

Bermuda
Library
The Bermuda Library



BERMUDA CIVIL DISORDERS

1968

REPORT OF COMMISSION

AND

STATEMENT BY THE GOVERNMENT OF BERMUDA

PRICE: TWENTY SKILLING

THE BERMUDA
LIBRARY

Acc. No.

92752

Class No.

K

3

BERMUDA CIVIL DISORDERS 1968

REPORT OF COMMISSION

STATEMENT BY THE GOVERNMENT OF BERMUDA The Bermuda Librai
Hamilton,
Bermuda.

In authorising publication of the Report of the Wooding Commission, the Government wishes to acknowledge its appreciation of the manner in which the Chairman and members of the Commission have discharged their duties; and to commend the Report for study by all who value the future well-being and happiness of all sections of the community. In the opinion of the Government, the Report represents a most useful sociological study of many aspects of life in Bermuda.

2. The Government is happy to note that so many of the Commission's observations and recommendations accord with the Government's own views and policies. The Government especially welcomes the Commission's conclusion that racial division, once deep and traditional, has been arrested, and warmly endorses the view of the Commission that in true integration and confidence among the races lies the key to the future in Bermuda (paragraphs 234 and 236 of the Report).

3. In this connection the Government whole heartedly endorses the Commission's opinion that, in the vital field of race relations, "what is now needed, and urgently needed, is a new and true understanding, a deep conviction of the essentiality of building a single community providing common opportunities for all and an unyielding commitment to promoting the democratic values of equality and fraternity in a society that is free in all respects". This is the Government's policy and, it is believed, the policy



FOR REFERENCE USE ONLY
NOT TO BE TAKEN FROM
THIS ROOM

of all who have faith in the future of our island community.

4. To this end the Government intends to take early steps to consolidate and strengthen existing legislation in the field of race relations so as to provide a charter for the promotion of integration in Bermuda and to make incitement to racial hatred a criminal offence.

5. The Government wishes to make it absolutely clear, both inside and outside Bermuda, that it will not tolerate attempts by any groups or individuals to foment racial discord; and that vigorous action will be taken under the proposed race relations legislation and other relevant legislation against those who seek to disrupt our society in this way.

6. The Government welcomes the Commission's finding that charges of police brutality are without foundation (paragraphs 50 and 71 of the Report).

7. Numerous detailed recommendations are made in the course of the Commission's Report. It would be neither appropriate nor desirable, bearing in mind the time required to give careful study to the Commission's Report, for detailed comments to be made at this stage on these recommendations.

Meantime, whilst the Government has reservations on some of the Commission's views and recommendations, these and all the other views and recommendations of the Commission are being examined in depth in the context of each specific field of policy.

Hamilton, Bermuda.
March, 1969.

BERMUDA CIVIL DISORDERS

1968

REPORT OF COMMISSION

TABLE OF CONTENTS

	<u>Paragraphs</u>		<u>Paragraphs</u>
Prefatory Letter	1 - 8	CHAPTER IV	Summary of Findings 117 - 120
CHAPTER I The Bermuda Background	9 - 17	CHAPTER V	Education
CHAPTER II The Disorders		A.	Introduction 121 - 122
A. How They Began	18 - 29	B.	The Education System
B. How They Progressed	30 - 34		The British Tradition - North American Influence 123 - 124
C. How They Resulted	35 - 39		Vested and Non-Vested Schools 125 - 126
D. How They Ended	40 - 43		Free Education in Primary Schools 127
CHAPTER III Causes of the Disorders			Scholarships to Academic Secondary Schools 128
A. The Immediate Causes	44		Other Secondary Education 129
Occasions of Provocation	43 - 51		Higher Education and Teacher Training 130 - 131
Auxiliary Cycles	52 - 57	C.	Dissatisfaction and Inquiry
Drugs	58 - 63		Disparity of Facilities 132
General Dissatisfaction with the Police	64 - 71		Commissions of Inquiry 1963 133
B. Other Contributory Causes			The Richardson Report 134
Prohibited Publications	72 - 77		The Plowman Commission Report 135 - 141
Black Power	78 - 79		The Houghton Report 142 - 148
Social Conditions	80 - 84	D.	The 1965 Reforms
C. Basic Causes			The Reports considered by Government 149
Racial Conflict	85 - 95		Integration 150 - 153
Job Opportunities	96 - 99		Other Improvements 154 - 157
The Artificial Society	100 - 105	E.	Comment and Recommendations
Drink and Drugs	106 - 107		Zoning 158 - 159
The 1968 Election Campaign and the P.L.P.	108 - 116		

	<u>Paragraphs</u>
Levelling Up	160
School Management Committees	161
Training and Career Prospects - The Commercial Sixth Form	162
Bermudianisation of Staff	163 - 165
Professional Consultative Machinery and a Common Syllabus	166 - 169
Effect of Constitutional Change	170
CHAPTER VI Job Opportunities and Immigration	171 - 180
CHAPTER VII Social Welfare	
Introduction	181
Housing	182
Family Welfare	183 - 186
Youth and Recreation	187 - 191
The Junior Training School	192 - 197
The Senior Training School	198
CHAPTER VIII The Police Force	
Composition and Recruitment	199 - 207
Training	208
Promotion	209
Police Liaison Committee	209 - 212
Ancillary Recommendations	213 - 215
CHAPTER IX Statutory Enactments and Instruments	
Introduction	216 - 218
Auxiliary Cycles and Autocycles	219 - 226

	<u>Paragraphs</u>
Anti-Narcotics Law	227
Prohibited Publications	228
Juvenile Offenders	229 - 233
CHAPTER X Conclusion	234 - 238

APPENDICES

1. A. Persons and bodies who gave evidence and submitted memoranda
- B. Persons and bodies who gave evidence but did not submit memoranda
- C. Persons who submitted memoranda but did not give evidence
2. Reports, memoranda and other documents submitted
3. Schedule of hearings
4. List of visits made by the Commissioners

His Excellency The Right Honourable Lord Martonmere, P.C.,
K.C.M.G., Governor and Commander-in-Chief of Bermuda.

Sir,

By an Instrument dated 20th August, 1968, Your Excellency appointed a Commission of Inquiry with the following terms of reference, that is to say:

- "(a) to enquire into the civil disorders occurring on the 25th and 26th April, 1968, in consequence of which a state of emergency was declared;
- (b) to enquire into the causes (including the contributory causes) of such disorders; and
- (c) to report the findings of such inquiries and to make such recommendations in relation thereto as the Commission shall

think fit."

2. The composition of the Commission so appointed was as follows:-

The Right Honourable Sir Hugh Wooding, P.C., C.B.E.
(Chairman),
Hugh Worrell Springer, Esq., C.B.E., M.A., D.Sc.Soc.,
Lawrence Peter Reginald Browning, Esq., Q.P.M.,
C.P.M.

Mr. A.J. Saunders, an administrative cadet attached to the Chief Secretary's Office in Bermuda, was later appointed to be Secretary to the Commission.

3. The Commission held its first meeting in the Legislative Council Chamber in Hamilton on Monday, 26th August, despite the absence of one of its number. Because of other commitments of which Your Excellency was notified before his appointment it was not possible for Dr. Springer to arrive in Bermuda until Tuesday, 3rd September. So, since by its terms of appointment the Commission was expressly directed that two Commissioners should constitute a quorum, it was decided to begin without him. Further meetings were held in his absence on 27th, 28th, 29th and 30th August, after which the Commission adjourned to 4th September. At every meeting on and after that date all the Commissioners were present.

4. At the first meeting the Commission was welcomed by Mr. J. C. Summerfield, Attorney General of Bermuda,

following which the Chairman made an opening statement in which the following matters were stressed, that is to say:-

- (a) that the phrase 'contributory causes' in the Commission's terms of reference is undoubtedly very comprehensive, hence the Commission proposed to construe it accordingly;
- (b) that the Commission expected, as it was entitled to do, that it would have the ready and full co-operation of the people of Bermuda since it was essential to discover root causes as a first step to providing a cure;
- (c) that it was hoped that counsel would appear on behalf of interested parties and that in such event copies of any memoranda or statements of evidence which might be submitted for the assistance of the Commission would be made available to them; and
- (d) that, as directed, the Inquiry would be public and it would be held in the Legislative Council Chamber.

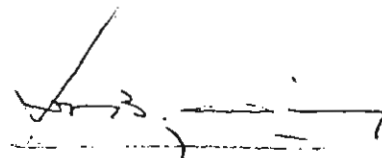
5. In exercise of its powers conferred by s.1(3) of the Commission of Inquiry Act, 1935, the Commission sat in private once, in the course of its session on 26th September, to take evidence from the Chief Probation Officer from whom inquiry was intended to be made into the personal histories of young people then or previously under his charge, and more

particularly of such if any of them as were known to have been participants in the disorders. That apart, the Commission held the Inquiry in public as directed.

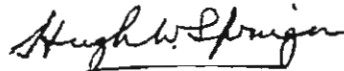
6. A list in alphabetical order of persons and bodies submitting memoranda and/or other documents (including books, minutes of meetings and reports) and of witnesses testifying before the Commission is set forth in Appendix 1. In Appendix II are listed the several reports and documents submitted for our consideration. And under separate cover is a complete record of the proceedings at the Commission's sittings, both public and private.

7. The Commission visited - on 27th September, the Junior Training School on Paget Island, much of the Prospect area and the Hotel and Catering College; on 28th September, the Casemates Prison, the Bowling Alley and Simon's Superette in Warwick, the former race-track at Shelly Bay, the Senior Training School and Ferry Reach; also (in the evening) the Harrington Sound Workmen's Club and the Hamilton police station and remand cells; and on 30th September, a large number of schools and training institutions including the Hotel and Catering College (a second visit) and the Bermuda Technical Institute.

8. The Commission's Report is contained in the following chapters.



H. O. B. Wooding



Hugh W. Springer



L. P. R. Browning

24th January, 1969.

CHAPTER I - The Bermuda Background

9. Bermuda comprises a large cluster of small islands approximately 600 miles off the eastern seaboard of the United States. Seven of them have been connected by bridges and a causeway so that together they form a single unit comprising 21 square miles. The others are but little islets, mainly in the Great and Harrington Sounds, none of them being particularly significant. Accordingly, our concern has been almost exclusively with the unit. So when we refer to Bermuda it is generally the unit which we shall have in mind.

10. Geographically, Bermuda may be said to be on its own out in the ocean. It is in the Atlantic, not the Caribbean. It is too far from the mainland to be part of North America. It is almost twice as distant from the Bahamas. It is alone - and, as is often said, different.

11. In its allegiance Bermuda is British as it has always been. Like the former North American colonies it became, after Sir George Somers discovered it in 1609, a British colony by settlement from 1612. It has never ceased to receive emigrants from Britain. On the contrary, it has recruited many.

12. Ethnically, the People of Bermuda fall broadly into two groupings: the whites, being the descendants of

the settlers and emigrants (including the descendants of emigrants) from Britain, North America and to a lesser extent Europe; and the blacks, being the descendants of African slaves before their emancipation in 1834 and emigrants (including the descendants of emigrants) mainly from the West Indies and Guyana. There are also a number of Portuguese, being labourers recruited from the Azores under a contract between the Governments of Bermuda and Portugal or the descendants of such of them as elected or were permitted to stay on after their indenture expired. At present, theirs is not a significant role in the community life of Bermuda - they stand apart, backstage or in the wings. Of a total resident population of approximately 50,000 nearly 36% is white and more than 64% black.

13. Socially, Bermuda by general admission was until 1960 a deeply-segregated society. Churches, schools, homes, hotels, restaurants, clubs, sports - all were subject to racial barriers. So also job opportunities, whether in the public service or in the private sector. The first breakthrough of the blacks occurred in 1959, but from the evidence it seems plain that before 1963 there was no radical change. We were told of a "crisis in leadership" in each of the racial groups arising after the 1963 parliamentary elections, which is as yet unresolved - a crisis stemming from the strivings of those whose aim for Bermuda is a genuinely integrated bi-racial community. In both groups, as regards that aim, it

is easy to discern acceptance and rejection, scepticism and indifference.

14. Economically, Bermuda was until the end of World War II a largely farming and fishing community, much dependent upon the maintenance by Britain of garrison stations in Prospect and St. George's and an Admiralty dockyard and naval station on Ireland Island. Since the War, all this has changed. The British no longer garrison or maintain a dockyard in Bermuda although it is still the base of their West Indies naval squadron. U.S. Defence Forces have replaced them and occupy or control the leased areas known as Kindley Field, which includes the Kindley airport, and the U.S. Naval Base off Southampton parish. Also, tourism, offshore banking and expanded commercial activity have supplanted agriculture, which has in the result become less than marginal in its support of the general economy.

15. Politically, Bermuda is proud that it has the oldest parliament anywhere in the Commonwealth outside Britain. Being a settled colony, it had until February 1968 no written constitution. Its government, in form as well as in its usages, followed the United Kingdom pattern. But all executive authority was vested in the Governor who was responsible to the Sovereign only. In exercising his executive functions he was advised by an Executive Council to which he himself made all appointments and whose advice he could if he chose ignore. But since the raising of revenue and the authorising

A - How They Began

of its expenditure depended upon the vote of the Legislature, he was in substantial measure subject to the goodwill of the elected House of Assembly. Hence, at bottom, the effective power lay with the people of Bermuda through their elected representatives in the Assembly. But it was not all the people with whom that power lay. It lay only with such of them as were accorded the right of election. And up to 1963 the franchise was restricted to property owners only. This led from the beginning to the creation of a white oligarchy. That is not to say that it may not have been paternalistic, but it was an oligarchy nonetheless.

16. It is perhaps not surprising that members of the small oligarchy became in time bankers and commercial entrepreneurs. They had the opportunity, the means and the training. They were thus enabled to lead the way and to entrench themselves in strength. Others of both racial groups followed. But they began late and are a long distance behind - especially the blacks.

17. We have thought it right that from the very outset we should tell of this background because we are convinced that the roots of the April civil disorders lie deep in the history of Bermuda's society. We shall discuss this more fully later.

18. On Thursday, 25th April, three events were held in or on the outskirts of Hamilton: (1) the annual Floral Pageant, being a parade for the entertainment of tourists but attracting also as sightseers a large number of residents; (2) the Fair For All, run in each of many years past by the Committee of 25 for Handicapped Children to raise funds to assist such children; and (3) a political meeting organised by the Progressive Labour Party in its campaign for the Parliamentary elections due on 22nd May.

19. The Floral Pageant, as was customary, assembled and moved off from Bernard Park and dispersed shortly after going past the reviewing stand set up on the grounds of the Secretariat on the northern side of Front Street opposite the Hamilton Hall. Substantially in accordance with schedule, it went past the stand between 3.30 and 3.45 p.m., but of course onlookers on Front Street had been assembling from very much earlier.

20. The Fair For All was held as usual at the Hamilton Hall which abuts on the sidewalk on the southern side of Front Street. Because it had not been as successful

in 1967 as the Committee had hoped, the decision was taken to open it in 1968 on the day of the Floral Pageant and to continue it as was normally done on the next two days. This coinciding of dates was thus an innovation. And it succeeded in attracting to the Fair so many patrons, including persons who went there for lunch or other refreshment while awaiting the Pageant, that they exceeded by far what the Committee had hopefully envisaged or what the hall could safely accommodate. Also, quite a number were teenagers unaccompanied by any adults, whereas in past years family attendance had been the norm. Further, admission tickets carried a detachable stub, each bearing a serial number, the purpose being that the stub should be detached and returned to the buyer of a ticket so as to qualify him for winning the door prize to be awarded on the drawing of a number at the end of each day. But - and this was yet another innovation - patrons were told that the stub would also entitle them to re-enter the hall should they leave it to witness the Pageant or for any other reason whatever. The Fair was advertised to close on each of the first two days at 10 p.m., and on the third at 11 p.m.

21. The Progressive Labour Party's political meeting was scheduled to begin shortly after it was thought that the Pageant would disperse, but in fact it began about an hour late, that is to say, about 5.15 p.m. It ended at about 8.40 p.m. It was the meeting at which the Party announced

its manifesto and presented to the public some of its 38 election candidates. Its venue was the Transport Control Board's vehicle examination centre - in what is commonly called the back of town area. The centre is roughly half a mile distant from Hamilton Hall but, although at opposite ends of Court Street, crowd activity at the one cannot be seen from the other because the street rises from either side to a plateau more or less halfway along its length. Not surprisingly since it was an election meeting, the speeches were spirited - some have said fiery, others explosive, and yet others inflammatory. We shall ourselves need to examine them rather more critically when we come to consider what caused the disorders.

22. Both the Floral Pageant and the political meeting ended without incident. Not so however the Fair For All. After the Pageant was over it is certain that many onlookers returned or went to the Fair so that it was not very long before the hall became overcrowded. But it is not so certain, although it may well be, that some of those who attended the political meeting left it at its close intending to go to the Fair. We think however that there can be little doubt, since the news would have spread very quickly, that an appreciable number would have been attracted by the disorder which by that time had erupted at the Fair and, consequently, that they would have joined the crowd in action there.

23. It is now necessary to review events at the Fair. The Committee although called the Committee of 25 has a membership of approximately 150. It owes its name to its having had 25 charter members when it was founded in 1952, and it has never been thought necessary or desirable to change it. It has raised substantial sums by various efforts each year and applied them faithfully to the cause which it espoused. It was assisted at the Fair by a few hundred persons - the great majority white and all as voluntary helpers. The helpers worked in relays and were rostered according to the time they could make themselves available. Each should have worn an identification badge but did not invariably do so, apparently because there were not as many badges as helpers and they were sometimes not passed on, or were passed on only after entry into the hall, by those going off to those who were taking up duty.

24. Hamilton Hall has three doors on Front Street. At the Fair the western door was blocked off by a counter from which refreshment was sold to persons inside or outside the building. The eastern door was at first kept locked but was meant to be used as an emergency exit. The middle door, which is halved vertically, was so arranged that one side was used for entrance and the other for exit. One policeman was on duty to keep order - he alone could be spared from the Force. All went well until the Pageant was over. Then, as we have said, there was an influx to the Fair. By 4.15 p.m.

the hall had become uncomfortably full, so the entrance door was closed and people were asked to wait until some of those inside had left. Also, it was thought advisable to appeal for further police assistance so as to be able to marshal the waiting crowd. After three such appeals a second policeman arrived at 5.30 p.m., at which point the entrance door was re-opened. Up to that time the waiting crowd had been patient and well-behaved. Between 5.30 and 7 p.m., when the entrance door had again to be closed, it was observed that stubs were being presented which were suspect for various reasons. Some, for instance, were only a part of the whole. Others were grubby and had plainly been screwed up as they would be if thrown from the hall. Indeed, a policeman on duty had to intervene from time to time to stop stubs from being so obtained - mainly by "kiddies" as he called them under the age of 15. But all who presented them were admitted although some whose stubs were most suspect were chided for impropriety. There was however still no incident. All continued peaceful.

25. From about 7.30 p.m. helpers began to arrive to relieve others who were going off duty. Some were wearing identification badges, others were not. At some stage - precisely when is not very clear - the emergency exit door had to be used, the other exit being no longer practicable due to the crush. But the waiting crowd readily moved aside to permit ingress to any helper. Indeed, one such helper

who was not wearing a badge told us that on explaining he was an "official" he was amazed at the readiness with which the crowd moved aside and the ease with which he was enabled to get through. But they resented the admission of those whom they did not believe to be helpers. Most if not all of these were white teenagers, so the resentment was edged by what was thought to be racial favouritism. Disapproving murmurs were heard and challenging questions asked, such as "Why should they let her in when we are kept waiting so long? Because she is white? How come those white devils can go in and we chocolate kids cannot?" Tempers were becoming ruffled and the scene for trouble was being set.

