend further the Small Trespass Act by substituting the words "one hundred and eighty dollars" for the symbol and figure "£10" wherever they occur in the said Act.
Magistrate's Code of Procedure Act (amendment) Ordinance, 1962		to amend further the Magistrate's Code of Procedure by inserting the words "in writing" between the word "promise" and "to" in section 155.
Income Tax (amendment) Ordinance, 1962		To amend section 8 of the Principal Act
The Minerals (Vesting) Ordinance, 1962		To vest in the Crown all minerals in the Colony and to make provision for matters incidental thereto or connected therewith.
Pension Act (Amendment) Ordinance		To amend section 2 of the principal act.
1963 - Beach Protection Order, 1962		





Ordinance	Proposal introduced by	Reason
Nurses Registration Bill, 1963	J. D. B. Renwick	To provide for the registration of nurses for the sick
Companies Act (Amendment), 1963	J. D. B. Renwick	To ensure the public companies submit a form to the registrar
Income Tax (Amendment) Bill 1963	J. D. B. Renwick	To amend section 26 of the Principal Act by substituting the words "twelve per centum: for the sign figures and words "\$1.89 on every pound of the chargeable income".
Road (Amendment) Bill, 1963	J. D. B. Renwick	To amend further by repealing the whole of part II and section 8 & 19 of the Principal Act.
Custom Surcharge (Amendment) Bill, 1963		To increase the rate of customs charge from 2 to 5 per centum
Trade Licence Bill, 1963	J. D. B. Renwick	To govern the issue of licences to persons engaged in Trade and Commerce, travelling agents and pedlars, and for purposes connected therewith.
Commissions of Inquiry Act (Amendment) Bill, 1963	J. D. B. Renwick	To amend Cap. 116 of this bill by the replacement of section 10 of the principal Act.
Jury Act (Amendment) Bill 1963		To enable women to be eligible for jury duties, etc.
Dogs (injury to persons, Cattle and Poultry) Bill, 1963	J. D. B. Renwick	To make provision relating to the liability for injury to persons, cattle and poultry by dogs.
Stamp Act (Amendment) Bill, 1963	J. D. B. Renwick	To change the currency expressed in the Stamp
Copyright Act (Repeal) Bill, 1963	J. D. B. Renwick	To repeal the Copyright Act (cap. 141) and that portion of the Adaption of Laws Regulations, 1956 which adapts the Copyright Act for use in the Colony are hereby repealed.
Customs Duties (Amendment) Bill, 1963	J. D. B. Renwick	To make provision for granting drawbacks on re-exported goods
The Medical Act (Amendment) Bill, 1963	J. D. B. Renwick	To increase the fees for the Registration of Medical Practitioners, etc.
Appropriation Bill, 1963		To make provision for the services of the colony for the year ending the 31 <sup>st</sup> December 1936
Burial grounds, 1963		To ensure that burial of a human body must be in an area of the Colony which has been declared by the Administrator in Council pursuant to the provisions of the Burial Ground license.
Passengers Tax (Amendment) Ordinance, 1963		To amend section 2 of the Principal Act
Workmen's Compensation (Amendment) Bill, 1964	J. D. B. Renwick	To amend by ensuring that a worker employed by a contractor who uses machinery for the purpose of agriculture work is in no less favourable position than other workers employed by contractors.





Ordinance	Proposal introduced by	Reason
Foreign Judgements (Reciprocal Enforcement) Bill 1964	J. D. B. Renwick	To provide for the enforcement in the Colony of judgements given in foreign countries which accord reciprocal treatments to judgements given in the Colony, and for other purposes in connection with the matters aforesaid.
Facilities for Title Bill, 1964	J. D. B. Renwick	To facilitate proof of and to perfect title to land in cases of loans made to persons on security thereof and to protect such security with a view to encouraging agricultural and other development and for purposes incidental thereto or connected therewith.
Trade Licenses (Amendment) Bill, 1964	J. D. B. Renwick	To amend the Act to ensure that the licence to be paid for a second store or shop owned by a nonresident individual or company is \$5.00 in US Currency per annum.
Income Tax (Amendment) Bill 1964	L. I. Austin	To amend section 2 of the Principal Act, 14 and 15, etc and also to insert section 8B.
Protection of Wages, 1964	J. S. Archibald Ag. Crown Attorney	To make provision for the protection of wages of workers.
Police Act (Amendment) Bill, 1964		To amend further the Police Act, 1951 by repealing section 75 of the principal Act, amending subsection 1 of 76.
Liquor Licences Ordinance, 1964		To make provision for the sale of intoxicating liquors.
Employment of Children Prohibition Act (Amendment) Bill, 1965	J. S. Archibald Ag. Crown Attorney	To amend the Employment of Children Prohibition Act, 1939, section 2 by substituting the word "fifteen" for the word "twelve" occurring in the definition of the word "child". Section 3 and 4.
Pension (Increase) (Amendment) Bill, 1965	J. S. Archibald Ag. Crown Attorney	To authorise a further increase of pensions payable in respect of public service.
Fire Brigades Bill, 1965	J. S. Archibald Ag. Crown Attorney	To provide Fire Fighting Service for the Colony under the supervision and control of the Police Officer in charge of the police division of the Colony.
Recreation Trust Bill, 1965	L. W. Barker	To provide for securing and maintaining public recreation grounds and other recreational facilities for the needs of the Colony; and for purposes connected therewith.
Customs Bill, 1965	L. W. Barker	
The Public Collections (Control) Ordinance, 1965		To regulate and control the collection of money or the sale of articles for charitable or other purposes in streets and other public places.
Pioneer Services and Enterprises (Amendment) Bill 1967		