26. The entrance door was re-opened shortly before 8 p.m. but had to be closed again after 30 to 45 minutes. It was then getting near closing time, so many (especially those with stubs) were becoming more and more restive. Protests were being made that they had their tickets, they had paid their money and must be let in. In the midst of all this another young white helper appeared, not wearing a badge but identifying herself at the emergency door. The door was opened (as it had to be) outwards, barely enough to admit her, whereupon some of the impatient crowd attempted to force their way in. They were pushed back and the door was firmly shut. So, excited and frustrated, they banged on the door shouting that they must be given admission. On this a policeman took his stand outside, with his back and

shoulders against it, at the same time trying to explain why it was not yet possible to let in anyone. But they would have none of it. They kept banging on all the doors and windows and carried on shouting and swearing. The policeman tried to calm them, but one of them retorted by swearing at him. He arrested him but, as he did so, both of them fell. They struggled together on the ground, others kicked the policeman and his prisoner got away. He was pursued by another policeman who happened to come by just then, but he made good his escape. The youths involved in this encounter also fled, one of them however first throwing a bottle which splintered against the wall thereby occasioning slight injury to a male helper who was near at hand. Once more quiet prevailed, but it was an uneasy calm.

27. Because of these occurrences more policemen arrived to assist in maintaining order. But about half an hour later another incident happened. P.C. Foggo was then on duty at the emergency exit door. Observing him there, a young man, Kenneth Galloway, who had been his childhood neighbour, approached him saying that he had just left the hall to go to the toilet and wished to get back in, but could not find his ticket to enable him so to do. This was probably untrue, but Foggo admitted him. As he stepped inside, Paul Butterworth, an ex-policeman who was not an accredited helper but had been asked by his wife who was to assist in maintaining order, curtly ordered him to leave. He asked no question, invited

no explanation, but simply barked the one word "Out!" To make matters worse, Foggo and Galloway are black and Bermudian whereas Butterworth is white and English. Galloway did not budge. Honestly or not, he had been admitted openly by a person in authority, he had not sneaked in. But Butterworth took hold of him to put him out. He resisted and swore at Butterworth, on which Foggo intervened to arrest him. A struggle ensued in the course of which Butterworth punched him in the face without justification or adequate excuse. Galloway's account of having been so punched was, we think, amply confirmed by the probation officer for whom he sent early next morning to lodge a complaint while he was still in custody at the police station and who saw his face swollen and his neck bruised.

28. Many were outraged by what they saw. Another young man was within seconds arrested, and both were taken to the Dock Station on Front Street, 80 to 100 yards west from where they were. There was an immediate uproar. The crowd, comprising in the main young persons between 17 and 25 years of age, surged towards the police station. They banged on its windows, threw bottles including a molotov cocktail, and created or provoked such general disorder as to require the calling out of six riot units. Stones, bottles and molotov cocktails continued to be thrown after which there was a lull, but the disorders flared up again and did not come to an end until 4 a.m. Altogether the police had to use 94 shells and

5 grenades of tear smoke before the crowd was finally dispersed and order duly restored.

29. In dispersing the crowd the tactics employed were to get them off Front Street and to force them further and further north into the back of town area. This was not an easy operation. It had to be done with firmness although it should be without excess. On the whole, we are satisfied that in quelling the disorder the police were disciplined and showed restraint. But as we suppose is inevitable in such circumstances as faced them, some were not wholly dispassionate, so that here and there a few persons were arrested or rough-handled whose only involvement was that they happened to be on the scene. On the other hand, there were among the crowd those who exploited the occasion to incite young people to violence and resistance and who seem to have avoided arrest that night. All this we think is relevant to the disorders the following evening.

B - How They Progressed

30. The disorders on Friday, 26th April, differed from the previous day's in motivation and character. On the 25th, they had suddenly erupted under contemporaneous pressure and thus in large measure were spontaneous. They began with disorderly behaviour as an expression of protest, culminated in the throwing of missiles and setting fire to three or four properties and, after six or seven hours, ended with the dispersal off the streets of all who were or were thought to be participating in any way. Not so on the 26th. On that day they were planned. They were the outcome of grievances nurtured for some time past and were designed to cause widespread damage and serious injury. They began with the smashing of plate-glass windows, continued with extensive arson and some personal violence, and ended only after a curfew, imposed in the emergency declared at 1.30 a.m., had been strictly enforced. Even so, they spilled over into the next evening, Saturday 27th April, when there was further arson, principally in Warwick.

31. In the course of the day questions were raised whether and what precautions should be taken against possible recurrence of the disorder. The Committee of 25 was advised to close the Fair at 7 p.m. and the decision to do so was announced over radio and television. A Chamber of Commerce delegation discussed with the Commissioner of

Police whether they should protect their shop windows by putting up the storm shutters normally reserved for use against hurricanes but, against his advice though no doubt because of their confidence that they could rely on the police for adequate protection if necessary, they decided that they would not. On the order of the Commissioner however, beginning from 6 p.m., riot units were held in readiness, the control room at the Central Police Station was kept fully manned and a police unit patrolled in vehicles on the alert to report any incident which might occur or any sign of impending trouble.

32. The disorders began on Friday shortly before 8.30 p.m. and, again, the participants were mainly under 25. Within 45 minutes seven incidents were reported of window-smashing in various parts of the town, from which it may, we think, be inferred that there was a calculated deployment of strength the more effectively to harass the police and outmove preventive action. By 9.15 p.m. crowds had gathered on Court and Angle Streets but were dispersed by the use of tear smoke. Within half an hour thereafter, windows in three more premises were smashed, large boulders were placed across Court Street and barricades erected on King and Brunswick Streets. Soon, several premises (almost all of them business places) were set on fire and a few persons attacked and injured. There was however no damage or injury done on Front Street in the city's main business section.

33. At 3.30 a.m. on 27th April, the Reserve Constabulary relieved the regular police of all station duties, thereby enabling them to enforce the curfew which had been imposed, and by 5.30 a.m. the Fire Brigade, who plainly had done a magnificent job, had all fires fully in check. Order and quiet were thus restored.

34. Disorder broke out again in the afternoon of Saturday, 27th April, when two men were so severely beaten as to be left in an extremely critical condition. Fortunately, neither of them died but both have been physically disabled, gravely and probably permanently. Large crowds of youths assembled, but without incident occurring, in the back of town area. There was however an attempt to set on fire one of the policemen's homes on Frog Lane. That apart, such disorders as there were occurred in Warwick, Devonshire and Pembroke - principally Warwick - where there was destruction of property by fire and explosives.

C - How They Resulted

35. The number of persons suffering injury was we think surprisingly small. We have mentioned that on 25th April a policeman fell and was kicked on the ground while attempting to take a youth into custody outside Hamilton Hall. He suffered no ill. Four others were hit by bottles but only one received any wound. That required six stitches. On that day also, two civilians were assaulted and beaten, and rocks were thrown at another and at the car of a fourth but without either being struck. On the 26th, one policeman was hit by a piece of galvanised iron pipe which was thrown at his car and sustained a laceration and bruising of his shoulder. And five civilians were beaten up including a member of the House of Assembly who is now a member also of the Executive Council. On the 27th, rocks were thrown at four vehicles, no hurt resulting, and three civilians were beaten two of them most grievously as earlier stated. No one was killed.

36. On the other hand, there was much damage and destruction of property. Four Hamilton business premises with all their contents were completely destroyed by fire, the total loss so suffered being assessed at £396,000. Damage by explosives and fire to the Bermuda Bowl in Warwick was estimated at £5,000. A hotel and another commercial building in Hamilton suffered minor fire damage - in the aggregate of £130. Thus loss through arson amounted to £401,130. In

addition, 35 buildings and 18 motor vehicles were damaged, involving a further sum of £11,020. 17. 0. So arson and malicious damage accounted altogether for £412,150, 17. 0. Most of this occurred on the night of Friday/Saturday, 26th/27th April.

37. We have been given no record of injuries, or complaints of injuries, caused to persons participating or thought to be participating in the disorders. But we have had evidence which we accept of injury to three such persons. The first was the young man whose ejection from the Fair at Hamilton Hall sparked the disorders. His hurt we have already mentioned, but in any event it was a cause and not a result. Another, arrested for his participation, was bitten by a police dog while he was in custody at the Central Police Station. This was admitted. The third, protesting his innocence on and after his arrest for throwing stones at the police, received fairly severe injuries which were said to have been inflicted by those who took him in charge at the point of his arrest as well as at the station: neither the occasions nor the injuries were disputed.

38. Inevitably, many who were in no way involved in any disorder suffered discomfort from the tear smoke which the police discharged. One household on Dunscombe Road in Warwick was particularly affected. It seems that a gas cartridge, which it is said was aimed at some youths suspected of being concerned in incidents occurring on 27th

April, entered a private apartment, broke one of its window panes, scorched a curtain and burnt a pillow and seat cushion. We understand however that compensation was duly paid.

39. One other result should be noticed briefly. The tourist industry, upon which Bermuda's economy so substantially depends, suffered a temporary setback through cancellations of forward bookings so greatly exceeding the number of new reservations as to excite alarm. Experience shows that this is an inescapable consequence of civil disorders since tourism is perhaps the most brittle of all enterprises and there is so much competition nowadays for a share of the tourist dollar. Happily, the disorders were for the most part kept effectually outside the main hotel areas so that visiting tourists were not particularly affected, and hotel managers were able by personal visits to North America soon to re-instil confidence in travel agents and thus to put the industry back in gear.

D - How They Ended

40. At 1.30 a.m. on Saturday, 27th April, the Governor in Council declared a state of emergency and published a number of emergency regulations aimed at restoring law and order. Among them was one imposing a curfew from 7 p.m. to 6 a.m., effective forthwith. The Bermuda Regiment was embodied and the police reserves were called out on duty manning the police stations in place of the regular police. In the course of the same day H.M.S. Leopard was at the request of the Governor diverted to Bermuda and anchored alongside, and on the next day (28th) a company of the Royal Inniskilling Fusiliers arrived from Britain. None of the armed forces needed however to go into action. The disorders had subsided and law and order were being restored. Presumably, the sobering presence of the armed forces helped to accelerate the return to normal.

41. Meanwhile, forces for peace had been active. Among these, leaders of the Progressive Labour Party, appreciating the responsibility as members of the Bermudian community and in the belief that they could be of real assistance, spoke on television as the Governor had done, and went into the back of town and other like areas persuading the youths that lawlessness was not the way and that outspoken representation would prove more effective than violence and arson in having their grievances heeded. They followed this up by proposing to the Governor the

convening of a conference at Government House at which interested citizens, groups and organisations might attend or be represented and ways and means explored for resolving the situation. Also, Pastor Charles Foster Fubler of the New Testament Church of God, who was well known to most of the youths involved in the disorders, likewise spoke on television appealing to them to realise that Bermuda was their home and they should not destroy it. And next morning (Sunday) he made personal contact with them and talked them into the wisdom of agreeing that he should try to arrange for an interview with the Governor at which delegates from their own groups, selected by themselves, might make such representations as they should think fit. Both these proposals were readily accepted. And the conference was held on the same day, Sunday 28th April.

42. Not a great deal appears to have been achieved at the conference proposed by the Progressive Labour Party leaders. They seem to have pressed the view that the police should for the time being desist from continuing any inquiries for initiating criminal proceedings as a result of the disorders and that a commission of inquiry be forthwith appointed with terms of reference similar to ours. But while it was generally agreed that such a commission should be appointed, the Governor was advised that the law should first be permitted to take its course so that no such inquiry should be commenced until the courts had finally adjudicated upon

CHAPTER III - Causes of the Disorders

A - The Immediate Causes

such charges as might be brought. This in our opinion was plainly right unless an amnesty was going to be granted. It was shortly afterwards announced that a commission of inquiry would in due course be appointed.

43. At the interview arranged by Pastor Fubler we are told that the young people's delegates asked that H.M.S. Leopard should leave Bermuda and that all arrested persons then in custody should be released on bail. On their part, they pledged for themselves and their comrades that if their request was granted there need be no apprehension of any more trouble and that law and order would be duly observed. They also gave their reasons for the outbreak of the disorders. These we shall examine. And they too asked for a commission of inquiry to be appointed from impartial persons unconnected with Bermuda to which they should be permitted to nominate a representative of their own choosing. It is we think a mark of their sincerity that they faithfully honoured their pledge so that it became possible to reduce the curfew progressively. Thus, on 8th May the state of emergency was finally lifted.

44. We have told in paragraphs 25-28 of the events which sparked the disorders on 25th April. The build-up of excitement at the prospect of going to the Fair, the thrill on the part of many of being facilitated to claim admission without paying, the frustration of waiting outside shut doors, the resentment at the seeming displays of racial favouritism, the progressively short time left before the close of the Fair, the summary ejection of Kenneth Galloway involving the overriding of P.C. Foggo's authority, the assumption by Paul Butterworth of the right so to do without badge or symbol of power, the arrest by P.C. Foggo of Galloway for (as it were) standing up to Butterworth, the implications plainly deducible of an assumption by Butterworth of white superiority and of P.C. Foggo's subservience to it - all this inevitably led to an eruption which when it began there was no holding back.

45. This chain of events was however more the occasion than a cause of the disorders. The spokesmen for some of the participants made this plain beyond any doubt. We were told by Pastor Fubler that in answer to a question at the interview with the Governor they said that what took place at Hamilton Hall was "not the main cause, but it more or less

lent an opportunity for them to let off steam". When two days later they were interviewed by the Press they were reported as saying that the cause of the disorders was not "just events which occurred on Thursday night, but a build-up of resentment resulting from events with the police over a long period of time". It is also we think significant that when invited by the Press to get together for a photograph they immediately fetched and held in front of them as a group a placard on which was quoted in script:

The Black Man needs the White Man to
free him from his fear, and the White
Man needs the Black Man to free him
from his guilt.

46. Before examining the basic causes put forward by the young people's spokesmen, we should look we think at certain incidents which, they alleged, provoked the disorders on Friday, 26th April. They referred to a boy whom they were unable to identify but whom they said they saw on the Thursday night standing near a bus stop some time after the disorders had erupted and while the police were striving to disperse the crowds. And they alleged that a policeman, whom also they were unable to identify, accosted and ordered him to move on and that when he did not, explaining that he was there awaiting a bus, the police beat him with sticks and flung him into a police truck apparently under arrest. Actually, this was said

to have caused the Thursday's disorders to flare up again after they had begun to quiet down. Other instances of summary police harshness were also alleged in evidence but, because of the non-identification of the parties concerned, it was not possible to investigate whether or to what extent they were accurately reported or what if any other circumstances might be relevant thereto. We think it not improbable however that in the confusion resulting from the sudden eruption of the disorders there may have been instances of error or indiscriminate behaviour on the part of some policemen. The circumstances were not normal. It became their duty to disperse the crowds. And since this had to be done quickly and firmly, there was no time for pause for detailed on-the-spot investigation. Nonetheless, a youthful crowd, the more so when they are greatly excited, will often react to conduct towards others which they regard as unmerited, unfair or unjust.

47. Further, on the Friday morning, so it was alleged, the police drove through the back of town areas, from time to time stopping and arresting young persons either for participating in or for questioning in connection with the disorders on the previous night. Again the belief was that the police were acting without sufficient care or due discrimination. However 'bona fide' they may have been, it is not difficult to understand that in rounding up alleged or suspected offenders the police might arrest or detain

persons who were not in fact concerned. But the times were not propitious either for fully-considered action or for even-tempered judgment.

48. Incidents such as these rankled - not only in the hearts of those who may have been aggrieved by them, but also in the minds of some who saw or were told about them. And because they so rankled, they were reckoned as abuses of authority and thus inflamed earlier and deeper resentments. Hence, they provoked retaliatory action against such persons in the society as were thought to be in some way responsible for any of the ills of which many of the young complained. So it was only white persons who were attacked and mostly white-owned properties which were burnt or damaged, the two principal exceptions being Royer's grocery and the Ideal Furniture Store which were completely destroyed. Both were set on fire, first on Thursday, 25th April when however the Fire Brigade saved the two premises, and again the following night when they were gutted. The reason we were told was that Royer was believed to be an informer on whose reports the police often acted in searching suspected persons for drugs; and the management of the Ideal Furniture Store was regarded as exploiting the working people by offering them unusually attractive terms for the hire purchase of household furniture, thereby encouraging them to undertake commitments which many were unable to meet, and subsequently repossessing

it for default however large the number of instalments which may in the meantime have been paid. Further, the chief executive and principal shareholder in the business was also the current chairman of the Bermuda Democratic Party, most of the members of which had previously belonged to the Progressive Labour Party and all of whom (especially its leaders) were being decried as "Uncle Toms" working in league with or to the advantage of the predominantly white United Bermuda Party.

49. We had evidence also of the arrest in Warwick of a number of young men who were on their way home shortly after 3 a.m. on Saturday, 27th April. They had been to a night club and were arrested for breach of the curfew which had come into immediate effect less than two hours earlier. But although the news that it had been imposed had been broadcast over the radio, it was said that none of these persons knew or had any inkling of it. This was unfortunate, especially as they were taken to Hamilton and kept in custody until they could be brought before the magistrate later that morning. If what we were told is true, the police should we think have observed a wiser discretion. The point we make however is that the disorders in Warwick, occurring as they did for the first time that Saturday evening, may well have been retaliatory for the grievance suffered or thought to be suffered. So it is probable that the dynamiting of the Bowl and the burning

of other property there were also expressive of the resentment against authority for treatment regarded as harsh and unjust.

50. We turn now to the basic causes as told by the young people's spokesmen. According to the Press reports they complained of police brutality. Before us however they insisted that their complaint was of police attitudes. They fully appreciated the difference and were careful to dissociate themselves from charging any brutality. Even as regards attitudes, their honesty and moderation were such that they took care to stress that it was only some policemen, and not by any chance all, whom they considered to be at fault. And it was plain that much if not most of the fault they found stemmed from the functioning of the police in the exercise of powers given to them by certain laws rather than from their personalities as men or as police officers. Nevertheless, they left us in no doubt of their general dissatisfaction with the composition of the Force, nearly 65% of which are Englishmen (including some who had previously served in Nigeria, Eastern Africa, Aden and Cyprus), or of a personal resentment of one or two of its members whom they adjudge to be utterly ruthless but who are esteemed by their senior officers as super-efficient. We have not inquired whether any such personal resentment is soundly based as in our view no such issue falls within our terms of reference. None such in our opinion contributed to the occurrence of the

disorders, and no policeman so resented was the object of any attack. But notice must be taken of the general dissatisfaction. It was we think a main cause of what erupted. Also, it reflects the rising spirit of the new nationalism. the demand for a Bermuda for all Bermudians alike which the governing United Bermuda Party is under pressure to prove to be its active policy and not merely or mainly a slogan, and the widely-held belief that men who served as policemen in any of the several countries specifically referred to have acquired an attitude of bias and consequently an unhappy approach to so-called natives and their problems.

51. The laws the enforcement of which has led to deep-seated resentments against the police are (a) the Motor Car Act, 1946 and its subsequent amendments imposing restrictions on the use of auxiliary cycles, and (b) the Dangerous Drugs Act, 1936 and its 1966 amendment providing for the suppression of the traffic in and use of drugs. Each of these should be examined in turn.

Auxiliary Cycles

52. Motor vehicles first came into general use in Bermuda in 1946, among them being autocycles the motors of which did not exceed two horse power. Anyone of the age of 18 years or upwards who passed a driving test could obtain a driver's permit entitling him to ride such autocycles. But

no one under the age of 18 and no one without a driver's permit could drive or ride any type of motor-powered vehicle whatever. So there arose a demand for some other form of motor-propelled bicycle for the use of which it would not be necessary to pass a driving test or to obtain a driver's permit. Accordingly, in 1949 provision was made for such use of auxiliary cycles the motors of which did not exceed one horse power. But two years later a further limitation was enacted restricting their equipment to one gear only.

53. In the result. the current definition of an auxiliary cycle is -

"a motor-propelled bicycle, the wheels and frame of which are of a design and construction similar to those of a pedal cycle the cubic capacity of the motor of which does not exceed 50 cubic centimetres; and which is equipped with a single gear only and is so designed and constructed that it can be propelled in the same manner as a pedal cycle; or a motor-propelled bicycle in the nature of a motor scooter the cubic capacity of the motor of which does not exceed 50 cubic centimetres."

These machines have proved an attractive facility for tourists, but they have given rise to problems involving the young Bermudian.

54. From the beginning the law restricted the riding of auxiliary cycles to persons of the age of 16 years and upwards. And from 1951 the minimum age for obtaining a driver's permit was raised from 18 to 21 years. Hence the problems arising from the use of such cycles are of concern

to young persons between the ages of 16 and 21 mainly. Like all users of other motor vehicles, the law prohibits them from riding auxiliary cycles at more than 20 m.p.h. or, in certain areas, 15 m.p.h. This irks young people perhaps more than older folk. Also, because of a fatality in 1956, they have since been prohibited from carrying any person above the age of 16 years as a pillion passenger on any auxiliary cycle. This can be irritating, especially when (as we were reminded) many young women over the age of 16 weigh much less and are therefore a lesser incumbrance, if incumbrance at all, than a sturdy lad of 15. Then, from 1960 dealers began importing auxiliary cycles which were designed to be two-gear machines but were modified by their manufacturers so that only one gear was operable. After a while, many young Bermudians discovered an easy means of reconverting them, as and when they pleased, to their original design. And since it is the low gear which the manufacturers make inoperable, the temptation is strong to reconvert them so as to facilitate riding them uphill. Further, it appears to be the general belief that power and speed can be increased by tampering with the muffler in some special way. This of course increases the noise issuing from them, often in excess of the prescribed maximum level of 93 decibels.

55. The enforcement of the above-mentioned restrictions

is a constant source of friction. Young people feel that the police are always on the alert to catch them if they default. They therefore suffer the unease of being, or of apprehending that they are, too often suspect. They do not mind it so much if they are caught speeding. That to them is simply a hazard. But they are irritated when the police challenge them about the age of their pillion-riders, especially when they are not obviously over-age or of such a size as may reasonably be expected to interfere with the proper control of their cycles or be otherwise creative of danger. But when as so often they are suspected of reconverting their cycles to two-gear machines or of tampering with their mufflers, the police procedure is such as to irritate them even more. In any such case the police are empowered to, and do, seize the cycle to submit it for inspection. But inspections are not carried out forthwith. They must await the availability of a Transport Control Board inspector, and inspectors are available for such inspections on one day only each week. Hence, a young person may be deprived of the use of his cycle for anything up to seven days. That must be maddening.

56. Reconversion of a cycle to a two-gear machine automatically takes it out of the definition of an auxiliary cycle and equates it with an autocycle. So, since the minimum age for obtaining a driver's permit is 21 years,

anyone under that age found riding any such reconverted machine is normally charged with riding an autocycle - (a) while disqualified for doing so by reason of age and (b) without being covered by third-party insurance, which is compulsory. All of which breeds resentment.

57. The irritations to which we have referred affect, as we have said, many young Bermudians between the ages of 16 and 21. Everyone is agreed that they are all competent riders and that on their riding performance there can be no valid objection to their obtaining drivers' permits. If they were enabled to do so, they would be free from disabling restrictions which by general admission serve no useful purpose. But the restrictions remain. Hence, too, the irritations. They are not of course the fault of the police. They must enforce the law as it is. But by their enforcement of it the build-up of resentment against them continues.

Drugs

58. Following the Geneva conventions of 19th February, 1925 and 13th July, 1931 relating to the manufacture and distribution of narcotic drugs, the Bermuda Legislature enacted the Dangerous Drugs Act, 1956. But it was not until 1961 that the police constituted a special narcotics squad. In the first five years of their operations, 1961-5, no more than 22 arrests were made and less than 6 lbs of drugs seized. Their intelligence reports pointed however to a much more

extensive traffic in marijuana. So on 10th March, 1966 the Act was amended to add a section thereto empowering any police officer, inter alia, to stop and search without warrant any person, or any receptacle or other article in the possession or under the control of any person, reasonably suspected of having in his possession any narcotic drugs in contravention of the Act or any regulations made thereunder, subject however to the power of searching a woman or girl being exerciseable only by a woman police officer and to the onus lying on a police officer to prove the reasonableness of his conduct. But the latter is not as protective as it may seem. If on search anyone is found to be in possession of a narcotic drug, that very fact will tend to fortify such evidence as the police officer may give of the reasonableness of his suspicion. But if none such is found and consequently no charge is laid against the person searched, it will then be for him if so advised to institute appropriate proceedings against the police officer. However, if he does so, he will be obliged to begin without the least information at his disposal of the facts on which the police officer may rely to ground his suspicion. Not many we think would take that chance.

59. The young spokesmen complained that policemen patrolling the Court Street and other back of town areas proceed, or appear to them to proceed, on the footing that

every layabout in any such area must be a marijuana peddler or smoker, so that they keep on the move back and forth maintaining a close and obvious scrutiny. The youths resent this and say that it makes them look "like a circus". In their view, these areas are places to which young people have always resorted, where traditionally they have assembled and talked and gossiped and shown off their latest clothes, and where therefore they should be free to continue to do so without any taint of suspicion. And although they accepted that there are among them those who smoke the weed and that as law enforcement officers the police have the right and duty to stop and search suspects as prescribed by the Act, they nevertheless maintained that the authority to search has been far too frequently abused. We thought therefore that we should call for, so as to examine, the record of searches recently effected. The result was astonishing.

60. The record we examined covered the 16-week period from the beginning of 1968 to 25th April, the first day of the disorders. Altogether, 103 persons were the subject of search, of whom a mere 11 were found in possession of any quantity of narcotic drugs such as would warrant prosecution. Traces were discovered on 7 others, but they were so minute that none was arrested and no sanction whatever was sought by the police. Absolutely nothing was found on the remaining 85. Further, 4 of the first-mentioned 11 were

searched on arriving at the civil air terminal, so that only 7 persons were prosecuted of the 99 searched in other parts of Bermuda. And, of those 99, 49 were searched in or near the Court Street area and 5 elsewhere in Pembroke.

61. We find also that no successful search coincided in time and place with any of the unsuccessful. So it cannot be properly urged, as was sought to be done, that reliable information as regards one or two of a group may have been responsible for the search of all who were there assembled. It is true that not each search was a separate incident, but each was of a separate person. And each was a public search, on the spot and in the presence of whomever, including in some cases the person's girl friend. All of which was to each humiliating - and exasperating. Plainly, therefore, the young people have a point when they complain of what they refer to as police attitudes.

62. We think it right however to add that from the evidence before us we have gained the impression that the fault stems not from an intentional excess, but from a too wide interpretation of the enabling law. And from certain observations of the Attorney General at the close of our Inquiry it would seem that he too gained the same impression. It is important therefore to stress that the law authorises a search without warrant only when the person to be searched is "reasonably suspected of having in his possession" some

narcotic drug. It does not suffice that the police should know that some person is an addict and/or that he is for the moment in the company of other well-known addicts or that he is one of the Court Street group or is smeared with a Court Street reputation. As the leader of the spokesmen protested, the reputation seems to be that "because you are on Court Street you don't work, you're dirty, untidy, your hair is all long". None of this can suffice for suspicion. Nor can it be sufficient that somebody, whether a paid or voluntary informer, has relayed information of activity or movements which he thinks suspicious. The police officer must himself suspect. And his suspicion must go to the point of the person being at that moment of time in possession of a narcotic drug. Also, it must be reasonably based. It may of course take into account received information, but in that event due regard must be had to its precise nature and the reliability of its source. In the view we take, it is wholly irrelevant that an officer may honestly think that he has reason to suspect: his bona fides is not the question. What the Act requires is that his suspicion must be reasonable, by which in our opinion is meant that on an objective assessment of the facts giving rise to it the suspicion he entertains must be capable of being characterised as reasonable.

63. Before leaving the subject of marijuana, it is

perhaps very pertinent that in the 7 weeks prior to the disorders some 40 lbs or more of the drug destined for use in Bermuda were seized and destroyed: 22 lbs 9 ozs at the Kindley civil air terminal, 8 lbs in Jamaica and undisclosed amounts (except for one lot of 7 lbs 7 ozs) in Miami. On the evidence before us these seizures, two of which occurred in Miami on 22nd and 23rd April, would appear to have bared the market so that addicts were deprived and many felt aggrieved. This may be of significance since among the leaders rallying the participants in the disorders were 10 or 12 whom the police identified as well-known addicts.

General Dissatisfaction with the Force

64. It can seldom be satisfactory for a community to be policed by other than its own folk. If it is, dialogue becomes difficult and tensions will arise which need not. Better understanding and therefore greater co-operation for the preservation and observance of order will inevitably result when police and people speak the same idiom, share the same motivations and adhere recognisably to the same loyalties.

65. Such thoughts occur when we think of the composition of the Police Force in Bermuda. The figures furnished to us show that British expatriates account for 19 of the 24 officers above the rank of sergeant, 27 of the 43 sergeants and 120 of the 189 constables; also, that 1 sergeant and 17 constables are West Indians, mainly if not all

Barbadians. Thus, of a total strength of 256 officers and men there are as many as 184 expatriates. Only about 28% is Bermudian.

66. Until very recently, the Force was even more markedly white. This was unfortunate since it not unnaturally tended to identify the police with the power structure and thereby to label them not so much as preservers of the peace but more as instruments for maintaining white supremacy. Which is why so much importance was attached to prior service in such places as Kenya, Aden and Cyprus. It was only in 1967 that it was resolved to abandon the policy of recruiting from Britain. For five years before that efforts had been made to attract Bermudians, but with little success. So the decision was taken to begin recruiting from the West Indies, primarily Barbados. The policy has not been fully implemented but, to the extent to which it has, it corrected somewhat the racial imbalance. Nevertheless the problem of idiom, of character and of loyalties yet remains. Communication is still a problem, the Bermudian is largely happy-go-lucky and not so much disciplined, and the Force still does not belong, being essentially un-Bermudian.

67. In his closing address the Attorney General expressed the view that the anti-social behaviour evident among many of the youths was "perhaps exacerbated by the fact that the Police Force is largely alien". We entirely agree. We were struck by the astonishingly high incidence

of such offences as using offensive words and offensive behaviour to the police, and of resisting or assaulting them in the execution of their duty. And we find that the epithet "bastard", which appears to be in common use among the less educated and probably would often be ignored by a Bermudian policeman even when so addressed by reason of his familiarity with the idiom, is not infrequently the subject of the charge of using offensive words. It is true that more often than not the epithet is qualified by the word "limey" but, when so qualified, it is expressive of the exacerbation to which the Attorney General referred.

68. Quite a few witnesses before us told of apparent discourtesies shown them by policemen. Allowing for exaggeration on the part of some, provocation by others and the impracticability of due inquiry because so very few were identified, we cannot altogether disregard such charges. We think that in many instances the true problem was one of approach - the approach of the rigidly-disciplined to the happy-go-lucky civilian who is offended by an assumed discourtesy when none is really intended, the approach too of a person in authority to someone whom he thinks or has been induced by circumstances to consider inferior to himself. This leads to the offensive words (with or without qualitative), offensive behaviour, arrest, resistance to arrest or assault in the execution of the policeman's duty.

It leads also to a reputation which may come back full circle through action and reaction confirming the reputation. But the complaint cannot be wholly explained that way. Members of a disciplined force should never be positively discourteous to a woman barrister, as we feel sure that some have been, because they object to her defending or championing the cause of young delinquents, or to her attacks on the police in court or elsewhere or to her politics which to them may seem aggressively racial. Nor should Pastor Fubler have been subjected to either of the two experiences of which he told and which we believe. On the night of the Saturday disorders he went to police headquarters to speak to Chief Supt. Trott. He was welcomed by the Commissioner who offered him a seat while he waited, the chief superintendent being then engaged with him on business. Shortly afterwards, an inspector arrived and, without any ado, ordered him out. On another occasion he was about to park his car in the Horseshoe Bay area at a time when the traffic was becoming somewhat congested, and a policeman ordered him to get a move on and not to park as he was proposing to do. And when he answered "alright, fine", he was harshly told "come on, get out". On each occasion, he shrugged it off although he thought the conduct offensive, especially as in each case he had done no wrong and he was known to be a pastor, mature in age and a responsible citizen. But, as he said, how would either of

the same two policemen acting towards him as they did have acted towards a young person of no known standing in the community, and what would have happened if the young person had answered back? We agree with him that such incidents disclose a complete lack of understanding and of the rapport which should exist between the police and people, and it is precisely such lack of appreciation that can be, and often is, a prime cause of disaffection.

69. We are satisfied that the police authorities do not condone discourtesies or other misconduct on the part of their men. But between incident and any possible corrective action there must be report and due investigation. Reports are not many. Some people cannot be bothered. Others think it is a waste of time to report a policeman to a policeman, especially when they have no witness available. We have however had a record of complaints against the police and the action taken thereon. In two cases in 1965 British-born police officers were dealt with by the courts, one being sent to prison for 2 months and the other fined £40; in three other cases in the same year three more of them were warned or reprimanded; and in each of the years 1966 and 1967 yet another was warned or severely reprimanded.

70. While we are on the question of police attitudes and the general dissatisfaction of the young participants in the disorders with the composition of the Force, we think

it may be appropriate to refer briefly to three points of evidence. None has to do with the occurrence of the disorders or the course they took. But each is symptomatic of the unfortunate approach of a few expatriate persons who are or have been members of the Force. The first relates to ex-constable Paul Butterworth to whom we referred in paragraphs 27 and 44. He spoke of the incident for which the policeman was imprisoned in 1965, to wit, severely wounding a civilian by striking him with a torch at the back of his head when he was allegedly trying to get away with a stolen bicycle in the course of disorders following a strike at the Bermuda Electric Light Company's plant, and he was highly critical because in his view the policeman was "put in gaol for doing his job". He went further. He maintained that since 1965 there has been a progressive drop in morale in the Force because policemen have felt themselves victimised through not being backed up, but on the contrary being punished, by their seniors on complaints by the public. And he condemned the riot units for their action in dispersing the crowds at the time of the disorders because he preferred the sterner methods which he had seen employed by national guardsmen in Newark, New Jersey, at the time of the race riots there. Happily, he is no longer in the Force. The second was the reaction of Constable D.C. Cann whose first thought on the outbreak of the disorders on 25th April was to get the police

dogs at once in action. So he requisitioned them and their handlers in order to provide a threat to keep the crowds on the move. Fortunately, better counsels prevailed and the dog van was recalled to headquarters before it was observed or caused passions to become inflamed. And the third was the serious concern expressed in the Bermuda Police Association's memorandum at "guilty men being allowed to go free" through "exceptional features in the system of criminal procedure" which were said to give rise to unfairness. In justice to the Association, we should say that before us this view was not strongly supported other than by the Association's executive secretary, Sgt. A.C. Maule, who argued tenaciously for its acceptance. He would deny in Bermuda the right to challenge any juror except for cause or, alternatively, would limit it on joint trials of two or more persons because, in his view, it is often abused. To point his argument, he referred to the joint trial of six accused on a charge of inflicting serious bodily injury during the disorders. The victim was white, as also were the jurors challenged. He could not see that in the Bermuda society the accused might reasonably think they would be prejudiced if at such a trial white persons should serve as jurors. Further, he would deny their right to remain silent in answer to the charge even though their counsel thought, and in the result the jury agreed, that the prosecution had

not sufficiently discharged the onus of proving his guilt. In our opinion, the promulgation of such views as expressed by Butterworth and Maule and Cann's resort to the dogs before giving any thought of using tear smoke to disperse the crowds indicate an attitude of mind towards, and perhaps a contempt for, the black Bermudian and his entitlement to fairplay and justice. This we think would colour their conduct as policemen to an extent such as would make understandable the general dissatisfaction with the composition of the Force which many young people felt. But again it should be noted that the dissatisfaction was not with the generality of individuals in the Force. As the young spokesman said to Pastor Fubler and he reported to us, some policemen "approach you in a nice way, and then there are some that just want to bully you and will treat you in any kind of fashion".

71. On the other side of the coin, the police complain, and we think rightly, that they are under frequent attack much of which is undeserved. They have been charged with brutality, a familiar charge nowadays, but no specific instance was proved before us. Whenever any has been thought to err, as undoubtedly a few have erred, many have tended to maximise the offence and to censure the Force generally. It should we think be always remembered that the police are the most conspicuous symbol of the authority maintaining law and order, so they are an obvious target for those who may be

concerned to destroy or overturn the existing social structure. It is therefore regrettable that the defaming of the police as a Force has been not only by the lawless and ignorant, but also by some who ought to know better. The whole should not be discredited for the faults of the few. Little notice is taken or, perhaps more accurately, little is known of disciplinary sanctions imposed or of investigations made within the Force itself. Seldom are its members publicly defended when wrongly traduced or applauded when responding beyond the call of duty. Nothing can harm their morale more.

B - Other Contributory Causes

Prohibited Publications

72. Under the Prohibited Publications Act, 1963, the newspaper "Muhammad Speaks" and other publications by the Black Muslim Movement in the United States of America, of which Elijah Muhammad is the leader, are banned from entry into Bermuda. We have not been told precisely when first they were banned, but it would be in or shortly before 1966.

73. In our view, Bermuda was a not infertile field for sowing the seeds of the Movement. The reason for this appears in Chapter I - The Bermuda Background, more especially in paragraphs 13-15, as well as in paragraphs 85-99 infra. But we would quote from the evidence of Chief Inspector Sheehy as follows:

"When I came to Bermuda first of all I regarded a coloured man as an equal in every particular category, as I did with my colleagues in the police force. Very soon I learned that in social circles the word 'colour' was whispered and it is my view that although we have a token integration in Bermuda it is merely lip-service. Frustrations are in my view brought about by the complete antipathy in the past between the peoples living in Bermuda. . . . This frustration has grown over the years, imparted from the parent to the son, and although Bermuda has done wonders during the past 10 years there is still a deep-seated resentment".

74. It is not difficult therefore to understand why the unsophisticated and credulous among the blacks can be

persuaded to believe that Allah has revealed to Muhammad that all white people are "devils" and that their rule will soon be ended for ever. It is as comforting a doctrine as were the "negro spirituals" to their forefather slaves. And since it is a doctrine of faith, to deprive them of their spiritual pabulum is to arouse discontent and anger. Moreover, those in Bermuda who are followers of Muhammad or who want to read or hear more of his teachings are in the main people who have little or nothing to lose. Such people are a potential danger in any society.

75. We do not think however that the number of adherents in Bermuda is at all substantial. But they undoubtedly include some of the more persuasive of the youths in the back of town areas. Likewise, many who may not be active followers feel aggrieved because they are denied the chance of knowing and deciding for themselves what they are being persuaded to believe and whether they ought to believe it. They maintain that newspapers like the "News of the World" and "The Inquirer" have a degrading tendency, dealing so much as they do with the seamy side of life. And they claim that "Muhammad Speaks" does not teach hatred of anyone and that Black Muslims are clean-living people. So they look upon the ban as purely discriminatory. Hence one of the spokesmen, who is reputed to be an adherent, argued in evidence:

"the black brothers around here who want to read the paper should have a chance to read it. They (meaning those in executive power) should at least show both sides - what the black man's got to say, and what the white man's got to say, and let them choose for themselves. It doesn't seem as if they (meaning the youths) are getting a chance to read the papers and find out the truth. To me it's the truth because they banned it as soon it got here, as soon as they saw something about the white man. I think they should have a chance to read it".