Ordinance	Proposal introduced by	Reason
Virgin Islands Constitution & Elections (Amendment) Bill, 1967	L. W. Barker	To amend subsection 2 of section 61(ballot paper) of the Principal Ordinance
Police Act (Amendment) Bill, 1967	L. W. Barker	To amend further the Police Act 1951 to provide for the partition of the Antigua, Montserrat and Virgin Island Police Force, for the establishment of the Royal Virgin Islands Force and for purposes connected therewith.
Legal Tender (Adoption of United States Currency) (Amendment) Bill, 1967	H. L. Stoutt Chief Minister (1 <sup>st</sup> District)	To amend the Legal Tender (Adoption of United States Currency, Coinage and Legal Tender Ordinance.
Hotel Aid Ordinance, 1967		To amend section 2, 3, 4, etc. of the Hotels Aid Ordinance, 1953
Interpretation and General Clauses Act, 1955 (Amendment), 1967		To amend section 2 of the principal Act by substituting the following definition for the expression "the Gazette: appearing in subsection (1)
Interpretation and General Clauses Act, (Amendment), 1967		To amend the definition of the word "dollar".
Buildings (Amendment)		To provide Building Authority express power to enter premises for the purpose of inspection or the exercise of powers
Appropriation Ordinance, 1967		To provide for the services of the Colony for the year ending on the thirty-first day of December, 1967
Virgin Islands Missionary Diocese Act, 1967		To incorporate the Convocation of the Missionary Diocese of the Virgin Islands
Appropriation (1968) Ordinance, 1967		To provide for the services of the Virgin Islands for the year ending on the thirty-first day of December, 1968.
Passengers Tax (Amendment) Ordinance, 1967		To amend section 7 repealed and replaced to prescribe new rates of tax
Trade Licences (Amendment) Ordinance, 1967		To amend section 3 repealed and replaced to extend the types of business for the operation of which trade licences are necessary. Section 4 repealed and replaced to provide that a licence is to apply to one establishment, New section 17 A inserted to apply ordinance to certain professions.
Tonnage Duty (Amendment) Ordinance, 1967		First Schedule amended and replaced to increase duties.
Stamp Act (Amendment) Ordinance, 1967		To amend section 10, 72 to 77, and 79 to 84 repealed to repeal the ad valorem stamp duty on the estates of deceased persons Schedule amended by deleting table of duties payable under head "Probate of Wills and Letters of Administration".
Tourist Board Bill, 1968	H. L. Stoutt	
West Indies Associated States Supreme Court (Virgin Islands) Bill, 1968	W. L. MacIntyre	
Marriages (Validation) 1968		





Ordinance	Proposal introduced by	Reason
Pension Act (Amendment), 1969	W. L. MacIntryre (Attorney General)	
Public Health Bill, 1969	W. L. MacIntryre	
Building (Amendment) Ordinance 1969 1970-1979		
Pension (Increase) Bill (1970)	W. L. MacIntryre	
The Development Loans(UK Government) (Amendment)Bill 1970	W. L. MacIntryre	
Non-Belonger (Restriction) as to Employment or Occupation) Bill 1970	W. L. MacIntryre	
Land Surveyors Bill, 1970	W. L. MacIntryre	
Land & House Tax (Time of Payment)(Amendment) Bill, 1970	C. B. Romney	
Land and House Tax (Amendment) Bill, 1970	C. B. Romney	
The Government Project Development Loan (Amendment) Bill, 1970	C. B. Romney	
Pound (Amendment) Ordinance, 1971		
Development Loans (United Kingdom Government) (Amendment) Ordinance, 1971		
Passenger Tax (Amendment), 1971		
Electricity (Extension) Local Loan (Amendment) Ordinance, 1971		An Ordinance to amend further the Electricity (Extension) Local Loan Ordinance, 1968.
Electricity (Amendment) Ordinance, 1971		An Ordinance to amend the Electricity Ordinance, 1971.
Exchange Control Regulation (Repeal) Bill, 1971		
Explosives Bill, 1971		
Income Tax (Amendment) Bill, 1971		
Audit (Amendment) Ordinance 1971		An Ordinance to amend the Audit Ordinance.
Banking Ordinance 1972		An Ordinance to make provision to regulate the business of Banking and for purposes connected therewith
Customs Duty Ordinance, 1973		
Anegada (Repeal) 1973	Willard Wheatley	





Ordinance	Proposal introduced by	Reason
Supplies And Energy (Control) 1973	Willard Wheatley	
Coinage and Legal Tender Ordinance, 1973		
Ground Water Bill, 1973	Oliver Gills	
Development Bank Of the Virgin Islands Ordinance, 1974.		To make provision for the creation Of a Development Bank in the Virgin Islands.
Arbitration Ordinance 1974		An Ordinance to adopt as far as maybe the provisions of the Arbitration Act 1950 of the U.K.
Public Library Service Ordinance, 1974 Cable and Wireless(West Indies) Limited Telephone Ordinance, 1975	Oliver Gills	An Ordinance to provide for the establishment, control, regulation and management of Library facilities in the Virgin and for all purposes connected therewith or incidental thereto.
Labour Code Ordinance, 1975	Conrad Maduro	An Ordinance to bring together in terms appropriate for the present state of the economy of the Virgin Islands, all Legislation applicable to employment standards and industrial relations.
Constitution and Elections (Amendment) Ordinance, 1975	Conrad Maduro Natural & Public Health (Fifth District) Resources	
Derelict Motor Vehicles (Disposal) (Amendment) Ordinance, 1975	Oliver Gills	
Encouragement of Industries (Amendment) Ordinance, 1975		
Prison (Amendment) Ordinance, 1975	Willard Wheatley, Chief Minister	
Wickham's Cay Development Authority Ordinance, 1975		
Cruising Permits, 1976	J. A. Frost (Financial Secretary)	
West Indies Associated States Supreme Court (Virgin Islands) (Amendment) Ordinance 1976		To amend the West Indies Associated States Supreme Court (Virgin Islands) Ordinance 1968 (No. 6 of 1968)
Cruising Permit Ordinance 1976		To provide for the issuing of Cruising permits and for all purposes connected therewith.
Companies (Amendment) Act, 1976	J. A. Frost (Financial Secretary)	
Vehicles and Road Traffic (Amendment) Ordinance, 1976	A. U. Anthony (Communication, Works Industry)	





Ordinance	Proposal introduced by	Reason
Endangered Animals and Plants Ordinance, 1976	H. L. Stoutt (Nat. Resources & Public Health)	
Motor Vehicles Insurance (Third Party Risks) (Amendment) Ordinance, 1976	A. U. Anthony (Comm, Works & Industry)	
Arbitration Ordinance 1976		An Ordinance to provide machinery for the settlement of disputes in civil matters between parties without recourse to the courts.
Hotel Aid Ordinance, 1977.		An Ordinance to consolidate the existing law concerning concessions in respect of customs duties and income tax for certain hoteliers within the territory, to make certain amendments to the rate of concessions on goods imported, to remove certain other concessions, to re-define premises qualifying as hotels and for purposes connected therewith and incidental thereto.
Employment Tax Ordinance, 1977		An
Companies Act 1977	Dr. Q. C. Osborne	
Probation of Offenders, 1977		
Finance Ordinance 1977.		To make provision for the management, administration and control of the public finances of the territory, the appropriation, withdrawal and issue of sums therewith and for matters connected thereto.
Drugs (Prevention of misuse) Ordinance, 1977		
Immigration and Passport Ordinance, 1977	H. Lavity Stoutt	
Land Development (Control) (Amendment) Ordinance, 1977		An Ordinance to amend the Land Development (Control) Ordinance No. 3 of 1969.
Elections Ordinance, 1977	H. Lavity Stoutt	
Magistrate's Code or Procedure Act (Amendment) Ordinance, 1977	H. Lavity Stoutt	
Apprenticeship and Trade's men Qualification Ordinance 1977		To supply the Economic needs of the Territory for skilled workmen and provide young persons with improved opportunities to learn skilled trades and occupations training and a system of apprenticeship.
Companies Act (Amendment) Ordinance, 1977		
Land Development Control, 1978	Willard Wheatley	
Public Holidays (Amendment) 1978	Willard Wheatley	
Co-operative Societies Ordinance 1978		An Ordinance to provide for the formation and to regulate the operation of Co-operative Societies and for purposes connected therewith.





Ordinance	Proposal introduced by	Reason
Caribbean Tourism Research Centre 1978	Willard Wheatley	
Finance Ordinance 1978	Willard Wheatley	
Education Ordinance 1978	Willard Wheatley	
Burial Grounds (Amendment) Ordinance, 1978		An Ordinance to amend section 7 of the Burial Grounds Ordinance, cap 169.
Land Adjudication (Amendment) Ordinance, 1978		An Ordinance to amend the land Adjudication Ordinance 1970, No % of 1970.
Income Tax (Amendment) Ordinance, 1978	Willard Wheatley	
British Virgin Islands Electricity Corporation Ordinance, 1978		An Ordinance to provide for the Establish of a corporation to be known as the British Virgin Islands Electricity Corporation for the generation and supply of electric power and to provide for matters connected therewith and incidental thereto.
Loans (CDB) Amendment, 1977	Willard Wheatley	
Cruising Permit (Amendment) 1977	Willard Wheatley	
Cheque Duty Ordinance 1977		To provide for the payment of duty upon certain cheques used or negotiated within the territory.
Education Ordinance, 1977		An Ordinance to repeal and replace the Education Ordinance (Cap. 112) to provide for a Co-ordinated and effective system of public education, the registration of private schools, the inspection of schools, the registration of teachers and for purposes incidental thereto or connected therewith.
Income Tax (Amendment) 1977	Willard Wheatley	
Companies Act 1978	Willard Wheatley	
Bills of Exchange 1976	Dr. Q. C. Osborne	
Social Security Act. 1979		
Adoption of Children Act (Amendment) Ordinance 1979		An Ordinance to amend the Adoption of Children Act
Trade Licences (Amendment) Ordinance 1979		An Ordinance to amend further the trade Licences Ordinance 1966
Caribbean Council (Examinations) Ordinance 1979		To provide for the protection of the integrity of Examinations held by the Council.
Fisheries Ordinance, 1979.		To provide for the protection ,regulation and control of products of the sea, in the waters of and adjacent to the Virgin Islands.





Ordinance	Proposal introduced by	Reason
Condominium Ordinance 1979		To provide for the ownership in fee simple of units in multi-units properties that are to be owned in common and for the use and management of these properties.
1980-1989		
Mining Ordinance, 1980	A.U.Anthony	
Pensions ( Increase) (Amendment) Ordinance, 1984.	Cyril B. Romney	An Act to amend the British Virgin Islands Electricity Corporation Ordinance, 1978.
The International Business Companies Ordinance, 1984.	Cyril B. Romney	An Ordinance to make provision for the incorporation and operation of international Business Companies and related matters.
Marriage ( Amendment ) Ordinance , 1985	Cyril B. Romney	
Consular Relations, 1985	Cyril B. Romney	
Mental Health Ordinance, 1985	W.W. Wheatley	
Social Security (Amendment) Ordinance, 1985	Cyril B. Romney	
Beach Protection Ordinance, 1985	Conrad A. Maduro	
Customs (Import Restriction) (Motorcycles) Regulations Act, 1985	E.Walwyn Brewley	
Offences against the Person, (Amendment ) Act, 1985	Lewis S.Hunte	
Fire and Rescue Service, 1985	E.Walwyn Brewley	
Custom Duties (Amendment) Act, 1987	H.Lavity Stoutt	
International Business Companies (Amendment) Act, 1986	H.Lavity Stoutt	
The Prison (Amendment ) Act, 1986	C.Lewis Walters	
Drugs (Prevention of Misuse ) (Amendment ) Act , 1986	C.Lewis Walters	An Act to revise the law relating to Legal Deposit and for matters connected therewith or incidental thereto.
Police Act, 1986	H.Lavity Stoutt	
Education (Amendment) Act 1987	C.Lewis Walters	
Fisheries (Amendment) Act, 1987	Omar W.Hodge	
Road Traffic Act 1987	Oliver Cills	
The British Virgin Islands Electricity Corporation (Amendment) Act, 1987	Oliver Cills	An Act to amend the British Virgin Islands Electricity Corporation Act, 1978.