76. The ban would in fact be discriminatory if it is founded, as the Race Relations Advisory Council thinks, on the publications being racially offensive. The odd thing is that, in the view of that Council as expressed to us, "Muhammad Speaks" had no real appeal, it was too fanatical to deceive too many people. But here lies the discrimination. One of its members told us that coming into Bermuda at the time of the ban were a paper called "The Track" and another known as "The Truth Seeker", each of which is no less racially offensive and fanatical for the whites but neither of which had been banned. The Council at its meeting on 21st November 1967 recommended that "The Truth Seeker" be banned, but it was not until our Inquiry was almost completed, to wit, on Sunday 29 September 1968 that it was declared a prohibited publication. Which gives an edge to the complaint of the youths.

77. If the Race Relations Advisory Council is wrong in thinking that the publications were banned as being racially offensive, then the ban must be because they are

thought to be subversive or politically tendentious. In that event, it achieves nothing that is not destructive. More than 90% of homes in Bermuda and probably all of its workmen's clubs have television sets, so people can see and hear from the telecast programmes much of what they have been deprived. Also, the subversive or politically undesirable will match wit against vigilance and, with the traffic to and from the United States of America constantly expanding as it is, the opportunities must be almost limitless. The Council recognises this and seems to have come around to the view that from any point the ban is an ill wind which blows nobody any good. We certainly think so - especially as the Black Muslim Movement never really got very far and now appears to be losing much of its momentum and strength.

Black Power

78. Throughout the world the concept of Black Power is having a steadily increasing impact. Properly understood, there is nothing about it to fear unless it be a possible shift of the balance of the general economy. It means the coming together of black folk to build their own self-respect and achieve their own self-development. It was discussed at some length by a U.S. economist who was invited by the Progressive Labour Party to speak at an annual banquet on 11th May, 1967 from which all whites were excluded, but his

address was given quite a fair coverage on the following day in the Bermuda Recorder. He admitted that because of the setting in which it was raised the slogan Black Power was thought to be inflammatory, but in his view the concept was of value in the spiritual and the secular lives of the blacks. He stressed most particularly that "self-development can never be done by others, but only from within. . . . Black people can only be empowered by black people", and he illustrated this theme by reference to the Jews and the example they have set. In the view he expressed, people so love being superior that it is unrealistic to look to others for the attainment of equality. Hence, whatever their differences, they should get together as black men and move forward together for the good of all in Bermuda.

79. Admirable though the concept may be, it is nonetheless true that in the minds of most, especially such as are in power and such as are without responsibility, the spectre or image is conjured up of bitter racial antagonism and conflict. Many associate or even identify it with the emergence of the independent countries of Africa, hence the rise and militancy of those who call themselves black nationalists. That this militancy contributed to the disorders we are in no doubt. Indeed, we had abundant evidence that some of those who were seen to be encouraging and urging on the participants are persons who believe in

what they misconceive to be black power and black nationalism. Actually, one of them who is reputed to regard Emperor Haile Selassie as his God is thought by some of his fellows to have gone to Ethiopia after the disorders and before our Inquiry. Apparently, he felt no hope in or for Bermuda.

Social Conditions

80. Personal History. Many witnesses attributed the disorders to the social background of the youthful participants. They were said to have come from one-parent or from problem homes, some because they had been children who were born out of wedlock, others because the homes had been broken up for one reason or another, and yet others because of the incidence of venereal disease or mental disturbance. Hence it was helpful to have two statistical charts submitted to us by the Chief Medical Officer, Dr. Simon Frazer, showing the history of 99 persons who are known to have taken an active part in the events which happened. Of these 3 were 50 to 60 years old, 6 between 40 and 50, 10 between 30 and 40, 11 between 25 and 30, 40 between 20 and 25, 27 between 15 and 20 and 2 aged 14; 33 of them (32 under 26) had had abnormal medical attendance while they were at school, 32 (13 under 26 and 6 between 25 and 30) had a history of venereal disease, 16 (10 under 26) were known to have taken narcotic drugs or to have had psychiatric treatment, 36 (32 under 26) were children of unmarried mothers or had come from homes in which there had

been family problems, and 61 (55 under 26 and 11 between 25 and 30) had some previous criminal record. These are appalling figures - and, in our view, most significant. The charts do not cover more than 25 to 30 per centum of the total number of persons who are estimated to have been involved in the disorders, but the figures point nonetheless plainly, or so we think, to an imbalance and insecurity such as would make such young people far more ready to resort to violence for redressing their grievances, real or imagined, and for attracting attention to laws and policies which to them are objectionable. And if like grievances and objections are voiced by others, they would be much more likely to evince some reaction.

81. Juvenile Crime - We saw from the annual Reports of the Bermuda Police for 1966 and 1967 other figures which have greatly concerned us. They relate to convictions for criminal offences. In each of the years 1963-1967, to all of which the reports refer, more than half of the convictions were registered against persons up to the age of 21, the annual percentages being 57.71, 58.34, 52.85, 64.86 and 56.46. Perhaps more alarming are the percentages of the whole which were registered against juveniles of the age group 7-16. They were 17.39, 29.28, 14.35, 26.67 and 23.64. We are fully aware of the high incidence of juvenile delinquency in almost every part of the world today but, even so, it is a cause for

serious concern that in a small island like Bermuda as many as 403 juveniles were convicted of crimes in 1966 and 366 in 1967. Moreover, from the reports from which we extracted our figures it appears that upwards of 60% of the convictions were for breaking and entering, removing auxiliary cycles or autocycles without the consent of their owners, shoplifting and malicious damage. This seems to us to demand thorough investigation by a social scientist. One possible clue we found however. First convictions have been recorded against juveniles of tender years for which they have been put on probation or sent to the Junior Training School for corrective training. In one instance in December 1960, two convictions were recorded on the same day against a boy barely 12 years old for stealing from a stand at a hospital fair and from a parked car. We do not know what was stolen, but we cannot help thinking that it is at least doubtful that one so young taking and carrying away anything so temptingly exposed had a criminal mind. We mention this because the law presumes that a child under 14 is incapable of crime and, while the presumption can be rebutted in the case of a child of 12, it is for the prosecution to prove affirmatively that at the time of committing the act he did have such a mind. We cannot attempt to examine any of such cases here - we can only say that they appear to have been many in number - but they may point to one reason for the high incidence of juvenile crime.

So we were greatly relieved to find that a Juvenile Liaison Scheme was introduced in 1966 which is designed to warn, and to keep under supervision by policewomen, children who are found committing acts which are in fact in breach of the law. And it was an even greater relief when the Commissioner of Police was able to say that of six individuals recently under supervision five had done so well that he approved the dropping them out of the Scheme forthwith.

82. Junior Training School - It would be appropriate to refer to this briefly now. Much was said and written about the school, which is located on Paget Island, some of it critical but most of it favourable. From the whole we concluded that while there may have been good grounds in the past for such criticisms as were levelled, there are really none at present. This conclusion was confirmed by the visit we paid to the school which we did without warning. The Headmaster happened to be off the island and the boy who observed and met us on our arrival introduced us to a member of the staff who was on duty. On learning what our mission was, he turned us over to three of the older boys who conducted us on a tour of the buildings, grounds and facilities and answered our questions readily, easily and with great poise. We are satisfied that, as it is run at present, the school serves a beneficial purpose and that, provided there is no practical means of avoiding detention in an institution without

prejudice to the redemption of a young offender, it is a proper place to which he may be sent for training. But it may well be that the way it was run in the past did have a harmful influence. Indeed, when we asked Kenneth Galloway, who was sent there six years ago at age 14, how if at all the school had affected him, we were greatly impressed by his prompt but laconic reply "mentally".

83. Housing - Slums (as ordinarily understood) do not exist in Bermuda. But there is a shortage of low-cost housing and rents are high. Hence in one or two areas overcrowding is plainly evident. One such area is what has been called the back of town. Not only is a fair percentage of homes overcrowded, but all of them lacked sanitary and other amenities. To illustrate. The Corporation of Hamilton submitted a paper setting out the recent improvements in the physical amenities of the area. They included road works, sewerage facilities, lighting, garbage disposal, and general amenities, and the paper shows that, once again, 1963-64 was a turning point. Sewerage was extended to the area under a three-year contract ended in 1966 and daily garbage removal only as recently as February 1968. A small housing scheme for old people known as the Elizabeth Hill Estate, comprising six single and ten double units, was also recently completed, but it was financed by a private benefaction,

the land however being made available by the Government. All this is in happy contrast to the years of past neglect.

84. Such social conditions as those to which we have referred tend to create a mood of protest which those who are not subjected to them often fail to discern, let alone to appreciate. But, as has been said, "the toad beneath the harrow knows exactly where each toothpoint goes". So it finds no comfort when, or because, "a butterfly along the road preaches contentment to that toad". Quite the contrary. Nor does it help to point to "the sins of the father" since the children upon whom they are said to be visited object that they never asked to be born and maintain that they should not be held vicariously liable. The present-day thinking is that in some way, be it definable or not, it is the whole society which ought to be blamed. And those who suffer tend to feel a sense of grievance which sometimes makes them hostile towards such institutions as they know the society has set up for its protection and preservation.

C - Basic Causes

Racial Conflict

85. We said in paragraph 17 that the roots of the civil disorders lie deep in the history of Bermuda's society. The society was typically white plantation in character and the history, in the years before the forties, was of accepted white supremacy with all the concomitant evils of segregation. Since the forties, there has been a constant struggle for change and the struggle is not yet done. Much has been accomplished but there is yet much to do.

86. The struggle began with the founding on 28th July, 1944, of the Bermuda Workers' Association under the presidency of Dr. Edgar Fitzgerald Gordon, a native of Trinidad who had settled in Bermuda. He was bitterly opposed to the segregationist policies and practices which he found and he resolved to fight them. He stirred people's imaginations and built up an organisation committed on two fronts, labour and politics. On 1st November, 1946, his Association forwarded to the Governor for transmission to the Secretary of State for the Colonies a petition praying for the alleviation of various social, economic and political inequities of which it complained. And the petition ended with a warning of the Association's anxiety "to ensure that the Isles of Rest do not deteriorate into the Isles of Unrest,

as the continuance of present conditions is almost sure to guarantee".

87. From the terms of his despatch to the Governor, dated 20th March, 1947, the Secretary of State was plainly impressed with the urgency of the need for remedial action. He thought that the recently enacted Trades Union and Trades Disputes Act, 1946, should be made to conform with the principle leading to the repeal of the United Kingdom Trade Disputes and Trade Unions Act, 1927, that is to say, that in effect it should not restrict the immunity enjoyed by trade unions to such strikes only as may be in furtherance of a trade dispute within the particular trade or industry in which the strikers are engaged. He recommended a widening of the franchise which was then restricted to freeholders owning land of a prescribed minimum value. And he felt that the system of relying upon import duties for almost all of the colony's revenue bears unfairly upon the less wealthy section of the community and the time was ripe for direct taxation. But rather than appoint a Royal Commission to investigate the alleged disabilities as the petition had prayed, he recommended as both desirable and necessary, since Bermuda had enjoyed representative government for over 300 years, that their investigation should be undertaken by or at the instance of the Bermuda Legislature. A Joint Select Committee was accordingly appointed and it reported on 16th

January, 1948. Not much was achieved. Hopes were thus frustrated.

88. Like frustrations resulted from the espousal within Bermuda of the cause of desegregation and social justice. Until 1959. That was the 350th anniversary year of the first settlement of the colony, and "This Island's Mine" was the proud theme of the celebrations to mark it. But negligible, if any, opportunity was offered to the group comprising more than three-fifths of the population to become involved in them. Whether this prodded them out of words into action or it was merely coincidental, the year also witnessed the first militant movement against racial prejudice. It was a theatre boycott, beginning on 15th June. And despite cajolery, threats, abuse and accusations of being the victims of racist propaganda, the boycotters never budged nor wavered nor in any way broke the peace. The theatres were forced to close for lack of patronage and, when at last they re-opened on 2nd July, they were free from segregation. That victory was won. And it was won only through the strength of united militant action.

89. But it was not only the theatre owners who were thus moved to declare that "immediate adoption of the 'no discrimination' policy will serve the best interests of the community and will be accepted as responsive to our sense of obligation to strengthen the friendly ties among all

groups in these Islands". Hotel proprietors also announced that "it is now the policy of the hotels joining in this statement to accept reservations for dining, dancing and entertainment from local residents without discrimination". As all restaurants did not adopt the new policy similarly, a Restaurant Act was passed in 1961 making it an offence for any restaurateur to refuse to admit or serve any person in any restaurant by reason of that person's race, colour, religion or national origin.

90. Another struggle began, the struggle for universal adult suffrage. A Select Committee had been appointed in 1958 to review the question and to make recommendations. But after two years it had achieved no more than an extension of the vote to leaseholders - which in the Bermuda context was not an appreciable advance. Then a young group sprang into being, calling themselves the Committee for Universal Adult Suffrage. They set about organising public meetings throughout Bermuda, animating people to rise to their responsibility as citizens and debating the issues with anyone whomever. Inevitably, racial discrimination was discussed and denounced, emotions were stirred or kindled, and resentments were uncovered or bred. By 1961 it appeared as though united action was once more overcoming, but, whether through over-optimism or for whatever other reason, the Committee ceased to be active. In the result,

it was not until 1963 that concessions were finally won. All adults were given the right to vote, but the voting age was raised from 21 to 25 and the land vote was retained as a plus - only that the voter was no longer free as he had previously been to vote in more than one parish or in any save the one in which he lived. But in the same year 1963 three laws were introduced and enacted which, though not exceptional, were perhaps because of their timing interpreted as designed to curb any mass activity in future: the Prohibited Publications Act, enabling the Governor-in-Council in his discretion to ban any publication from entry into Bermuda; the Public Order Act, requiring permission to be obtained for holding a public procession; and the Emergency Powers Act, investing the Governor-in-Council with almost absolute power in the event of his declaring a state of public emergency. This timing we think was unfortunate.

91. At or about that time the Progressive Labour Party was formed. It declared as one of its aims the uniting under the same banner of all Bermudians who were for integration at every community level. But it was contrary to all reasonable expectation for those in whose hands power and patronage lay or those who were or hoped to become objects of favour to cross the lines so as to make common cause with militant race reformers. Hence, and the more so because party politics had until then been unknown or

eschewed in Bermuda, it required very little time for the Party to be labelled racist or to appear to be race propagandists appealing to the numerical majority of their group for the advancement of political ends.

92. At the elections in 1963, shortly after the Party was formed, it contested nine and won six seats out of a total of thirty-six. Although one of these was held by a white woman whom the Party had preferred above other candidates in proof of its resolve to be and remain interracial, it did not lose its racist label. But its success, small as it was, aroused apprehensions which led to the birth of the United Bermuda Party. Its policy too was declared to be interracial and for a united Bermuda. And, having among its founders twenty-four of the elected members of the House, it could embark upon measures in proof of the new dispensation. They may have become converted to a new way of life and they may have had an infusion of new thinking from young dynamic liberals, but, whether or not, the offering of the hand of friendship was certain to prove as it did a strong attraction, sufficient to win adherents from every level and for varying motivations, and sufficient also to make it become impracticable for the Progressive Labour Party any longer to appear as interracial in composition or purpose. Perhaps it was for that reason, but whatever it may have been, the Progressive Labour Party

soon adopted a different approach and, maybe, a new ideology, on the one hand rejecting totally the sincerity of the United Bermuda Party and on the other advocating anti-colonialism as the panacea for all the colony's ills. So the conflict has come to look like one between fraternisation for the colony's good and denunciation of the colony's status. Hence the crisis in leadership to which we referred in paragraph 13. But while the United Bermuda Party has kept the appearance of unity in spite of dissidents within its own ranks, the Progressive Labour Party suffered a split when some of its parliamentary leaders formed or participated in forming the Bermuda Democratic Party. The unity which achieved success in 1959 thus ceased any longer to be.

93. As we have said, the United Bermuda Party having among its members a majority of the members of the House could, and it did, give proof of its intent. In 1965 a Race Relations Advisory Council was set up which has worked effectively, though unobtrusively, in its special field and the Party has always taken due cognisance of its recommendations. Also, in the same year, it gave effect to a Joint Select Committee Report and passed legislation abolishing the property vote and restoring the voting age to 21. Further, between 1965 and 1967 it sponsored the enactment of amending Acts aimed at eliminating racial discrimination in state-maintained and state-aided schools

(1965); ending restrictions based on race, creed or nationality being included in advertisements for the sale or lease or other disposal of property (1965); excluding from a birth, marriage or death certificate any reference to the racial colour or origin of anyone to whom it relates (1966); voiding discriminatory covenants relating to colour, race or ethnic or national origin in legal instruments (1967); and prohibiting hotel-keepers from refusing to register as a guest of their hotel or admit any person on their hotel premises, or from requesting any person to leave them, by reason of his race, colour, religion or ethnic or national origin (1967). Other progressive legislation was likewise enacted, including the Employment of Children and Young Persons Act, 1963, the Labour Disputes (Arbitration and Enquiry) Act, 1964, the Trade Union Act, 1965, the Workmen's Compensation Act, 1965 and the Contributory Pensions Act, 1967.

94. Nonetheless, the question was agitated whether and to what extent basic attitudes had really changed. We have already quoted Chief Inspector Sheehy's view that although there is token integration it is merely lip-service. The public relations officer of the Bermuda Industrial Union complained that discrimination is practised still when jobs above a certain level have to be filled. In making his point, he alleged that when any such job becomes vacant and

a black worker is in line for promotion to it, it is not infrequently declared redundant and a new post created some time later with its responsibilities differently defined but its duties in operation proving the same. We were assured that, although properties can no longer be advertised for sale or lease subject to restrictions upon grounds of race, the policy persists of maintaining in practice such restrictions in certain areas. The chairman of the Race Relations Advisory Council also thought there was only token integration and he lamented that the Council should have to work in a community where in both racial groups there is "hardcore prejudice, openly expressed malice, hatred, bitterness, stiffnecked stupidity almost impervious to any kind of reasonable persuasion". Other views to a like effect were also expressed by a variety of persons of both races coming before us, including the young people who spoke for the participants in the disorders. And from the evidence we find that in the three years since the amendment of the Education Act the crossing of the race lines has been substantially a one-way traffic. Much of this apparent absence of basic change is no doubt attributable to class distinctions such as are to be found in any society, but in Bermuda (as in many places besides) class and race distinctions are not easily separable.

95. Yet it would be surprising we think if in the short

space of three or four years personal attitudes had changed fundamentally. When attitudes have been so deeply rooted, any such change requires time - perhaps an entire generation or more. But, as an instrument, legislation is of value for bringing about desired results. Laws cannot but influence and shape the society in and for which they are enacted. We are therefore in no doubt that a new society is coming into being or that already many have gained much from it. But we are also in no doubt that in that very fact lies a fundamental cause of the disorders. It is like lifting the lid off a boiling kettle. But, that apart, young people are impatient - have always been. Once change begins when it has been long overdue, it should in their view be total, and total forthwith. Those involved in the disorders were nurtured in an era of dramatic change, but they have experienced no or no commensurate change in their lives. In their belief, they are being "pushed around" still. They see the same persons in authority and power, whether it be in the political, economic or social sphere. They are disenchanted because they had caught a glimpse of becoming involved in a different community for which they have now no hope. In their own minds, they are convinced that for all the "talk" about a united Bermuda it will always be white-dominated and that for them and their kind the bottom-most rungs must always suffice. But they no longer

have the passiveness of acceptance which permitted their forebears to suffer and endure. And they have been shown televised scenes and have read of youth in revolt almost everywhere in the world. They were thus in our view tinder ready and waiting to be lit.