Ordinance	Proposal introduced by	Reason
Merchant Shipping (Registry) Act 1987	Hon. Oliver Cills	
Cemeteries Act 1987.	C.Lewis Walters	
Business Licences Act, 1987	H.Lavity Stoutt	
Prevention of Collisions at Sea Act 1987	Hon. Oliver Cills	
Companies (Amendment) Act, 1988	H.Lavity Stoutt	
Drugs (Prevention of Misuse) Act, 1988	C.Lewis Walters	
Aerodromes (Amendment) Act 1989	Oliver Cills	An Act to amend the Aerodromes Ordinance
British Virgin Island College Fund Act, 1989	H.Lavity Stoutt	An Act to provide for the establishment of a fund called the British Virgin Islands college fund for the provision of funds for the advancement of education of knowledge, and to provide for matters connected therewith or incidental thereto.
Motion Picture Industry Act, 1989	H.Lavity Stoutt	To provide for Motion Picture Producers to obtain a permit or a special license to engage in such production in the Virgin Islands; to charge fees for such permits or licenses
Emergency Powers (Disasters) (General) Order 1989	H.Lavity Stoutt	
Business, Professions and Trade Licences Act 1989	H.Lavity Stoutt	To govern and regulate the issue of licences to persons engaged in Business, Professions or a Trade to provide for matters connected therewith.
1990-99		
British Virgin Islands Ports Authority Act, 1990	Oliver Cills	
Banks and Trust Companies Act, 1990	H.Lavity Stoutt	An Act to license and control banking business and trust business and related matters.
Immigration and Passport (Amendment) Act, 1990	H.Lavity Stoutt	To amend the Immigration and Passport Ordinance, 1977. No. 9 of 1977.
Eastern Caribbean Supreme Court (Rates of Pension of Judges) Act, 1990		An Act relating to the Eastern Caribbean Supreme Court (Rate of Pension of Judges) and for matters connected therewith or incidental thereto.
Company Management Act 1990	H.Lavity Stoutt	To provide for the licensing and control of the business of company management and related matters.
International Business Companies (Amendment) Act 1990.	H.Lavity Stoutt	To amend the International Business Company Ordinance 1984.
Dogs (Injury to persons, Cattle and Poultry) (Amendment) Act 1990	Ralph T.O'Neal	To amend the Dogs (Injury to persons, Cattle and Poultry) Ordinance No. 8 of 1963.





Ordinance	Proposal introduced by	Reason
British Virgin Islands Community College Act 1990	H.Lavity Stoutt	An Act to provide for the Establishment of an Educational Institution to be known as the British Virgin Islands Community College and for matters connected therewith or incidental thereto.
The Revised Edition of the Laws Act, 1991.	Donald A.B. Trotman	An Act to provide for the preparation and publication of a revised edition of the laws of the Territory.
Insurance Business (Special Provisions) Act 1991	H. Lavity Stoutt	An Act to provide for the appointment of the supervision of Insurance Business and for matters connected therewith or incidental thereto.
General Revision Act, 1991.	Donald A.B. Trotman	To make consequential amendments to certain laws resulting from the consolidation of laws now in progress.,
Drug Trafficking Offences Act, 1991.	Donald Trotman	An act to make provisions for the recovery of the proceeds of drug trafficking and for matters connected therewith or incidental thereto.
Coast Conservation and Management Act 1991	Ralph T.O'Neal	To provide for the conservation, management and development of the coastal lands and waters of the Virgin Islands. To regulate and control development activities within the coastal zone.
Commercial Recreational Vessels Licensing Act 1992		To provide for the licensing of commercial recreational vessels; to issue permits to non-commercial recreational vessels.
British Nationalities (Fees, Offences and Penalties) (Amendment) Act 1991	H.Lavity Stoutt	An Act to amend the British Nationalities (Fees, Offences and Penalties) Act
British Nationality Act, 1992		An Act to amend the British Nationality Act.
Customs Duties (Amendment ) Act 1992	H.Lavity Stoutt	To amend the Customs Duties Ordinance 1974.
Customs Duties (Special Provisions Act) 1992	H.Lavity Stoutt	To provide fiscal Incentives to importers of certain goods.
Land Development (Control) (Validation) Act, 1992	Chief Minister's Office	An Act to validate the Land Development (Control) Ordinance No 3 of 1969.
Drug Trafficking Offences Act, 1992.		An Act to make provision of the recovery proceeds of drug trafficking and for matters connected therewith or incidental thereto.
British Virgin Islands Community College (Amendment) Act, 1993	H.Lavity Stoutt	
Land and House Tax (Amendment) Act, 1993	H.Lavity Stoutt	An Act to amend the Land and House Tax Ordinance.
Trustee (Amendment) Act, 1993	H.Lavity Stoutt	
Criminal Justice (International Co-operation) Act, 1993	Davidson K. Baptiste	To enable the Virgin Islands to co-operate with other countries in criminal proceedings and investigations and to enable the Virgin Islands to join with other countries in implementing the Vienna Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
Firearms (Amendment) Act, 1993	Davidson K. Baptiste	To amend the firearms Ordinance (Cap 126). To increase the fines and penalties for offences committed against the Ordinance.