Job Opportunities

96. There is no lack of job opportunities in Bermuda. On the contrary, there is considerably more than full employment. No one who wants work should ever be without it. Yet complaint is rife. And not without justification.

97. Historically, Bermuda's was, as it was described, "a white economy". Before 1960, except for a few who ventured into business, the employment of black Bermudians was limited in scope. Outside the professions of the law, medicine and teaching and the trades, they were obliged to look almost exclusively to white employers. This is so still. But, then, not many other than manual or menial jobs were open to them. The same was largely true of the public service also. This had obvious consequences. Except for the most industrious and ambitious who or whose parents aimed that they should go abroad to qualify professionally or to stay and work abroad, there was little inducement to remain at school beyond the compulsory school age. The circle was then complete. Because none such could qualify for executive or administrative or other senior positions since

their education was not thought to be sufficiently advanced. Even if they might show the appropriate aptitudes they could not acquire adequate experience. At the same time, reasonably good wages could be earned in the building trade or on the waterfront or in the hotels. And in the hotels there was the further inducement of substantial tips to keep people from seeking the more sophisticated jobs. Accordingly, the trend there was to be content with being a waiter or bartender or bell captain rather than aspire to become a front desk clerk or even an assistant manager. So the generality of black Bermudians were conditioned to accept in the Bermudian economy a wholly inferior place.

98. Meanwhile, policemen, teachers, accountants, junior and senior executives in hotels and business places are being recruited from Britain, Canada and other such places. Even lifeguards are. The turnover is fairly rapid, so recruitment is most expensive. That has had little deterrent effect. Nor has the immigration policy, which prescribes procedures requiring an employer as a prerequisite to satisfy the Immigration Board that an immigrant whom he wishes to recruit possesses a much-needed skill which is not available to him from Bermudians or persons of Bermudian status.

99. The younger people, including the youths in the back of town areas, who think on these things - and most of

them do - regard the employment situation as unacceptable. They dispute the bona fides of the declared immigration policy and think it odd that for the most part recruitment appears to ignore West Indians and to be restricted to white sources only. Their concern is not that they have been deprived of a job. They know they are not now qualified for many, and they have at least one within their competence. But they are impatient for change. They want jobs at every level to be open in practice, and not merely in theory, to them and their kind. And they want it in a hurry. They are conscious that their parents or other relatives, their workmen's clubs and other organisations would help them or others like them to further their education, provided they could entertain reasonable hope of attaining higher positions. And when they find that one of their kind went abroad and by sacrificial endeavour qualified and acquired experience as a catering manager but on his return was denied the chance of filling such a position which had recently become vacant, and when also they find that another of their kind is obliged to remain as a priest in Britain where he has been able to secure a living because he failed without known cause to secure one in his native Bermuda, they become intolerant if not rebellious.

The Artificial Society

100. We mentioned in paragraph 14 that after the last

World War there was a change in the Bermudian economy. Now, its principal dependence is on tourism and the success of the industry has been phenomenal. It continues throughout the year although of course it has an 'on' season when it is at its peak. The number of hotel beds has been steadily increasing, rising for example from 4737 in late 1965 to 5660 in March 1968. So every day in every year a vast number of tourists are on holiday in Bermuda.

101. Holiday life can be wonderful for those on holiday. It is a break from the normal. The money they spend is ordinarily disposable income or has been saved especially for that purpose. It is therefore spent without apparent care. When the holiday is over they can put the fun and pleasure behind them and return refreshed to their everyday pursuits. But the Bermudian living in Bermuda is encompassed always by the artificialities of holiday enjoyment. The place is small and all of it is geared to providing attractions such as will keep it high in the list of famous resort areas. This has made and keeps the economy buoyant, but it breeds a holiday attitude towards daily living on the part of many, particularly the young. This has led to unhappy results.

102. For instance, we heard complaints of the high cost of living. It is high for housing and drink. But the retort is in other respects true that the real complaint is

of the cost of living high. The Joneses whom Bermudians copy were not initially their next-door neighbours, but the apparently affluent visitors. Hence the society exhibits itself as an affluent society. To maintain its appearance as such, wage-earners need two or three incomes to keep the family going, so in most of the less well-to-do households both the man and the woman are at work and/or the man is "moonlighting". At the same time, young teenagers find that they can earn quite appreciable sums during their summer vacation, hence with no very strong pull in the other direction they drift into regular employment as soon as they have got past the compulsory school age. This, in our view, is at the root of much social evil.

103. Children from under-privileged homes do not have in their earliest formative years the parental attention they need. Not that they are not cared for. They are. But the father is not often at home: there is no father or he is moonlighting or regaling himself at a club. And the mother returns from work tired or with household chores to do and consequently can give little time or attention to the children. Grandmothers or other older people look after them or, when they have reached school age but are out of school, they sometimes meet on the streets and amuse themselves as best they can. The drift to so doing is all the greater in the overcrowded households. All of which

contributed to the disorders. The social conditions affecting those who make up the family were also, as we have said, contributory causes.

104. The habit of drift onto the streets and of getting together there accounts for the group who meet on Court Street and are designated the "Court Street boys". They come not only from Court Street and its immediate environs, but also from anywhere in the back of town areas and by reason of the prevailing mobility (almost everyone over 16 owns an auxiliary cycle or auticycle or some other means of transport) from elsewhere in Bermuda. There are like groups to be found in certain other places also. They need an outlet but find none - except in clubs where they gamble and drink. Salvation Army Centres and Y.M.C.A. Clubs have no appeal for them. And it would seem there are no recreational centres in Hamilton where teenager girls and young women can meet at night either alone or with their young men friends.

105. Rabble rousers, purveyors of grievances, peddlers of dope - these and other forceful or persuasive persons have thus a ready-made audience which can be a threat to the body politic. And in the events which happened, it was the "Court Street boys" who committed the disorders and among those fomenting or encouraging their continuance were Black Muslims and Black Power militants.

Drink and Drugs

106. A brief word should be said about drink and drugs. It is tolerably plain that the consumption of drink is excessive, perhaps in some measure due to the proliferation of workmen's and other clubs throughout Bermuda and to the pattern set by visiting tourists. But its relevance to our Inquiry is that it is one reason accounting for the absence of men from their family households and the lack of paternal attention to children to which we have adverted. Also, it makes for economic waste and is corruptive of the society.

107. On the evidence before us it is not possible to assess with any accuracy the extent to which marijuana is smoked. But it is fairly certain that its incidence has risen sharply since the campaign against it began in 1961. Its effect is to take the hat off people's inhibitions and to obliterate self-criticism, thereby tending to make them trigger-happy. We were told, and accept, that physiologically there are no withdrawal symptoms but that anyone finding happiness in smoking marijuana, if suddenly deprived of it, would be instilled with a sense of grievance. Hence our observations in paragraph 63.

The Progressive Labour Party and The 1968 Election Campaign

108. We treat this subject under the head of Basic Causes because in our view it stems directly from them. It would be wrong we think to examine it out of context.

Looking at it superficially, it would be simple for anyone to conclude that the campaign was divisive of a bi-racial society on its way towards full integration. But it would not be right to condemn any group as racist because it denounces inequalities imposed or honestly thought to be imposed upon it by the dominant other racial group. It is a commonplace of history that, whether of set purpose or because it is a natural consequence, politicians tend to initiate or pursue policies which enure, designedly or factually, to the advantage of their own class or group. Hence in Britain the Labour Party with the support of the Unions came to contend against the Tories.

109. Perhaps however we should illustrate from Bermuda what we have in mind. We have said that economic power, banking power and political power have historically been and still are concentrated in the same hands. It is therefore in that context that legislative policy falls to be examined. The policy as it affects trading and banking is that trading and banking companies may be incorporated only by Act of the Legislature. There is no system of incorporation under a general Companies Act. It thus is procedurally necessary for any body or group petitioning for incorporation to appear before a Joint Select Committee to be examined on the petition. Further, as the Attorney General told us, the enactment of the Banks Act, 1930, was in pursuance of a

deliberate policy which was being adopted to keep out any banks other than the two already established and such others as the Legislature might at any time thereafter expressly authorise. The object as we understand it is to preserve banking business in Bermuda for Bermuda. No one should quarrel with that policy. But, then, two black consortiums recently petitioned for incorporation and authority to do banking business and they could not be faulted on the ground of being non-Bermudian. The Legislature accordingly approved them. But the petitions have been held up because, we were informed, the Government was counselled that new legislation should first be introduced to govern banking and to protect depositors. The legislation has not been finally settled, so it has not yet been possible to make it public. In the meantime, the Queen was advised not to assent to the enactments approving the petitions until the recommended legislation has been enacted. It seems to us, however, not unreasonable that it should be apprehended that political power is being used in aid of economic power, especially when in the meantime both banks offered to the Bermuda public fresh issues of their own shares. And the apprehension is deepened by the fact that upon a similar consortium petitioning to establish an insurance undertaking the stipulations were amended so as to require a paid up capital of £50,000 instead of £5,000 before a charter can be obtained.

110. To return to the campaign now. We said in paragraph 92 that the issue between the two political parties

has come to look like fraternisation for the colony's good versus denunciation of the colony's status. That was the central issue when a delegation went to London in 1966 to work out with the British Colonial Office the framework of a constitution for the colony's future. It would seem that the Progressive Labour Party was of the opinion that the introduction of universal adult suffrage had provided it with a ready means to attain its end; that the black majority group could, and should, be rallied to give it an effective majority at the polls; and, in order to achieve this, that the effort should be two-pronged: denunciation of the governing Party's sincerity and a demand for full independence. Nevertheless its policy should not be thought to be grounded upon sheer expediency. In our view, it certainly was not.

111. At the constitutional talks in London three principal points of divergence emerged. First, should voter registration be compulsory or voluntary? Traditionally, it had been voluntary. But ought not the political "new look" to require it to be compulsory? Secondly, should the number of constituencies be determined by an acceptance of the principle that a vote in each should be of substantially equal value? Traditionally, each parish irrespective of its size or population had been divided into two constituencies, each returning two members. But ought that

not to be altered so that every constituency should comprise a more or less equal number of voters? Thirdly, and the more so if they were to be equated, how should the constituency boundaries be drawn so as not to be racially discriminatory?

112. Upon one point of principle all the parties were agreed - though, obviously, not for the same reasons. It was accepted that race should play no part in any of the electoral arrangements. Beyond that, the compromise proposed was recorded as the conference consensus, the Progressive Labour Party however dissenting. Registration should remain voluntary but an expert should be sent by the Secretary of State for the Colonies to revise procedures so that it should obtain optimum results. The parish of Pembroke with about one-third of the total population should be divided into four constituencies, twice the number in every other parish, so that in the aggregate the colony should have 20 instead of 18 constituencies and 40 instead of 36 elected members. And a Boundary Commission should be appointed, and so constituted as to be in whole manifestly independent, to prescribe the boundaries of each constituency in accordance with directions expressly stated.

113. The Boundary Commission's report was not favourably received by the Progressive Labour Party. It was dissatisfied with the Commission's delimitation of the

Devonshire parish constituencies. We note this fact, not because we would (even if we could) in any way question the essential fairness and validity of the report, but rather because the Party (in our view inadvisedly) berated it in the course of the election campaign. We think it did so because on its assessment anything which appeared to it to prejudice its chances of success at the polls was deliberately designed to prevent it from winning.

114. The Progressive Labour Party therefore demanded full independence, racially proportionate representation on all government boards and agencies, compulsory voter registration, revision of the taxation system, a wide extension of the social and welfare services, fully integrated schools, equality in business and job opportunities, and an end of every form of racial prejudice. Inevitably, in advocating this programme and, correlatively, in denouncing the United Bermuda Party for alleged insincerity, the Progressive Labour Party's campaign assumed a positively racial character. No one outside the Party was secure against attack: the Governor was said to be a "racist and supremacist", black supporters of the United Bermuda Party were ridiculed as "Uncle Toms", the leaders of the breakaway Bermuda Democratic Party were condemned as traitors, Black Power was exalted not merely as a concept but even more as a slogan, and frequent reference was made

to the "struggle" in the United States of America and to the faith and resolve that "We Shall Overcome".

115. The campaign cannot have failed to have a major influence on those who participated in the disorders. To denounce racism is often a challenge - as much to the blacks as to the whites. But often, too, the challenge is like very heady wine. In the present instance, the youthful participants in the disorders were already so conditioned that the campaign was largely reflective of their own thinking. And it was forceful and evocative. So in effect it was combustible.

116. However, it is right that we should add that nothing was further from the Progressive Labour Party than the creation or incitement of civil disorder. As would be appreciated, any such occurrence would profit it nothing. The disorders were wholly unexpected and caught the Party off guard. But its leaders quickly rallied, and they played a proper part in helping to restore calm and the observance of law and order.

Chapter IV - Summary of Findings

117. We may now summarise our findings as follows. Those committing the civil disorders the subject of our Inquiry were almost exclusively young people, many of them teenagers. In the main, the disorders resulted from racial tensions which have their origin in history. For upwards of three centuries the attitude and behaviour of white Bermudians towards their black brethren shaped a society which was racially divided. And the racial division was deep. Through segregation at every level, and through discrimination in education and employment, the majority group at first were excluded from - more recently, have been and are greatly handicapped in winning for themselves - the benefits of economic progress and due recognition as equal citizens. Class became identified with race so that even now the class distinctions which exist have racial overtones clearly recognisable above the clamour of the new integration. The corrosive psychological effects have affected both segments of the society and are at the heart of the problem with which Bermuda is faced.

118. Whether one likes it or not, or whether or not it is fully appreciated to be so, the fact as we find it is that practically everything is viewed in profile in Bermuda because it is seen by everyone in each racial group from a

subjective racial angle. The relations between the police and the civilian public, the enforcement of laws which are or tend to be a source of grievance, the banning of publications, the ideology of Black Power, the cult of the Black Muslim, the reliance for the colony's revenue upon import duties and the non-imposition of direct taxation, the anti-discrimination enactments and their application or non-application in letter or spirit, the slow and mostly one-way progress towards integration in the schools, the availability without discrimination in practice of sporting and other recreational facilities, the social conditions, the expensive recruitment of skills from abroad, the immigration policy and its effect upon job opportunities, trade union demands and employers' resistance to them, the confrontation between the political parties, the struggle for leadership within the parties themselves, the basic attitudes of people to people - whatever may be said or left unsaid when such subjects are discussed, none of them ever fails to provide, deep down, variations (more or less subtle) on the one theme. That is why the disorders erupted. It was for that reason they quickly expanded in form and scope. Therein lies the danger yet to be overcome.

119. Since the theatre boycott in 1959, and the more so since the formation of the Progressive Labour Party in 1963, there has been a growing awareness of the danger. Hence

the setting up of the Race Relations Advisory Council in 1965 and the spate of desegregating and progressive enactments from that date. But while legislation has a creative value and should not be regarded as a tribute simply, basic attitudes and fundamental relationships have not yet sensibly changed. There has not been enough time. The legislation has however reversed the policy which kept the two groups apart. The movement away from the poles has definitely begun. What is now needed, and urgently needed, is a new and true understanding, a deep conviction of the essentiality of building a single community providing common opportunities for all and an unyielding commitment to promoting the democratic values of equality and fraternity in a society that is free in every respect.

120. For the better fulfilment of this need it is right to begin at the grassroots level. We shall therefore deal in succeeding chapters with specific matters and in the course of so doing shall proffer our recommendations.

Chapter V - Education

A - Introduction

121. Education is so important in the development of the mind and is so determinative of attitudes and relationships between man and man that it demands our special attention. As provided in Bermuda it tended to preserve rather than change the system of privilege for the white group in the economic, political and social community life. Not only did it operate to the educational disadvantage of the black group but, by keeping the two races apart, it helped to promote the concept of white superiority and inhibited the natural development by the members of both groups of a true assessment of each other's capabilities. It also prevented the growth between them of that mutual respect which prevails among people who have equal rights and obligations. The segregated system of education in which white schools were thought to be, and with rare exceptions actually were, better than black schools (in physical surroundings and equipment as well as in staff) had as one of its effects the conditioning of the black people to accept the inferior position allotted to them by the accident of history and perpetuated in time because of their colour.

122. Some of the witnesses stressed, and others admitted,

that from about 1964 the Government began a new education policy. But all recognised that it would take time for improvements so recently initiated to take effect either by producing better educated people or by improving racial attitudes. Moreover, many questioned whether the rate of progress in the integration of the schools was fast enough to guard against the occurrence of further disorders. Systems long established do not change overnight. People do not forget grievances immediately a change to a more enlightened policy is announced or even has begun to be implemented. Social changes for the better tend to benefit first those who are nearest to the top and may actually result in heightening and intensifying the sense of grievance of those nearer the bottom if their participation in the benefits of change is unduly delayed.

B - The Education System

The British Tradition - North American Influences

123. Bermuda is a British colony and, as in the case of almost all such colonies or former colonies, British educational practice has been the formative, and remains the predominant, influence in its schools. But, as was to be expected, the proximity of the United States of America and Canada has had its impact. The tourist industry, the American bases, the aeroplane, the cruise ship, radio and television, all bring largely and perhaps preponderantly North American influences. Yet the British tradition continues to be dominant. British universities and colleges are still the first choice for higher education, expert advice is still most often sought from Britain and, most important of all, Britain is still the chief source of recruitment of teachers for Bermudian schools. One school only, we understand, has adopted the U.S. model for its curriculum. Because its nearness to one of the U.S. bases led to its admitting a large number of American pupils whose earlier or later education was or would be in the American system, that school was geared to meet the demand which naturally arose for a type of education that would permit for American children an easy transition to or from their American schooling.

124. Nevertheless, it seems reasonable to suppose that

North American influences will increase. There are already signs pointing to this. Of the candidates who obtain government awards for professional training as teachers the largest group go to Canada, and those who go to North America outnumber those who go to the United Kingdom. As well, there is a link between the Queen's University of Kingston, Ontario, and the Bermuda Department of Education through which that University conducts in Bermuda annual summer schools forming part of a course leading to a degree.

Vested and Non-Vested Schools

125. As in Britain, so in Bermuda, the earliest schools began as private foundations and were later subsidised in increasingly large measure from public funds. Again as in Britain, there has developed in Bermuda alongside the private schools a system of government owned and operated schools, established more recently because of the need to provide for the education of children whose parents could not afford to pay the fees charged by the private schools. For the purpose of distinguishing between the two sets of schools the non-government (though government aided) schools were called "vested" and the fully maintained government schools were called "non-vested".

126. Under the rigid system of racial segregation prevailing before the 1965 Act began to be implemented, education for whites at both the primary and the secondary

level was provided in "vested" schools. For black children education at the primary level was provided in the "non-vested" schools, while educational opportunities at the secondary level were available mainly at the Berkeley Institute. This was a vested school which was government aided like the rest but which was unique in that in its case alone the Government, as consideration for its grants in aid, had taken to itself the right to appoint most of the members of its Board of Governors. At the end of 1964 there were 12 vested and 23 non-vested schools.

Free Education in Primary Schools

127. In 1949 the Schools Act established the right of all children of compulsory school age (over 7 and under 13) to free schooling, and gave the Board of Education power to extend the age limits for free education. The Board exercised this power to provide free education in certain primary schools, some vested and some non-vested, for children between the ages of 5 and 16, and many parents took full advantage of this concession. The majority of children in fact came to school from the age of 6 and an increasing number stayed beyond 13.