Ordinance	Proposal introduced by	Reason
Noise Control and Abatement Act, 1993		
British Virgin Islands Electricity Corporation (Amendment) Act, 1994	Terrance B.Lettsome	To amend the British Virgin Islands Electricity Corporation Ordinance (Cap 277 section 19).
The Age of Majority Act, 1994	Ruth Dancia Penn	To amend the law relating to the age of majority, to persons who have not attained that age and to the time when a particular age is attained.
Companies (Amendment) Act 1994	H.Lavity Stoutt	To amend the Companies Act (Cap 285 section 207)
International Business Companies (Amendment) Act 1994	H.Lavity Stoutt	To amend the International Business Companies Act (cap 291 section 2) by repealing the definition of "Registrar" and substituting another one.
The Merchant Shipping (Adoption of United Kingdom Legislation) Act, 1994		To adopt as law of the Virgin Islands, subject to modifications and exceptions, certain United Kingdom Acts of Parliament an statutory instruments made thereunder, and for purposes connected with the foregoing purposes.
Loans (Caribbean Development Bank) (Amendment) Act, 1994	H.Lavity Stoutt	To amend the Loans (Caribbean Development Bank) Ordinance (Cap 148 section 3, 4 and 9a)
Appropriation Act, 1994	H.Lavity Stoutt	To provide for the appropriation of sums of money for and towards defraying the charges and expenses for the services of the Government of the Virgin Island for the year ending the thirty-first day of December , 1994
Marriage (Amendment) Act, 1994	C.Lewis Walters	To amend the Marriage Ordinance (Cap 272 section 24aa, 36, 46, 52a and 54)
Non-Belongers Land Holding Regulation (Amendment) Act, 1994	Ralph T.O'Neal	To amend the Non-Belongers land Holding Regulation Act (cap 122 section 2, 3, 4, 9 14a, 15, 16, and 21)
Magistrate's Code of Procedure (Amendment) Act, 1994	Ruth Dancia Penn	To amend the Magistrate's Code of Procedure Act (Cap 44 section 22, 45, 67b, c, and d, 85, 86 87a, 90, 109, 128, 131, 141, 142, 143, 171, 229 and 230)
Malicious Damage (Amendment) Act, 1994	Ruth Dancia Penn	To amend the Malicious Damage Act (Cap. 46 section 44)
Larceny (Amendment) Act, 1994	Ruth Dancia Penn	To amend the Larceny Act (Cap 46 section 17)
Recovery of Rent (Amendment) Act, 1994	Ruth Dancia Penn	To amend the Recovery of Rent Act (Cap. 66 section 7) by repealing the words "twenty-four dollars" and substituting the word "two thousands dollars".
Small Charges (Amendment) Act, 1994	Ruth Dancia Penn	To amend the Small Charges Act (Cap. 72 sections 1, 1, 25, 26, 27, 30, 32, 49, 53, 54, and repeal section 31 and 44 of the principal Act.
Insurance Act, 1994	H.Lavity Stoutt	To provide for the regulation and control of the carrying on of insurance business in and from within the Virgin Islands, to provide for the licensing of insurer; and other persons engaged in that business and for related matters.





Ordinance	Proposal introduced by	Reason
Elections Act 1994	H.Lavity Stoutt	To regulate and control the holding of elections within the Territory, to declare the boundaries of electoral districts, and for purposes connected therewith and incidental thereto.
Appropriation (No. 2) Act, 1994	H.Lavity Stoutt	To provide for the appropriation of sums of money for and towards defraying the charges and expenses for the services of the Government of the Virgin Islands for the year ending on the thirty-first day of December, 1995
Offences Against the Person (Amendment) Act, 1994	Ruth Dancia Penn	To amend the Offences Against the Person Act (cap 53 section 40 and 41)
Election (Amendment) Act 1994	H.Lavity Stoutt	To amend the Election Act 1994 (section 18 of No. 16 of 1994)
Bank and Trust Companies (Amendment) Act, 1995	R.T.O'Neal	To amend the Banks and Trust Companies Act, by amending section 2 of No. 9 of 1990, substitution of section 24 of the principal act and insertion of section 24A in the principal Act.
Company Management (Amendment) Act, 1995	R.T.O'Neal	To amend the Company Management Act No 8 of 1990.
Drugs(Prevention of Misuse) (Amendment) Act, 1995	Ruth Dancia Penn	To amend the Drugs (Prevention of Misuse) Act, Cap. 178 section 2, 5, 6, 7, 9, 10, 11, 13, 14, 15, 16, 18, 19, 22, 24, 24A, 25, 26, 29, 30, and 31)
Income Tax (Amendment) Act, 1995	R.T.O'Neal	To amend the Income Tax Ordinance, Cap 206 section 2 and section 8 of the principal Act.
Matrimonial Proceedings and Property Act, 1995	Ruth Dancia Penn	To amend the grounds of divorce, nullity and judicial separation, to facilitate reconciliation in matrimonial causes; to regulate matrimonial proceedings, to amend the law relating to the property of married, divorced and separated persons, and for purposes connected with the matters aforesaid.
Fire and Rescue Regulations, 1996	J. Alvin Christopher	
Mutual Funds, 1996	R. T. O'Neal	
Noise Control and Abatement Act, 1996	Alfred Frett	To provide for the control and abatement of noise (eg. using loud speakers in public noise abatement zones, national parks etc.)
Domestic Violence (Summary Proceedings) Act, 1996	Ruth Dancia Penn	To provide protection by means of summary proceedings in cases involving domestic violence and for related matters.
Appropriation Act, 1996	Ralph T. O'Neal	To provide for the appropriation of sums of money for and towards defraying the charges and expenses for the services of the Government of the Virgin Islands for the year ending the thirty-first day of December, 1996
The Mutual Fund Act, 1996	R.T.O'Neal	To provide for the regulation, authorisation and control of mutual funds and their managers; and administrators carrying on business in or from within the Virgin Islands and for related matters.





Ordinance	Proposal introduced by	Reason
Marriage (Amendment) Act, 1996	Ruth Dancia Penn	To amend the Marriage Ordinance (Cap. 272)
Partnership Act, 1996	R.T.O'Neal	To declare and amend the law of partnership and to declare the law relating to limited partnerships
Criminal Code 1996	Hon. R. D. Penn	
Drug (Prevention of Misuse) (Amendment) Act 1996	Hon. R. D. Penn	To amend the Drugs (Prevention of Misuse) Act section 29
Nuclear Safeguards Act, 1996	Hon. R. T. O'Neal	To give effect in the Virgin Islands to an international agreement relating to the Treaty for the Prohibition of Nuclear Weapons in Latin America and other matters connected therewith.
Income Tax (Amendment) Act, 1996	R.T.O'Neal	To amend the Income Tax Ordinance (Cap. 206 section 25)
Pensions (Increase) Act, 1996	R.T.O'Neal	To increase the rate of pension to pensioners for the period up to 31 <sup>st</sup> March, 1995 and other matters connected therewith.
Nuclear Safeguards Act, 1996	R.T.O'Neal	
Transportation Network (Land, Sea and Air) Improvement Fund (Amendment) Act, 1996	R.T.O'Neal	To amend te Transportation Network (Land, Sea and Air) Improvement Fund (Amendment) Act 1992 (Act No. 9 of 1992)
Criminal Code 1997	Ruth Dancia Pen	To amend and codify the criminal laws of the Virgin Islands and other matters connected herewith.
Appropriation Act, 1997	R.T.O'Neal	To provide for the appropriation of sums of money for and towards defraying the charges and expenses for the services of the Government of the virgin islands for the year ending on the thirty-first day of December, 1997
Supplementary Appropriation (1994) Act, 1997	Ralph T. O'Neal	To sanction certain payments from the Consolidated Fund in excess of the sum appropriated for the year 1994 as detailed in the Schedule.
Fisheries Act 1997	Oliver Cills	To revise the Fisheries Ordinance (Cap. 84) and to make provision for the promotion, management and conservation of fisheries and fisheries resources .
Proceeds of Criminal Conduct Act, 1997	R.T.O'Neal	To make provision for the recovery of the proceeds of certain criminal conduct and to provide for other matters connected therewith.
The Mutual Funds (Amendment) Act, 1997	R.T.O'Neal	To amend the Mutual Funds At, 1996 (No. 6 of 1996) section 2, 3, 4, 8, 11, 13, 14, 15, 16, 17, etc.)
Police (Amendment) Act, 1997	Ruth Dancia Penn	To amend the Police Act (Cap 165 section 29) by inserting the expression of "fingerprint impressions"





Ordinance	Proposal introduced by	Reason
Appropriation (1998) Act, 1997	Ralph T. O'Neal	To provide for the appropriation of sums of money for and towards defraying the charges and expenses for the services of the Government of the Virgin Islands for the year ending on the thirty-first day of December, 1998.
Appropriation (Amendment) Act, 1998	R.T.O'Neal	To amend the Appropriation Act, 1998 (No. 8 of 1997)
Non-Belongers Land Holding Regulation (Amendment) Act, 1998	Oliver Cills	To amend the Non-Belongers Land Holding Regulation Act (Cap. 122 section 21)
Supplementary Appropriation (1995) Act, 1998	R.T.O'Neal	To sanction certain payments from the Consolidated Fund in excess of the sum appropriated for the year 1995 as detailed in the Schedule.
Immigration and Passport (Validation) Act, 1998	R.T.O'Neal	To validate the appointment of the Board of Immigration under section 13 (1) of the Immigration and Passport Ordinance (Cap. 130) and the actions, decisions or recommendations of the Board so appointed.
Appropriation (1999) Act 1998	Ralph T. O'Neal	To provide for the appropriation of sums of money for and towards defraying the charges and expenses for the services of the Government of the Virgin Islands for the year ending on the thirty-first day of December, 1999
British Virgin Islands College Fund (Amendment) Act 1998	Ralph T. O'Neal	To amend the British Virgin Islands College Fund.
Supplementary Appropriation (1996) Act, 1998	R.T.O'Neal	To sanction cert. in payments from the consolidated Fund in excess of the sum appropriated for the year 1996 as detailed in the Schedule.
Elections (Amendment) Act, 1998	R.T.O'Neal	To amend the Elections Act, 1994 (No. 16 of 1994) section 2, 3, 4, 6, 8, 12, 20, 30, 31, 35, 43, 46, 48, 50, 52, and 53
British Virgin Islands College Fund (Amendment) Act, 1998	R.T.O'Neal	To amend the British Virgin Islands college Fund Act, (Cap 113) by substitution of section 3, insertion of section 3A, amendment of section 4 and insertion of section 4A
Retiring Allowances (Legislative Service) (Increase) Act, 1998	R.T.O'Neal	To increase the rates of retiring allowance paid to retired legislators and other matters connected therewith.
Road Traffic Act (Amendment) 2000	J. Alvin Christopher	To remove traffic warden from the jurisdiction of Communication & Works to the Police Force, primarily prohibits tinted windows greater than 47% density on vehicles.
Immigration and Passport (Amendment) Act, 2000	Hon. R. T. O'Neal,	To end marriages of convenience between belongers and foreigners looking for quick longer status.
Public Holiday (Amendment) Act, 2000	Ralph T. O'Neal	This Act cancels the heir to the Thrones Birthday on November 14 as a holiday and instead commemorates the birth of the late Hamilton Lavty Stoutt, March 7 th.





Ordinance	Proposal introduced by	Reason
Offshore Legislation (Delegation of Functions and Powers) Act 2000	Ralph T. O'Neal	This Act serves to provide a comprehensive source for facilitating the orderly and efficient delegation of certain functions and powers, essentially administrative ones, in various pieces of financial services legislation, from the Governor, the Governor-in-Council and the Minister to the Director of Financial Services or other senior public officer.
Drug Trafficking Offences ( Amendment ) Act 2000	Cherno Jallow	An Act to amend the Drug Trafficking Offences Act 1992
Derelict Vehicles ( Disposal ) Act 2000	Eileen Parsons	An Act to provide for the disposal of derelict vehicles.
Motor Vehicles Insurance ( Third Party Risks ) ( Amendment ) Act 2000	J. Alvin Christopher	This Act essentially amends the Motor Vehicles Insurance ( Third -Party Risks) Act ( Cap.242) to increase the limits of liability ( consistent with current levels of inflation) and varying or removing some of the exclusion provisions which deny cover to third parties.
Protection of United Nations and Associated Personnel Act, 2000	Cherno Jallow	An Act to give effect to certain provisions of the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly of the United Nations on 9 <sup>th</sup> December 1994 and other matters connected therewith.
Corporal Punishment ( Abolition ) Act, 2000	Cherno Jallow	This Act effectively abolishes corporal punishment as a form of penalty or disciplinary measure in the British Virgin Islands.
Law Reform Commission Act , 2000	Cherno Jallow	The purpose of this Act is to establish a Law Reform Commission. The establishment of that Commission is aimed at the systematic development and reform of the laws of the Virgin Islands and to bring those laws in line with the emerging trends in the local and international legal fields.