Scholarships to Academic Secondary Schools

128. Up to 1964, however, the Government had not yet accepted responsibility for providing a secondary education free to all who could profit by it. Secondary education

of an academic sort was available only at certain vested schools where fees were charged except to the few who won scholarships. Before the 1965 Act the Government awarded 16, but other scholarships were provided by private individuals, workmen's clubs, parent-teacher associations or out of endowment funds.

Other Secondary Education

129. The need for secondary education of a less academic sort was recognised when the first secondary modern school was opened in 1955. In 1964 there were three such schools (now called general secondary schools) but they, like the Technical Institute, charged (albeit modest) fees. The Technical Institute, opened in September 1956, provided secondary education with a bias towards trade training as well as actual trade training to day release and evening students in the automotive and building trades.

Higher Education and Teacher Training

130. Every year young Bermudians competed for a Rhodes scholarship and for 6 government scholarships tenable for 3 years at approved institutions of higher learning abroad. Two of the government scholarships were for boys and 2 for girls, and 2 more were available if the calibre of the candidates warranted their award.

131. There were also teacher training scholarships, unlimited in number, offered by the Board of Education

annually since 1931, to enable prospective teachers to take training courses abroad. Professionally trained and experienced teachers might also be sent abroad on secondment for further study.

C - Dissatisfaction and Inquiry

132. It need hardly be said that the racial segregation in schools was resented by the black population and was the object of political protest over many years. There was no doubt that the quality of schooling available to them was inferior to the schooling available to the whites. The latter, little more than half as numerous and very much wealthier, were able to supplement out of their considerable resources the generous grants they received from the Government, so that their schools were on the whole better housed, better staffed and better supplied with equipment and materials than the schools which were open to the blacks. This was admitted to us freely by most witnesses. One of the main tasks of the Government since 1963, when at last a political atmosphere favourable to reform was created, has been to redress this imbalance and a start has in fact been made. Legislative sanction for the long overdue reorganisation and liberalisation of the education system was obtained in 1965.

The Situation as seen by Commissions of Inquiry in 1963

133. The 1965 amendments of the Education Act followed a succession of inquiries, notably those conducted by the Plowman Commission and by Mr. Harold Houghton. We found their reports of considerable interest and value because they described education in Bermuda as it appeared to well-informed

and experienced observers immediately before the institution of the recent reorganisation. We read also with interest and profit the relevant parts of a Report by Professor Henry Richardson. These reports including what their recommendations implied, together with annual and other reports of the Board of Education and Director of Education, filled gaps in our knowledge and enabled us to get a clearer and more balanced picture than we were able to obtain from the evidence of the witnesses who appeared before us or sent us memoranda. The witnesses were naturally more concerned to emphasise particular aspects of the situation as they saw it than to describe the total situation objectively, and the fact that a number of changes had only recently been introduced did not make the task of elucidation easier. Some witnesses on the one hand tended to skate lightly over the past or to disregard it altogether, dwelling on the recent changes and on the improvements expected to result from them, even to the extent of ignoring that in some cases decisions about the reforms had not yet been implemented. Others on the contrary were inclined to fix their attention exclusively on the situation as it had been traditionally and on the evils it had produced. Hence our dependence on the reports. But this does not mean that we ignored the evidence.

The Richardson Report:

134. Professor Richardson's Report was "An Appraisal

of Bermuda's Economy and Future Prospects" which was prepared at the request of The Bank of Bermuda Ltd. and The Bank of N.T. Butterfield & Son Ltd., the two Bermudian banks. He made his survey in February 1963 when the Plowman Commission was about to report on its inquiry, and it was directed at ascertaining what could be done to strengthen the economy and ensure its future growth. His comments and recommendations on education and training were mirrored in the Plowman Commission and Houghton Reports, so it is sufficient to say here that he warned about the dissatisfaction of the black population with the segregation in the schools which he said could result in injury to the tourist industry. Hence he concluded that a plan for the integration of the races should be carefully devised, that a gradual and experimental approach would seem the soundest method because of the grave difficulties created by strong prejudices and long-established attitudes and that in order to facilitate integration and remove a source of grievance "it would seem necessary for the principle to be accepted that Government grants should not be made to schools administered so as to exclude either coloured or white children".

The Plowman Commission Report

135. The Plowman Commission, set up in April of the previous year, also reported in February 1963. It was a public commission appointed by the Governor under the

Commissions of Inquiry Act. The six members, like the chairman Mr. J. R. Plowman, were all Bermudians and half of them were from the Legislature. Their terms of reference, which centred on training for employment, led them to inquire into the education provided in the schools, and they devoted a considerable section of their report and many of their recommendations to this subject. They were seriously concerned about the dearth of Bermudians of good education and the shortage of trained teachers, and they expressed the opinion that the Government should spend such money as was required to remedy the deficiencies that existed.

136. The Commission drew attention to overcrowding in the primary schools. "The conditions", they said, "in which many of the schools are held and the large numbers in the classes make it impossible either for the teacher to do a competent job or for the students to have a proper opportunity to learn". They pointed out that though substantial sums had been spent on school construction during the previous ten years the needs were still great and urgent, and they expressed the view that the schoolbuilding programme should be based on the actual requirements of the situation rather than on "what it is thought could be accomplished with the amount of money which the Legislature will make available". They stressed the need to make salaries such as to attract competent Bermudians into the teaching profession or, when

Bermudians were not available, qualified teachers from abroad. They held that teachers should be professionally trained, whether or not they had degrees, and they commented on the wide variation in standards from one school to another which they attributed to differences in the calibre, educational background and training (or lack of it) of the teachers and the absence of a common syllabus. In particular, they found that there was a "fairly wide differential in standards as between white schools and coloured schools" and recommended that the Government should begin immediately to prepare for an integrated school system by providing the necessary physical facilities and trained staff to ensure a satisfactory level throughout all schools for the age group entering in September 1964. They were convinced that it would be "impossible fully to develop the educational facilities of the colony unless there is a well planned integration of the school system at a fairly early date". They pointed out that traditionally there had not been much motive for white children to learn because they were assured of good jobs in the economy in any case, nor for the black children because, no matter how well they learned, opportunities for them were so severely restricted that they felt that it would be impossible to make real progress. They envisaged that the schools would be integrated at all levels in a maximum of 11 years and thought, like Professor Richardson, that acceptance

of the policy of integration should be a condition of eligibility for a government grant.

137. The Commission recommended that the period of compulsory education should be extended from the existing 7 to 13 years to 5 to 16 years by stages, and that free education should be provided for the children in the compulsory age group not only at elementary schools as had been done since 1949 but also at secondary schools. At the same time, the Department of Education should be empowered to approve school leaving between the ages of 14 and 16 for those who entered into suitable employment in which training was provided or which allowed for part-time school attendance. They were in favour also of the introduction under the supervision of a Government official of apprenticeship schemes in suitable categories of employment and including provision for part-time attendance at trade or technical schools.

138. The Commission discussed the problems associated with selective entry into secondary schools, including the merits and demerits of separate schools for the more academic and the less academic types of secondary education on the one hand and the comprehensive school on the other. They recommended that the Government investigate the advisability of setting up comprehensive schools for education up to G.C.E. 'O' level. In the meantime, the less academically

gifted should be encouraged to continue their general secondary schooling beyond the existing compulsory age limit, both through the introduction of apprenticeship or "work with study" schemes of the types already referred to and through the creation of a career and guidance section in the Department of Education.

139. Because of the uneconomically small numbers of candidates for G.C.E. 'A' level courses at secondary schools and the lack of co-operation between those schools, the Commission recommended that all 'A' level work be concentrated in a new school to be operated by the Government. They also recommended the establishment of a central commercial school open to students over 16 years old.

140. Observing that the education system was not producing enough people for positions of responsibility in business and at the defence bases, the Commission concluded that either the system was bad or it was being badly run. They suspected that there was a lack of system and the schools were failing to co-ordinate their activities for the general good, that tradition and reluctance to change the status quo had combined to defer changes and developments which new circumstances had made necessary, and that the persons mainly concerned "have been so close to the matter for so long that it is difficult if not impossible for them to take the necessary objective view of the overall problem".

141. These latter considerations led them to recommend that a highly qualified educationist from abroad should be invited to visit Bermuda and study the situation impartially and to submit a detailed report containing proposals for the reorganisation of the education system in such a way as to overcome the existing limitations. The Government implemented this last recommendation promptly, and Mr. Harold Houghton, one of the Educational Advisers to the U.K. Department of Technical Co-operation, visited Bermuda from November to December, 1963, to review the system.

The Houghton Report

142. Not surprisingly Mr. Houghton too recommended that the period of compulsory education be extended, that free secondary education be provided from the age of 11+ and that primary and secondary education be given in separate schools. His report confirmed in the strongest terms the Plowman Commission's suspicion that there was a lack of system in education in Bermuda at the time. The more closely he became acquainted with the various elements that should have been parts of a coherent system, the clearer it became that they were not parts of a genuine whole but existed almost in isolation from one another. The causes of this state of affairs he found to be the dispersal and fragmentation of effort caused partly by racial division and partly by exaggerated devotion to a school autonomy that was enjoyed

by a limited group of schools. At the primary level he was particularly struck by the lack of a common syllabus and referred more than once to the need to remedy this, without however imposing a forced uniformity from above. He was also impressed by the superiority in plant, equipment and materials of the vested schools over the non-vested.

143. At the secondary level Mr. Houghton found no school that could be regarded as a good grammar school, partly because none of them was big enough to provide the varied and miscellaneous courses that a good grammar school should provide and partly because enrolment in the primary department of most vested schools gave an almost automatic right of admission to the secondary department of that school whether or not the pupil in question had the kind of ability that would profit from secondary schooling of the academic sort. Nor could the problem of the less academically inclined student be solved by the addition of general secondary courses in such schools, because of the smallness of the numbers involved. Similarly, the number of students in each school who were enrolled in the final stages leading to university entrance or in other work of post school certificate standard was grotesquely small, often less than half a dozen.

144. Sooner or later all school systems following the British pattern come to the point where they have to consider

the pros and cons of providing secondary education through comprehensive schools. This debate arises because of the need, now well recognised, to provide secondary education suitable for pupils of a non-academic bent. The problem as yet unsolved, even in Britain, is how to convince the public that the students for whom such education is thought to be suitable are not ipso facto inferior people. Such is the prestige of the traditional grammar school that any other form of secondary education carries the suggestion of inferiority in the public mind. This fact is one of the arguments for the comprehensive school, in which a variety of courses of study and educational experiences suitable to a wide range of talents - academic, technical, artistic - is made available in the same school community.

145. Mr. Houghton was tempted to think that the comprehensive pattern was the right one for Bermuda to follow, but he hesitated to recommend its immediate adoption because it seemed too big a step to take all at once. He did however refer with approval to the encouraging start that had been made by the Government with general secondary education in certain non-vested schools, and recommended that the necessary expenditure be undertaken on the improvement of the plant and facilities of these schools in order that the parents and the public might come to consider them in every way as good as the leading vested schools. (In this connection he noted

that a start in this direction had been made in the case of the Prospect Girls Secondary School and that this school was already in many ways ahead of some supposedly "better" schools.) He also stressed the importance of transfers between the different types of secondary schools to correct inevitable errors in 11+ selection, and expressed the opinion that in a community as small as Bermuda, given co-operative attitudes on the part of all concerned, such transfers should present little more difficulty than transfer from one course to another in a comprehensive school.

146. On the question of racial segregation in schools Mr. Houghton was unequivocal in his condemnation of it but saw difficulties in the way of enforcing integration from the bottom immediately, because of the patent disparity in excellence between vested and non-vested schools at the primary level at that time. He noted that there had been no difficulty about integration at the Technical Institute and the Hotel and Catering College, and recommended that the proposed new Central Sixth Form, whose establishment he strongly supported, should be integrated from the outset. In order to make compulsory integration at the primary level reasonably acceptable he thought it would be necessary to embark on a programme of special expenditure to bring the non-vested schools up to the standard of the vested schools. For this purpose he recommended that (over and above the

provision of new buildings where necessary) the Government should provide a special grant of 10/- per child per term for the 4 years 1964 to 1968 to be spent on providing additional teaching and learning materials for these schools. At the end of that period, from September 1968, children of primary school age should be required to attend the primary school nearest their homes.

147. The Houghton report notes that the ability to earn comparatively good incomes without much education had had the effect of lessening the appreciation of the value of education on the part not only of pupils but even of many parents in Bermuda. This supplements the Plowman Commission's observations about the lack of motivation on the part of both white and black students (though the causes in the two cases were different), and both are supported by the fact, observed by the Plowman Commission and also noted in a succession of annual reports by the Director of Education, that the Hotel and Catering College had, for several years at any rate, been unable to attract many students. The Director has more recently reported a similar failure to attract students to the new Commercial Sixth Form.

148. Mr. Houghton found that the relations between the Department and the teaching profession were unsatisfactory, and strongly recommended the setting up of a consultative body, representative of the public and of the profession

at all levels, as a means both of helping to establish the right professional relationships and also of augmenting the professional expertise available to the Board of Education. He stressed that the staff of the Department even after any likely expansion would inevitably remain too small to cover as many aspects of professional skill and experience as the Board would need advice on and as would be covered by the normal range of appointments in a large department. He thought that such a consultative body as he recommended would also be particularly valuable in the complicated and continuous process of curriculum development and renewal.

D - The 1965 Reforms

149. Mr. Houghton's recommendations were studied by the Board of Education with the professional advice of the Director of Education and his staff, and the Board put forward a set of proposals designed to form a plan for the reorganisation of the whole education system. This plan was blessed by the Governor-in-Executive Council and referred to the Legislature, together with the Houghton and the Plowman Commission Reports, where it was the subject of study by a Joint Select Committee. This committee's recommendations are contained in two interim reports dated July 1965 and June 1966, and resulted in prompt action. Some of its recommendations required legislative changes; others were carried out administratively by the Board of Education.

Integration

150. The 1965 interim report of the Joint Select Committee was followed by the 1965 amendments of the Education Act of 1954. The most important of these amendments were, first, the measures taken to put an end to racial segregation in schools and, secondly, the firm distinction drawn for the first time between primary and secondary education. Legislative sanction was given to the policy which had been adopted in principle by the Education Board since 1962, namely, that the non-admission of children on grounds of race

(or origin or religion) to schools aided or maintained by the Government should cease. For the better ensuring of this, the 1965 Act required that admission procedures be published by the school authorities and gave aggrieved parents the right of appeal from school decisions to a statutory Appeals Committee appointed by the Governor.

151. The Joint Select Committee accepted the argument that if there was to be integration the education provided in all the primary schools should be of equal standard - and recognisably so. Accordingly, they declared at the beginning of their first report that they had been "particularly impressed with the necessity of immediately improving the standards and facilities of the primary schools". And in both their reports they repeatedly emphasised that in spite of rising costs the colony must not shrink from spending the very considerable sums required to "level up" the schools in the government system. Indeed, so impressed were they by the Houghton Report, the views expressed by representatives of various bodies appearing before them and the views of the Board and the Department of Education, that they recommended that the building programme prepared by the Board be accelerated so as to be completed by 1967 instead of 1969, priority being given always to the needs of the primary schools.

152. In the same spirit the Committee endorsed the policy

adopted by the Board in 1961 of appointing only trained teachers as regular full-time members of staff. The committee promised to give further study to the problem of how to attract more Bermudians to the teaching service and reduce the proportion of expatriate appointments. They recommended that increased sums of money be made available for various training programmes and their recommendations have been followed. We note that the number of Bermuda scholarships has been increased from 6 to 8 and that the number of teacher training scholarships (in Canada, U.K. and U.S.A.) went from 16 in 1964 to 21 in 1965, 26 in 1966 and 22 in 1967.

153. For the purpose of facilitating and encouraging racial integration in the primary schools the 1965 Act empowered the Board to divide the colony into 3 zones, and the right of admission to aided or maintained primary schools was limited to the applicant's zone of residence. All-age schools were required to separate their primary from their secondary departments for administrative purposes and to give an undertaking that attendance in the primary department would be no guarantee of admission to the secondary. Primary education and secondary education were defined in the Act - primary as education suitable for children under 13, secondary as education suitable for those between 13 and 19 years.

Other Improvements

154. The zone restriction did not apply to any secondary schools, but selection for free academic secondary education was required to be by suitable tests taken by primary school pupils at the age of 11+; and successful candidates were awarded free places at one or other of the three aided secondary schools designated by the Board to provide the academic (grammar school) type of education. (Other candidates might be admitted if there was room but they would have to pay fees). To provide for correcting the inevitable occasional failure of 11+ selection and to facilitate the transfer between different types of secondary schools, such schools were required to adopt a common core of subjects for the first two years and a test was applied at the end of the second year. The designation of three schools to be the only academic secondary schools illustrates an important feature of the new deal for education that was inaugurated in 1965. From then on all schools receiving financial aid from the Government must play roles assigned to them by the Education Authority of the Government. The opportunity was taken in the 1965 Act to introduce a new nomenclature. The terms "vested" and "non-vested" were dropped in favour of "aided" and "maintained", aided schools being those whose property was wholly owned by trustees, maintained schools being those whose property was wholly or partly owned by the Government.

The right to establish or carry on "private" schools was recognised, but such schools could no longer receive grants from government sources and they were required to be registered under the law, for that purpose to conform to standards set and to submit to inspection by the Board.

155. Another part of the new deal was the extension of free schooling to secondary as well as primary education together with the extension of the age of free and compulsory education. The statutory age for compulsory (and free) education in primary or secondary schools became 5 to 14 years, with power to the Governor-in-Council to extend the upper limit to 16 years. The Government accepted the recommendation of the Joint Select Committee that this upper limit of 16 years should be reached by September 1969, and in the meantime those admitted to the academic secondary schools under the new free place system would be assured of having the tenure of their free places extended beyond the legal limit.

156. The upper end of the school system was completed by the establishment of the Academic Sixth Form Centre and the Commercial Sixth Form. Both of these were opened in September 1967, the former in a new building at Prospect, the latter at the Whitney Institute. At the same time, it was made possible for students at the general secondary schools (as had been the case at the Technical Institute) to take certain subjects at G.C.E. and other external

examinations after a year or two of study beyond the normal 4 year course.

157. We have seen that the low motivation towards continuing their education on the part of many young Bermudians and their parents was noted by a succession of observers. A step towards remedying this situation was taken among the 1965 reforms by the addition to the establishment of the Education Department of three posts of Guidance and Research Officers. The first two appointments were made in 1965 and their report to the Joint Select Committee of their activity during their first months as well as references in the subsequent annual reports of the Director indicate the extent of the need and the potential value of their work in helping young Bermudians to make the best use of their talents and find their proper places in the economic life of their country.

E - Comment and Recommendations

Zoning

158. A number of witnesses who came before us condemned the three-zone division as being too "loose", and of having the effect in consequence of enabling those who wished to resist the policy of integration to do so successfully. This criticism is evidently not recent. The Joint Select Committee in its interim report of June 1966 discusses the matter in the following terms:

"With respect to primary school zoning, the Committee is aware that this is most contentious in that certain shades of opinion allege that it is deliberately intended to avoid integration, while others allege that this is its main purpose regardless of educational values. In the opinion of your Committee neither view is correct. The main purposes of this zoning is to permit integration while at the same time every effort is being made by the Board of Education to 'level up' the schools in the Government system rather than to 'level down' as some persons would have the public believe. Various suggestions have been made to your Committee that the division of Bermuda into three zones for primary schools should be relaxed (e.g. by permitting younger brothers and sisters of a child attending primary school in Zone A to attend the same school despite the fact that the children's parents live in Zone B or Zone C). Your Committee are of the opinion that this would be unwise and that the present law should be given a fair trial."

We should perhaps mention that no one who gave evidence to us expressed the desire to see the 3-zone system relaxed. Statistical evidence so far supports the contrary view. The degree of integration achieved up to now has been slight.

Those who argue for "tighter" zoning, in order to achieve the desired result sooner, tell us that before desegregation free education was subject to tight zoning restrictions. They therefore drew the inference that these tight restrictions were deliberately relaxed in the new law in order to make it reasonably easy for those who so wished to continue to patronise white or predominantly white schools, while the continuance unchanged of governing bodies in these schools with the legal power to admit or refuse admission made it possible for them to ensure that no places at such schools would be available for black children until the demands of the whites had been satisfied. We shall have to return later to the question of governing bodies as a factor in the still unresolved racial tension. The arguments we have heard in favour of the present zones as against tighter zones are to the effect that voluntary integration is healthier than enforced integration, that a certain freedom of choice of school is desirable on general grounds and that, if tighter zoning were enforced, there would be a danger of the whites or a large number of them opting out of the government system altogether and providing education for their children in private segregated schools. In support of this argument they point to the example of the Bermuda Girls High School, whose governing body preferred to dispense with government grants rather than give up the right to

practise discrimination.

159. As the Joint Select Committee said, the question is a contentious one. But there can be no compromise on the ultimate result. Integration must come. The only question is how soon. And a sound judgment about the merits of alternative answers to this question requires an intimate knowledge of the many factors operating in the Bermudian society. Like Mr. Houghton, we think that having paid due regard to the legitimate concern of parents that their children should have as good an education as is available - by bringing schools up to a common standard of excellence, the Government should in the normal course of events provide free schooling only in the district immediately surrounding the residence of the applicant. We recommend accordingly.

Levelling Up:

160. The question of bringing the schools to a common standard of excellence is important and is recognised to be so by all who have considered the matter. For this reason we are puzzled by the reluctance of the Government Education Authorities to recognise the principle of compensatory provision for the formerly non-vested primary schools which underlay Mr. Houghton's recommendation of special grants for teaching and learning materials for these schools. On this point it is worth quoting in full the relevant passages from the Board of Education's 1964 recommendations for action on

the Houghton Report:

"The Board have examined the suggestions made in the Houghton Report that increased supplies of materials and teaching aids should be provided. They wish to emphasise the fact that Government funds have been allocated on an equal per capita basis to all schools financed by Government and to point out that any unequal provision of materials and supplies has resulted from the use of private funds accruing to aided schools. They recommend that this anomaly be corrected by the provision of increased supplies to all schools, without removing the right of any school to exercise commendable initiative through the expenditure of private funds.

It is proposed therefore to institute a standard list of equipment and supplies fully sufficient to the needs of schools and to encourage all schools to improve facilities through the initiative of parents, teachers, trustee bodies and committees of management."

For them to admit that a policy of equal grants has resulted in a state of unequal provision and then immediately to propose that this anomaly be corrected by increased supplies to all schools, while at the same time commending the initiative of those who spend private funds that they are fortunate enough to have, opens the Board to a charge of illogicality and perhaps of hypocrisy. It certainly seems hypocritical to encourage all schools to improve facilities, that have just been said to be "fully sufficient", through the initiative of parents, teachers, trustee bodies and committees of management, when in fact every one knows that the parents and teachers of the aided schools are a good deal better off than those of the maintained schools and

that the former have governing bodies composed of influential citizens while the latter have none. We support the full acceptance of the principle of compensatory provision for all government maintained primary schools and recommend its implementation.

Management Committees

161. It is fair to say that in the 1964 recommendations the Board of Education did recommend that there should be committees of management, to be appointed annually, with clearly defined and equal powers for all schools. They should number not more than 7 nor less than 5, 2 of the members being appointed by the Board in the case of the aided schools and all the members in the case of the maintained schools. This proposal seems to have died in the Joint Select Committee. In the 1965 Report that committee "wished to study the proposal further". In the 1966 Report the matter was "still under consideration". We think this proposal is an excellent one and ought to be revived. And we so recommend. Schools, like other communities of people, need to have small groups of persons to look after their interests. With the best will on the part of all concerned, bureaucracies are impersonal in their operation. The best and most competent bureaucracy cannot take the detailed personal interest in the affairs of an institution that a committee directly concerned with the institution will be

able to do. The best bureaucracy cannot avoid the occurrence of frequent little acts of carelessness and callousness that try the patience and lower the morale of those who work in institutions under their control. If, as we have shown, it is anomalous for the Government to give equal financial support to schools which are not equally dependent upon them, it is certainly objectionable, and perhaps dangerous is not too strong a word, to persist in an anachronism which is inseparably associated with the policy (now no longer acceptable) of racial segregation.

Training and Career Prospects - The Commercial Sixth Form

162. We have already mentioned that this Centre was opened in 1967 as an adjunct of the Whitney Institute instead of as a separate institution located in the further education complex at Prospect as had previously been suggested. This should have been an important development, especially in the light of the references in both the Richardson and the Plowman Commission Reports to the need for suitably educated Bermudians to fill responsible posts in commerce. Yet, as we have noted, the Director of Education in his 1967 report observed that the Commercial Sixth Form "has suffered from lack of applicants qualified for admission". The cause of this may lie in a failure to convince prospective applicants that the declared aims of the Centre are being carried out. The 1966 majority report of the Joint Select Committee

declares that the objective of the Commercial Sixth Form is to train "students who wish to become junior executives, secretaries and generally holders of the more responsible posts in government and private enterprise". But at least one member of the committee doubted whether this objective was being in fact pursued. In his minority report Mr. Darrell observes that "to make commercial training a part of the existing school that already has two departments reflects the low esteem in which we hold local prospective employees". He goes on to say, "if we can consider commercial training to consist of nothing but typing, shorthand, etc., then we can make this an elective course in our existing secondary schools after the third year. If we consider commercial training to be economics, accountancy, business administration, etc., then this means another school on a par with the A level centre and students should be admitted only after they have achieved a good academic level". Mr. Darrell's reaction may have been a symptom of a general failure of credibility of which the lack of response is further evidence. On the other hand, the cause of the lack of response may lie elsewhere. It will be remembered that a similar lack of response has been noted over a number of years in the case of the Hotel College (especially on the part of black potential applicants) but not in the case of the Technical Institute. This difference we think is significant. We

received abundant evidence both orally and in writing, and ourselves have already commented in paragraphs 97-99, that black Bermudians have not yet been convinced that the long term prospects open to them in commerce and hotel work are good, and we conclude that this fact inhibits them from making the effort and the financial sacrifice required to prepare themselves for positions of responsibility in these fields. If we accept the assurances we have received from the representatives of commerce that the doubters are mistaken, the moral must be that employers, career and guidance officers, and others with similar interests and opportunities should persevere in their efforts to convince the doubters until proof by a growing number of examples eventually produces general conviction.

Bermudianisation of Teaching Staff

163. This problem of the apparent reluctance of Bermudians to offer themselves for certain kinds of employment applies not only to commerce and the hotel industry but also to other walks of life, not least the profession of Education. The committee appointed by the Governor under the chairmanship of Dr. J. E. Duncan to survey the salaries of teachers found that of the approximately 300 teachers who were Bermudian born all were black except 18. In explanation of this they remarked that white Bermudians have generally tended to seek employment in the professions,

in business, in banking or in the public service. And they go on to point out that with greater integration, especially during the past 3 or 4 years, many black Bermudians also have been seeking employment in areas other than teaching which are thought to carry more prestige and where the rewards are greater. According to the same committee's findings, approximately 40% of the 576 teachers in the aided and maintained schools of Bermuda in the year beginning September, 1967 were expatriate, most of them coming from the U.K., a few from Canada and the U.S.A. But, of the 467 expatriates who joined the Bermudian teaching system between September 1958 and August 1967 only 93 (20%) renewed their contracts for a second 3-year term, 273 (58.5%) retired at the end of their first contract, and as many as 101 (21½%) broke their first contract and returned before the completion of three years (chiefly for personal reasons).

164. This is a heavy reliance on expatriates and involves considerable wastage. Yet, as the Director of Education observed in his annual report for 1966, it is not possible to predict a time by which Bermudian schools will produce enough teacher training candidates for Bermuda's needs. The Director goes on to say -

"The average annual increase in staff during the 10 years preceding 1966 was 27 but in the latter year it rose to 37 but is now expected to remain steady at 15 each year until 1972, when the

number of teachers in aided and maintained schools should reach 630."

Prediction is indeed difficult. Already these forecasts have been belied. Figures supplied to us by the Director show that in September 1968 the number of teachers employed was already 624. Thus the increase from 1967 to 1968 is 48, or more than three times as many as the expected rise, and the total in 1972 can reasonably be expected to exceed considerably the predicted figure of 630. Up till 1966, the average number of trained Bermudians entering the system each year was 18 while those leaving through retirement, marriage, migration or personal reasons averaged 12. In 1968 the actual number of Bermudians who entered the education system was only 14 (13 black and 1 white) as against 63 new expatriates. The distribution also of the 1968 total of 624 is revealing: 245 (39%) are expatriates, 93 (15%) are former expatriates who have taken Bermudian status, and 286 (46%) are Bermudian born. Bermudianisation of the staff on the present basis is obviously going to be a slow business and the cost of recruiting expatriates will continue to be high. The cost need not be unduly alarming as long as Bermuda's present prosperity continues. There are worse ways of spending money than on education. Those concerned in Bermuda are satisfied that, all things considered, it is better to train Bermudian teachers abroad, and they are

determined as long as they can afford it to appoint only qualified staff. The extension of the statutory period of compulsory education and the expansion of secondary education that is in process should in time cause a change in the picture, provided that salaries and other emoluments are increased pari passu with those in competitive areas of employment.

165. One disquieting feature however, to which attention should be paid, is that this policy has resulted in an overwhelming preponderance of white teachers in certain schools whose pupils are all or nearly all black. Figures prepared by the Government Statistician in May 1967 showed that at the two general secondary schools maintained by the Government at Prospect with enrolments of 534 and 550 children, none of them white, out of 34 members of staff in one case 24 (70%) were white, and in the other case out of 32 members of staff 28 (87.5%) were white. At a similar school, St. George's Secondary, with one white pupil in a total of 231, the staff included 9 white members (60%) in a total of 15. By contrast, at 2 aided secondary schools, Berkeley and Sandys, neither of which at that time had any white pupils enrolled, the proportions of white teachers were respectively 7 out of 27 (25.9%) and 5 out of 28 (17.9%) - a far healthier state of affairs. The fact that the former group of schools were all government maintained and therefore

under the current policy had no governing bodies, while the latter were both aided and therefore had governing bodies, is suggestive. It prompts us to wonder whether these facts are not causally connected. We may add that we were unable to pursue this point in connection with primary schools because the relevant figures were not available.

Professional Consultative Machinery and a Common Syllabus

166. These two matters are connected by the fact that they both involve continuous co-operative relationships between the Department and the teaching profession. Both the Plowman Commission and the Houghton Reports comment strongly on the absence of a common syllabus for the primary schools, as did a number of witnesses who appeared before us. Mr. Houghton more than once alludes to ways in which such a common syllabus could be achieved without depriving the schools of their individuality and their freedom to create. One such method was connected with his suggested remedy for the unsatisfactory relationship that he found existing between the Department and the teaching profession. He thought that the Department's attitude towards the teachers was too much that of employer to employee and too little that of professional colleagues to one another. As a solution to this latter problem he laid great stress on the potential usefulness of creating a body, consultative to the Board of Education, on which the Teachers' Union as well as officers

of the Department would be well represented. He linked this with the problem of the common school syllabus by suggesting that such a consultative body, through the use of sub-committees, could be a valuable instrument for involving the staffs of the schools and of the Department in a co-operative effort.

167. The Board of Education in their 1964 recommendations rejected the suggested advisory body, expressing a preference for "specific committees appointed to deal with particular matters of policy and its application as they arose". This, they said, would have the advantage that "certain Standing Committees would be formed to provide a liaison with the Teachers' Union and to make professional advice available to the Board on Curricula and Examinations, while special and select committees would be appointed with specific terms of reference". Accordingly, they announced their decision to appoint a Standing Council for Curricula and Examinations, to be sub-divided into appropriate committees, as well as their intention to appoint from time to time when the need arose sub-committees composed of teachers, Board members, members of committees of management and private individuals.

168. We have been informed by the Director of Education that the Council for Curricula and Examinations came into being in 1964 at the instance of the Board of Education and that it held its first meeting in December of that year.

He told us that its sub-committees reported at various times during 1965 and up to April 1966, when its chairman forwarded to the Director of Education a resumé of the work so far accomplished and asked to be "relieved of his responsibility for a process that had become increasingly difficult through the disparate opinions of its members". No effort seems to have been made to appoint another chairman to keep the Council in being, though the matter must have been sub judice when in May 1966 the Acting Director in a report to the Joint Select Committee wrote that "the minimum syllabuses in Mathematics and English issued by the Department of Education continue to be in use, pending receipt of recommendations for revision from the Council for Curricula and Examinations. The Director told us that the Council's report was subsequently considered by the Joint Select Committee, who expressed the opinion that working committees should be established under the Department's leadership to study in detail the matters reported on in general by the Council. He went on to say that subsequently several such committees were formed, composed of education officers, head teachers, union representatives and specialist teachers. So there remains no machinery for continuous consultation about the approaches to a common standard in the content of education in Bermudian schools except the Director of Education and his staff. They, in their oral evidence to us, placed very great emphasis on the freedom

What must be given to the creative individuality of the teachers in the separate schools. They conceded that the better educated and trained the teacher was, the more freedom he ought to have, and that, conversely, the less well educated and trained he was, the less freedom he could safely use. But they pointed with pride to the exceptionally high percentage of the teachers in Bermudian Schools at the present time who were graduates or were professionally trained (the percentage had increased during the past 12 years from 62% to 90%) and left us with the impression that they preferred to rely for co-ordination on the work of the Department's staff in vetting syllabuses submitted by individual schools than on broadly based co-operative efforts by those involved at the various levels. In the last resort, good results will depend more on the competence of those concerned than on any particular method of operation. Two things however must be borne in mind: the smallness of the Department's staff and the fact that the high degree of freedom allowed is predicated on the high degree of competence expected of the teachers. If this has been misjudged the results could be disastrous. It should not be forgotten how high a percentage of the teachers in Bermudian schools are expatriates, how rapid is their turnover and that they are largely young and inexperienced. However, time will tell. There is nothing for it but to wait and see.

169. As to the relations between the Department and the Amalgamated Bermuda Union of Teachers, we are not in a position to state definitely that the strike of teachers that took place while we were in Bermuda and lasted more than a week was due to the failure of the policy for which the Board expressed its preference in 1964 of keeping open a direct channel of communication at the request of either party and of consulting with the Union on any matter that governed the welfare of its members. Certainly the delegation from the Union that gave evidence to us exhibited an attitude of suspicion and distrust towards the Department that it would be worth going to some trouble to reverse. Like Mr. Houghton, and for the reasons he gave which we have summarised in paragraphs 148 and 166, we would urge the importance of creating machinery for continuous consultation. Because the number of professionals at any one time is bound to be small, Bermuda needs to make full use of all their talents, skill and experience. The Director has testified to their qualifications. The fact that from being two bodies separated by skin colour they have come together into one professional association is evidence of their scale of values and their sense of responsibility.

The Effect of Constitutional Change

170. It is perhaps worth repeating that Bermuda's reform of an old and deeply entrenched educational

tradition has been very recent, and its successful implementation will require for some time to come the application of firmness, skill and understanding. Under the 1966 Constitution responsibility for Education passed from the Board to the Member for Education with an advisory committee. This ministerial type of administration should provide for Bermuda, as it has done elsewhere, the ability to respond more flexibly to the frequently changing needs of modern life.

Chapter VI - Job Opportunities and Immigration

171. AS we have mentioned, there is no problem of unemployment in Bermuda. There is overemployment. But what needs to be tackled is the prevailing dependence upon recruitment from abroad of a wide variety of skills. For highly technical or specialist jobs such dependence is, and perhaps will always be, inevitable. But, as it seems to us, far too many people are brought in to do work which ought to be done by Bermudians. To remedy this is mainly a matter of planning and training. First and foremost, planning.

172. In his appraisal in February 1963 Professor Richardson called attention to the question saying that

"Bermudian employers claim that they cannot run their businesses efficiently unless they can import labour, responsible staff and technicians from abroad. They state that Bermudians are not capable of meeting the requirements of various jobs, and that non-Bermudians are essential. This is no doubt true for many specialised occupations and some responsible jobs Better general education, vocational and technical training are therefore necessary if Bermudians are to replace many imported employees."

The Plowman Commission Report also recommended organised training as a means of resolving the problem.

173. Steps were accordingly taken along that way. Actually, the Technical Institute and the Hotel and Catering

College had pioneered it even earlier, but in keeping with the recommendations made the Academic Sixth Form, the Commercial Sixth Form and the extension of the compulsory school age have followed in their wake. Also, in keeping with other recommendations aimed as we have shown at the same end, legislation was enacted for integrating the schools from primary level and thus for eroding the restricting psychological effects of segregation. Further, after the 1968 elections the Immigration Board accepted or was directed that it should tighten its policy so as to ensure as far as practicable that no non-Bermudian is recruited for a job which a Bermudian can with diligence be found to fill.

174. In our view, necessary and excellent as it undoubtedly is, what has been done is not enough. Employers are much too ready to take the easy way. They are much too content to accept immediate satisfaction for their own wants rather than plan together to provide long-term for the colony's needs. They require an executive, or an accountant, or a catering manager, or a chef - and they want him now. None is available with the qualifications or experience necessary, so they seek and get sanction to import him. Once he is secured, they are not again troubled until they need another. Then the exercise is duly repeated. It would we think be fruitful and revealing

to calculate how much money is spent annually on importing and retaining personnel and to set against it the return in real terms from such expenditure. The imported people come, their passages are paid, they are given various perquisites, they have to adjust to local conditions including the self-adjustment they must make to fit into the limited cultural amenities available in so small an island, and the wastage is abundant. What we think is needed, and needed urgently, is intelligent planning.

175. Let us take an illustration - perhaps too simple, but nevertheless it will serve its purpose. The representative of the Hotels Association told us that they have to import lifeguards because none is available in Bermuda. Why? The answer given was that lifeguards must be qualified because a condition of hotel insurance policies requires any such to be the holder of a recognised life-saving certificate. So we inquired whether arrangements could not be made for the requisite training to be done in Bermuda and for an examiner to be secured to conduct the necessary tests. For one thing, it would be cheaper. Not only could it be done but, we were told, something of the kind had been done - once! It has not been tried again. Hence lifeguards continue to be imported because in an island where almost everyone is at home in the sea nobody can be found with the right qualification. Or can it be that the

sensitive hotel industry is apprehensive for other reasons which it would prefer not to disclose?