### Appendix III: Environmental Legislations – International Conventions and Agreements

Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/Ratification	General Remarks Focal Point/ Implementing Agency
United Nations Convention on the Law of the Sea (UNCLOS)	Dec. 10 1982	Provides for the establishment of 200mils. Exclusive Economic Zone (EEZ) and enforcement of regulations to guarantee efficient utilization of marine resources.	Nov. 16 1994		1995	The domestic legislation required to enforce these convention is proposed as the Fisheries Act 1996 and the draft High Seas Ordinance 1996
FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas.	Nov. 24 1993	Ensures increasing clarity in the arrangement for vessels registered and licensed for fishing on the high seas.			Dec. 6 1995	Ministry of Natural Resources and Labour Conservation and Fisheries Department
Agreements on Implementation of the UN. Convention on the Law of the Sea (UNCLOS) Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks	Aug. 4 1995	To conserve and manage those species of fish that inhabit seas both within and outside national jurisdiction. Highly migratory fish stocks are species such as Tuna, Sword fish, Merlin, which range widely across the oceans.			Nov. 1995	Ministry of Natural Resources and Labour Conservation and Fisheries Department





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention)	March 24 1983	<ul style="list-style-type: none"> <li>-Lists the sources of pollution which require control from i.e. pollution from ships dumping , land based sources of coastal discharges and seabed activities.</li> <li>-Identifies environmental management issues, for which cooperative effort are to be made, especially protected areas, environmental impact assessment for major development projects, liability and compensation in cases of pollution, scientific and technological cooperation.</li> <li>- establishes rules and procedures for the determination of liability and compensation for damage resulting from pollution of the Convention area.</li> </ul>	Oct. 11 1986	Oct. 22 1987	Feb. 28 1986	<p>MNR&amp;L</p> <p>2 protocols have been adopted to date the 3<sup>rd</sup> protocol is on control of pollutants from land based sources.</p>





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
I. Protocol Concerning Specially Protected Areas and Wild life in the Wider Caribbean Region (SPAW Protocol of the Cartagena Convention)	Jan. 18 1990	<ul style="list-style-type: none"> <li>- It obligates contracting parties to take necessary measures to protect, preserve and manage in a sustainable way, areas that require protection to safe guard their special value and threatened and endangered species of flora and fauna.</li> <li>- Regulates and prohibits activities having adverse effect on these areas and species</li> <li>- Manage species of fauna and flora to prevent these from becoming endangered or threatened</li> <li>- Establish protected areas to sustain the natural resources and encourage ecologically sound and appropriate use.</li> </ul>			1990	This could be used in the support of mangrove management plans. There is a need for putting in placed local regulations for protected areas.





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
<p>II. Protocol Concerning Cooperation in Combating Oil Spills in the Wider Caribbean ( Protocol related to the Cartagena Convention )</p>	<p>March 24 1983</p>	<p>-Requires contracting parties to cooperate to take preventable and remedial measures for the protection of the marine and coastal environment of the wider Caribbean region particular , coastal areas of the Islands of the region from oil spill incidents and to cooperate in maintaining and promoting contingency plans.            -Established, maintain or ensure the establishment/ maintenance of the means to respond to oil spill incidents by            (1)enactment of relevant legislation</p>	<p>Oct. 11 1986            Already in force            Oct. 22 1987            B.V.I extended</p>			<p>National Oil Spill Contingency Plan has been prepared for the B. V.I.</p>
<p>II. Protocol Concerning Pollution From Land Based Sources and Activities</p>	<p>Proposed</p>	<p>- Provides for the initiation of national programmes to identify priority Land based Sources of Marine Pollution [LBSMP] concerns and design appropriate response measures with the goal of articulating integrated national strategies            - Covers all types of LBSMP; point and non- point sources of pollution reaching the marine environment, pollution from airborne deposition, fresh water sources and pollution from coastal development.</p>				





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	March 3 1973 as amended June 22 1979 April 30 1983	- Provides for regulation of international trade in wild species, in particular prohibiting trade in species considered threatened or likely to become so.	July 1 1975 April 13 1987 not yet in force		Oct. 31 1976	MNR&L / CFD
Convention on the Conservation of Migratory Species of Wild Animals (BONN Convention)	June 23 1979	- Provides for appropriate management of migratory species that are threatened, or otherwise have an unfavorable conservation status, particularly through international agreement between range states. - Endangered migratory species are listed in appendix I, one of which are marine turtles.	Nov. 1 1983	Oct. 1 1985	July 23 1985	MNRL / CFD
RAMSAR Convention on Wetlands of International Importance especially as Waterfowl Habitat.	Feb. 2 1971	- Considers the fundamental ecological functions of wetlands as regulators of water regimes and as habitats supporting characteristic flora and fauna especially waterfowl. -Requires contracting parties to designate suitable wetlands within its territory for inclusion in a list of Wetlands of international importance. -Allows for the formulation and implementation of plans to promote the conservation of the wetlands in the lists.	Dec. 21 1975	June 15 1991	Feb. 13 1991	MNR&L / National Parks -Obligations to include wetland consideration in National Land use planning. -Designate at least one wetland site for inclusion in a list of wetlands of international importance. -Promote conservation of wetlands through establishment of nature reserves.





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
RAMSAR Protocol to Amend the Convention on Wetlands of International Importance as Waterfowl Habitat.	Dec. 12 1982	-Provides for inclusion in the Convention of an article 10, which defines a mechanism for amending the Convention.	Oct. 1 1986		April 19 1984	
World Heritage Convention (Convention on the Protection of the World Cultural and Heritage)	Nov. 16 1972	-Provides for parties to integrate the protection of their heritage into comprehensive planning programs involving scientific, technical, legal, administrative and financial steps. -Provides for the establishment of a World Heritage Committee and a World Heritage Fund.	Dec. 17 1975 * Aug. 29 1984			MNR&L National Parks Trust Two sites have been proposed.
Convention on Biological Diversity	June 1992	- Provides for the development of plans or programs for the conservation of biological diversity, and sustainable use of its components.		Oct. 1994	June 3 1994	Parks and Protected Areas Systems Plan for the B.V.I. - few have been declared -promote the declaration and management of those identified areas.





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
United Nations Framework Convention on Climate Change	June 1992	Provides measures for the reduction in the emission of greenhouse gases to a level that would prevent dangerous anthropogenic interference with climate change.	March 21 1994		June 3 1994	
International Convention to Combat Desertification in those Countries Experiencing Serious Drought and/ or Desertification particularly in Africa	Oct. 15 1994	<ul style="list-style-type: none"> <li>- Provides for an integrated approach to addressing the physical, biological, and semi-economic aspects of the process of desertification and drought.</li> <li>- Provides for the integration of strategies for poverty eradication into efforts to combat desertification.</li> </ul>	Not yet force		Not yet ratified	MNR&L CFD Agriculture Dept.





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
Vienna Convention for the Protection of the Ozone Layer	March 22 1985	<ul style="list-style-type: none"> <li>- Requires Parties to cooperate in research concerning substances and processes that modify the ozone layer.</li> <li>- Allows for cooperation in formulation and implementation of measures to control activities that result in the modification of the ozone layer.</li> <li>- Provides for exchange of scientific, socio- economic, commercial and technical information.</li> </ul>	Sept. 22 1988			MNR&L Customs Dept..
Montreal Protocol on Substances that Deplete the Ozone Layer	Sept. 16 1987	Prohibits the manufacture of, and control importation and exportation of Ozone depleting substances such as CFC's and Halons, and of products containing or made with those substances.	Jan. 1 1989		Dec. 16 1988	MNR&L Drafted Ozone Layer Protection Act 1994 is still to be enacted





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/Ratification	General Remarks Focal Point/ Implementing Agency
Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal	March 22 1989	<p>Provides a global system of environmental controls on the transboundary movement of waste. Parties are obliged to</p> <ul style="list-style-type: none"> <li>- minimise generation and transboundary movement of waste</li> <li>- move towards national self-sufficiency in disposal</li> <li>- prevent unauthorised transboundary movements</li> <li>- avoid waste exports to non-parties</li> <li>- ensure the availability of adequate disposal facilities for environmentally sound management of hazardous and other wastes</li> </ul>	April 4 1992		Oct. 10 1989	MNR&L Solid waste Dept.
International Convention on Civil Liability for Oil Pollution damage	Nov. 29 1969 ( as amended ) Nov. 19 1976 May 25 1984	<ul style="list-style-type: none"> <li>-States that the owner of a ship at the time of an incident causing oil pollution damage shall be liable for any damage caused.</li> <li>-Allows for establishment of contributory liability on part of the plaintiff.</li> <li>-Requests ships carrying over 2,000 tons of oil as cargo to maintain insurance.</li> </ul>	June 19 1975 April 8 1981		April 1 1976	Min. of Communication and Works MNR&L





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/Ratification	General Remarks Focal Point/ Implementing Agency
International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties	Nov. 29 1969	Provides for Parties to take such measures on the High seas as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat of pollution of the sea by oil.	May 6 1975		Sept. 8 1982	Min. of Communication and Works MNR&L
Protocol Relating to Intervention on the High Seas in Cases of Marine Pollution by Substances Other than Oil	Nov. 11 1973	<ul style="list-style-type: none"> <li>- Enables Parties to take measures as are necessary on the high seas to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or the threat of pollution by substances other than oil following a maritime casualty.</li> <li>- Allows for the establishment of a list of substances.</li> </ul>	March 30 1983	March 30 1983		MNR&L CFD
International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage	Dec. 18 1971 ( as amended ) Nov. 19 1976 May 25 1984	<ul style="list-style-type: none"> <li>- Provides for the establishment of an international oil pollution compensation fund.</li> <li>- Allows compensation to be paid by the Fund to any person suffering pollution damage.</li> </ul>	Oct. 16 1978		Oct. 16 1978	Min. of Communication and Works MNR&L





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
International Convention for the Prevention of Pollution from Ships	Dec. 18 1971 (as amended) Nov. 19 1976 May 25 1984	<p>-Enforces and administers the detailed provisions in the attached Annexes I-V, the Protocol on Intervention on the High Seas in Cases of Marine Pollution by substances other than Oil, and Protocols I and II,</p> <p>a. Protocol I contains provisions concerning reports on incidents involving harmful substances.</p> <p>b. Annex I contains regulation for the prevention of pollution by oil.</p> <p>c. Annex II contains regulations for the control of pollution by noxious liquid substances in bulk.</p> <p>d. Annex III contains regulations for the prevention of pollution by harmful substances carried by sea in packaged forms.</p> <p>e. Annex IV contains regulations for the prevention of pollution by sewage from ships.</p> <p>f. Annex V contains regulations for the prevention of pollution by garbage from ships.</p>			May 22 1980	Min. of Communication and Works MNR&L
Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships	Feb. 2 1978 (as amended) March 15 1985	<p>-Modifies various provisions of the 1973 London Convention and in particular its Annex I</p> <p>- Postpones the entry into force of Annex II of the Convention for a period of three years.</p>	Oct. 2 1983		Oct. 2 1983	Min. of Communication and Works MNR&L





Name of Legislation	Date Adopted	Main Provisions	Date of Entry Into Force	Country's Date of Entry Into Force	Date of Signature/ Ratification	General Remarks Focal Point/ Implementing Agency
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter	Dec 18 1972 ( as amended ) Oct. 12 1978 Sept. 24 1980	<ul style="list-style-type: none"> <li>- Covers all areas and all deliberate disposal of wastes other than that incidental to the normal operation of ships and aircraft.</li> <li>- Parties are encouraged to establish authorities to issue permits, keep records and monitor the conditions of the seas.</li> </ul> <p>Draft Protocol of 1996 to amend the Convention is still under consideration.</p>	Aug. 30 1975		Nov. 17 1975	<p>Min. of Communication and Works MNR&amp;L</p> <p>BVI included in UK ratification, however local legislation exists as Environment Protection ( Overseas Territories ) Order 1988</p>
Treaty on the Prohibition of the Emplacement of Nuclear Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Subsoil thereof	Nov. 11 1971	-Compels Parties to undertake not to place on the seabed, on the ocean floor or in the subsoil, nuclear weapons or other weapons of mass destruction, and storing, testing or using such weapons.	May 18 1972		May 18 1972	