176. Basic to the planning which we have in mind and which we recommend is the kind of procedure of which Mr. Calvin Smith, the Government Statistician, spoke. He came before us as a member of the Race Relations Advisory Council one of whose delegation he was. Surveys should be made from time to time of potential job requirements, both in the private and public sectors, in order to determine what opportunities for employment are likely to arise for which Bermudians can and ought to be trained. It should then be the duty of the Guidance and Research Officers in the Department of Education to select and, if necessary, to persuade apt students to be trained to fill those jobs when they do arise. And since paper qualifications are often not enough, experience being also an essential, it should be planned how they are to acquire the necessary experience. We think this may be done in one or other or both of two ways: (1) by taking advantage of appropriate contacts abroad (whether government, business or professional) to get students on qualifying into places where they can gain experience, and (2) by making it a term of the employment contract of an expatriate that he must devote time and attention to the practical training of a qualified Bermudian assistant so that on the expiration of his contract the

Bermudian may be ready to take over from him. It should assist in the achievement of the latter if the expatriate's contract was made so as not to be renewable when its term expired. In this respect we note that Professor Richardson likewise recommended closer supervision

"to ensure that persons licensed to work in Bermuda shall leave at the end of the period for which permission was granted, or are given an extension only if it is shown that they cannot be replaced by Bermudians. Also, it should be made a condition of admission and of extension of licence that they should, where practicable, be required to train Bermudian 'understudies' to take their places."

177. Intensive in-service or on-the-job training is also essential if Bermudian skills are to be developed. We were told that although there are vast opportunities to learn a variety of trades and skills by such training, Bermuda's expanding economy militates against it. The reason given was that when a young person can earn £25 to £30 a week on a job he is not readily inclined to take on another, say, at £18 a week while he is being trained. The answer may well be - pay him a little more. We fully appreciate that to do so may raise other issues as, for example, the pay of other workers, but they should not be too difficult to overcome. A way should be found so long as the will is there. What we regard as of central importance is the achievement of the objective of having available in Bermuda a pool of local skills which may be drawn upon without having to continue

indefinitely to resort to bringing in persons from abroad.

178. There should therefore be realistic positive planning, long-term as well as short-term. The aim must be to make Bermuda as self-sufficient as practicable in terms of qualifying and training and providing experience for Bermudians to service its employment needs. Careers should be married to opportunities and, in selecting for careers, the best talented should be chosen regardless of race. Neither social eminence nor financial ability should be a criterion. And if means are lacking, the Government and the business community should together provide it. This we recommend. For giving effect to our recommendation substantial expenditure will undoubtedly be necessary. But it should not amount to more than the sums expended at present on perennial expatriate recruitment. Moreover, the aim which we recommend to be pursued is not designed to boost Bermuda's economy although it probably will. It is an investment in people for the sake of the community. Its purpose is to rid Bermuda of long-standing racial tensions and to ensure so far as anything can a very real racial harmony. In our view, that will not be accomplished unless it is made plain for all to see that the door of opportunity has been opened wide and that it is permissible for anyone to enter, whatever his race or social origin.

179. In the meantime, the Immigration Board will need

to increase its vigilance. As the deputy chairman of the Department agreed, it does not suffice to draw a hard line of policy simply. There will always be those who will endeavour to cheat. For instance, we were told of a number of immigrants from the Azores who were admitted as landscape gardeners under the terms of an agreement made between the Portuguese and Bermudian Governments. But the Board then received a petition praying that they might continue to be employed, as they had in fact been for some time past, as masons, carpenters and plumbers. Subsequent inquiries showed that such malpractices were widespread and that all sorts of people were involved. It has also come to light that persons who have been admitted as tourists have found employment for which they would never have secured the necessary permit. Such practices should be stopped. They have provoked many a complaint. It was therefore a satisfaction to learn that the Board plans to increase the strength of its inspectorate and to take various other measures which were outlined to us to curb unauthorised engagements which constitute a departure from its policy.

180. Before we leave this subject we should make one further comment. It was suggested to us that the importation of skills, being all white, has the effect of creating "a third force" within the colony. As an expatriate group in large measure identified with the

metropolitan colonial power, they are regarded as having an interest to resist any nationalist trends. Theoretically this seems plausible. But experience in other countries shows that self-interest leads such persons almost invariably to side with whatever party may be in power so that in the context of self-rule, which from a practical point of view Bermuda undoubtedly enjoys, we do not think they need any separate consideration.

Chapter VII - Social Welfare

Introduction

181. As we have shown, those who took part in the disorders were in the main young people, many of them adolescents, drawn from the less privileged groups of the Bermudian society. Their grievances were both general and specific and, as we saw, were caused in part by social conditions associated with overcrowded housing, lack of sanitary and other amenities and high rents, as well as by rent increases which, on the evidence before us, were imposed despite the failure to effect essential repairs. All these contributed to their sense of neglect and the frustrations springing from it.

Housing

182. We referred in paragraph 83 to the improvements in sanitary and other amenities that the Corporation has recently begun or completed in the back of town areas, and to the small housing scheme for elderly people called the Elizabeth Hill Estate which was financed by a private benefaction and carried into effect on government land. Apart from these, there is nothing to report but a history of neglect. No action was taken on the Report of the 1951 Commission of Inquiry into the Growth of Population and Illegitimacy which recommended that the Government should

build houses for persons with low incomes. The House of Assembly did vote £100,000 in 1960 for the purpose of building low cost housing in Pembroke, but the Legislative Council rejected the proposal and in 1962 the Governor in Council instructed the Crown Lands Corporation to abandon the 1960 plan, suggesting at the same time that the Corporation press for the rehabilitation of the buildings owned by the Government at Ireland Island. Very recently, the Happy Valley area to the east of Pembroke was the subject of a pilot scheme by the Departments of Health and Social Welfare and Planning. The survey was commissioned by a Joint Select Committee of Parliament with the following terms of reference:

"to investigate and report on this Government's responsibility to provide low cost workers' housing to ensure reasonable standards of decency, hygiene and comfort by means of the development and execution of low cost housing which conforms to sound town and country planning practice".

The report of the survey is still under consideration by the Joint Select Committee and government action will doubtless await the committee's recommendations. We have no notion what these are likely to be, but it seems to us that the Government does have some responsibility and that in tackling the problem it can play an important role. For instance, the Government may think it desirable or expedient itself to set up low cost housing estates in appropriate areas and

to make houses available for owner occupation on specially favourable rental/mortgage terms, or it may in association with private enterprise guarantee loans for financing the cost of building upon prescribed conditions including rent control. But whatever action may finally be taken, we would recommend that the matter be given the most urgent attention.

Family Welfare

183. Pending the consideration of plans to remedy the defects and supply the lacks in housing, there is much to do to correct the evil effects of overcrowding, especially on the young. The problem is mainly one of family life and overcrowding is merely one of its facets. Its effect is to deprive the young of privacy and of a place of their own in which to play and study, to get them in the way of grown-ups who for purposes of their own do not want them about and thus virtually to force them out onto the streets, thereby leading the more easily to all kinds of delinquent behaviour. Other circumstances affecting family life are the existence of one-parent and problem homes, to which we referred in paragraph 80, and the need in most of the less well-to-do households for both the man and the woman to work in order to meet the high cost of living at the levels prevailing in Bermuda, on which we commented in paragraph 102.

184. The comparatively high number of children born out of wedlock has long been a cause of concern to responsible

and socially conscious inhabitants of the colony. There was a Commission of Inquiry into the Growth of Population and Illegitimacy which in its report in 1951 observed that the illegitimate birth rate fell significantly only during the period 1939-1941 when the economy was disrupted by the beginning of the War and there was a good deal of unemployment. They concluded that when times are good and children less of a burden, when there is more leisure and more money, the temptation to loose living is greater and the illegitimate birth rate tends to rise. However that may be, the occurrence of a high rate of illegitimacy in a society where modern Western middle class norms prevail is socially disturbing, and the lack of adequate parental care which often accompanies it can at times have disastrous effects on the young.

185. Illegitimacy and its associated problems have continued to be a matter of serious concern to the Government and as recently as 1966 there was a report on the subject from an interdepartmental committee appointed by the Social Welfare Board and including nominees of the Board of Health and the Board of Education. As was to be expected, it reiterated the need for the provision of low cost housing especially for newly married couples with relatively low incomes. Among its various other recommendations it supported with approval the special need for a home for

girls in need of care and protection a proposal for which had recently been forwarded to the Government by the Social Welfare Board. And it gave its blessing to the recommendation to raise the maximum age of children covered by the Illegitimate Children's Act, 1947, to at least the statutory school-leaving age.

186. There is nothing we can recommend for overcoming the problems we have been discussing beyond what is already being done by those who are specially concerned. Hence we merely note here that the Social Welfare Board, the Chief Medical Officer and all other interested persons are actively at work on their mitigation. There are a number of voluntary bodies such as the Lady Cubitt Compassionate Association, the Bermuda Welfare Society, the Committee of 25 for Handicapped Children, the Society for the Blind, the Alex. Graham Bell Association for the Deaf, the Y.M.C.A., the Sunshine League and the Salvation Army which are also engaged on preventive and remedial welfare work all of which we think deserve to be commended. Mention should be made too of the parish vestries who are charged with responsibility for the poor, especially the aged poor, and of the Council of Social Service (comprising representatives of the voluntary bodies) which was formed in 1964 on a self-governing basis principally to co-ordinate the activities of the several voluntary bodies.

Youth and Recreation

187. An interesting and helpful event has been the developing and expanding by the Social Welfare Board of camping sites on Ports Island which are open to all and which have become extremely popular. Further such sites at Ferry Reach have been reserved for girl guides and at Darrell's Island for boy scouts and other uniformed groups. In 1966 the Board also took on responsibility for Bernard Park on the northern boundary of Hamilton and, since then, has been developing playing fields there. The Duke of Edinburgh's Award Scheme was established in 1967, and in 1968 the Bermuda Youth Council, a newly-formed body, opened a new youth centre at Messina House on Ireland Island.

188. Our chief concern however is with the Court Street youths, of both sexes, and other like elements in the Bermuda society. This concern is because by our terms of reference we are required to make such recommendations in relation to the causes of the disorders as we may think fit. In our considered opinion, these youths are as little interested in the activities of the several voluntary welfare bodies as they were in the efforts of P.C. Sherratt and other police officers to provide them with means of recreation. They chafe at being regulated by anyone not of their group. As the principal spokesman for them, Miss Marvel Simons, said, they want

"a youth centre, not especially for boys but for girls too, and they could have somebody in charge, have somebody that understands the boys, not someone that says 'in order for you to join this club, you have to do this, you have to do that'. Some of these boys have their own mind, now maybe they're wrong and maybe they're right, but it's only when you find the kind of person that's going to take time to try and understand these boys and understand these girls, to find out where is their wrong and where their right, they want someone to advise them, not someone to say you have to do this, you have to do that, they want someone to hear their point of view and tell them what should be done about it".

Pastor Fubler confirmed that they had been wanting a type of recreational centre which could provide for indoor as well as outdoor activities, with a library; that they are interested in history, African history; that they want to be free from the regimentation which they feel some of the religious organisations like the Salvation Army and the Y.M.C.A. impose; and that they "have a certain amount of pride and want something that they can feel they are wholly and solely proud of".

189. Rev. George Buchanan, the chairman, and the other members comprising the Race Relations Advisory Council's delegation accepted that the "Court Street" request is both reasonable and practical. Indeed, Rev. Buchanan related it to his experience in Glasgow, Scotland, where when there was gang warfare among the youths they were given a building which they were offered the chance to equip and furnish themselves. When they did so, they were so proud of it that

no one could go into it and slash it with razors as had previously been done in other buildings which they had used as clubs. "This is OURS" was the new sentiment, and it made all the difference in the world.

190. We recommend that practical effect be given to the request of the Court Street youths. But it is essential that anything done for them should be limited to the provision of premises, to the proffer of what unmistakably is not more than advice, and to financial assistance tactfully and unobtrusively supplied. They will no doubt have to pay for managing and operating the centre and, at first at any rate, they will plainly need help. But the effective control should lie with them. To run the centre they should choose someone whom they trust and can look up to and who will be ready and willing to be committed with dedication to making it a success. We understand that discussion on these possibilities has already begun. We hope so. In any event, we strongly recommend that some such course as we have outlined be explored and initiated as soon as practicable.

191. There may arise a need for leadership training. The best of natural leaders will profit if he is given it. That should be taken into account also. And care should be had to ensure a leadership succession. Continuity of any such centre is we think essential. It will help to take off

the streets people who are not attracted by what may continue to be regarded as regimented clubs. It should give a sense of belonging and thus of pride. And it should assist in channelling the energies and imaginations of such as are or may have become frustrated into orderly ways of social living.

The Junior Training School

192. We have already mentioned in paragraph 82 the favourable impression made upon us by our visit to the Junior Training School on Paget Island. In view of the considerable publicity given to the criticisms of the school made in the evidence before us, we think it right to report somewhat more fully upon what we found.

193. The old fort had been well converted to provide a metal workshop, a games room, a store room, a dining room, a kitchen, a laundry and latrines. The fort was on the top of a hill and, at its foot, a school room and the wood workshop shared a small separate building near one end of the playing field, while the dormitory building ran along one side of it. The metal workshop was evidently well used and was well equipped, as were also the kitchen and the laundry. The recreation room was adequate, especially in view of the space outdoors.

194. The younger boys were finishing a class in the school room when we arrived, but soon afterwards all the

boys except our three guides were keenly engaged in a game of football which continued during most of our visit. The schoolmaster, a trained remedial teacher, showed us his timetable and syllabus and his teaching materials, which all seemed businesslike and adequate. In the wood workshop we saw a good many pieces of work of a creditable standard. The dormitories were light and spacious and adequately furnished. They were clean and tidy, as indeed was everywhere else. We were taken to inspect a chicken run, as well as motor boats, canoes and water skis for training and recreation. The boys seemed well and as happy as boys away from home could be expected to be. We questioned some of them and they said they liked the island but of course would prefer to be at home. They were allowed regular home visits and so were in touch with their families. The frequency of these visits (like other privileges) could be increased or reduced by good or bad conduct, since discipline was reinforced by the award or withholding of privileges and not by corporal punishment. The island is a delightful place, the regime is firm without being oppressive, and on the whole we thought this a good and well run school.

195. The Junior Training School used to be the responsibility of the Education Department until a few years ago, and we were inclined at first to recommend that it be restored to the Education Department. On further reflection,

however, we are not sure this would necessarily be the best course. It is always difficult to know what to do with institutions that involve more than one professional skill - in this case those of the schoolmaster, the welfare worker and the corrective trainer. Ideally, such institutions should be under an umbrella committee or council with executive powers and with the ability to draw on the staffing resources of as many Departments or Ministries as they might wish, using the method of secondment to ensure continuity of careers. One advantage of the present arrangement is that the school has a governing body and is not exposed to naked bureaucratic control.

196. It was suggested that the school should be transferred to the mainland. This would have two advantages: costs would be less (though such a school for so few boys is bound to have a high unit cost) and the boys would be able to attend regular schools. But, as against this, the process of corrective training on the mainland would be made more difficult because of their easier and inevitably more frequent contact with the conditions that had contributed to their being in need of corrective training.

197. The corresponding school for girls, the Sarah Kemp School, is on the mainland and the girls attend regular schools unless they are undertaking remedial courses. It is conducted by the Salvation Army and all those who mentioned it

to us did so with approval.

The Senior Training School

198. The happiest recollection of our visit to the Senior Training School was the information that the school is about to be moved to a new site. At present it is squashed into cramped quarters in what was an old military prison. Recreational facilities are minimal, the workshops showed little sign of purposeful activity, there was no playing field and not much room for exercise. The living quarters were dark prison cells and the whole place had a depressing atmosphere. It presented the appearance of a junior prison although indeed in physical plant and amenities it compared very unfavourably with Casemates prison. We found it significant that the word "incarceration" was frequently used to us during our visit to describe the sojourn of the young men detained there. Since, as we understand, this institution is soon to be rehoused, there is mercifully no need to dwell on its present defects except perhaps to express the hope that immediate attention will be given in any case to providing a rather more effective programme of instruction aimed at training the young men to play a useful part in society at the end of their detention.

Chapter VIII - The Police Force

Composition and Recruitment

199. In Bermuda, as elsewhere, the police force is charged with responsibility for maintaining law and order, preserving life and property and preventing and detecting crime. Its ability to achieve these objectives is reflected in the general efficiency of its members and the well-being of the community. But the disorders and the causes to which we have pointed make it plain that much stands in the way of the attainment of these objectives.

200. For the reasons stated in paragraphs 64-66 we are convinced that at bottom the fault lies in the national and racial imbalance in the composition of the Force. Everyone is agreed that it ought to be corrected - and as soon as is reasonably practicable. There are of course special problems which will need to be faced, not the least of them being the obtaining of suitable local recruits. Hence the resort which has been had to recruiting in the Eastern Caribbean, mainly Barbados. But that can only be a stop-gap measure. The remedy must be found in Bermuda.

201. In his evidence the Commissioner of Police said that he thought Bermudians were reluctant to join the Force because (i) of a general lack of desire to enlist, (ii) they are not fond of discipline, (iii) service with the police

will debar them from other part-time employment and (iv) there seems to be some sort of stigma attached to joining the Force. From the whole of the evidence we would add the following reasons: (v) lack of prospects of promotion to the higher ranks - this should be corrected somewhat by the recent advancement of Superintendent Oliver Trott, a black Bermudian, to the rank of Chief Superintendent; (vi) a chafing against white dominance and a consequent unwillingness to enter a disciplined service in which the command at most levels is white; (vii) competition from better paid employment - for example, we were told of a young waiter at one of the larger hotels who expressed the view that he had had a slow week if he did not take home £80 at its end; and (viii) a not unlikely nor unnatural disinclination to have to take action against relatives and friends - Bermuda being as small as it is, the prospect of such embarrassment must always be lively.

202. We are in no doubt that the Commissioner is most anxious to attract to the Force the right type of Bermudian of either race and we are satisfied that he has been taking active steps to do so. But with such impediments in the way he has not got very far. There were at the time of our Inquiry 17 vacancies in the Force and with the high rate of wastage, especially among expatriates from Britain, the need to get on is urgent. Hence a way should be found to

hurdle the problem. We do not of course advocate sacrificing efficiency for the sake of expediency. That would be plainly wrong. But we think there may be a way. And we propose it for prudent consideration.

203. In our view, the police cadet scheme which has been in operation should be extended beyond its present level of six cadets so that at least half the existing vacancies are filled through this scheme. There must be a pool of potential cadets among school leavers, so we recommend that full use be made of this indirect method of recruitment until sufficient candidates become available through the direct entry method.

204. We recommend also that the minimum age for enlistment be lowered by a year from 20 to 19. This will serve to shorten the gap after a boy leaves school and may well attract applicants who might otherwise be lost to some other form of employment. In so recommending we do not lose sight of the necessity for or the advantage to be gained by a recruit having some experience of life outside the home and school, but nowadays (and especially in such a society as we consider and have described Bermuda to be) the difference in the experience of a young man of 20 as compared with one of 19 is in our opinion negligible.

205. We think too that the standard of the written examination for entry to the Force is at present too high.

This is not to cut on the requirements for qualification which, independently of any recommendation by us, are (we understand) under current review. We recommend that the greater emphasis be placed on the personal interview before the selection board and that more account be taken of the following criteria: reasonable intelligence, good physique, good family background, absence of any serious criminal conviction and a keenness to join the Force. Provided these requirements are met, we see no reason why proper basic training should fail to compensate for not quite so high a standard of education as is now demanded.

206. It is essential also to provide the incentive of knowing that there is a reasonable chance of reaching the higher ranks of the Force. The Bermuda Force is small and under the pyramid of rank structure the rate of promotion cannot but be slow. It should however be made in operation abundantly plain that a man of proven worth and ability can and will reach the topmost ranks, whatever his racial or other origin. And in order to enlarge promotion prospects and improve the rank pyramid, we would recommend that consideration be given to increasing the number of Chief Inspectors by two. This may be done without adding to the existing establishment by reducing by one each of the ranks of Inspector and Sergeant.

207. It is likewise essential, we think, to improve the

image of the Force so that the young Bermudian may be attracted to a job which he can look upon as rewarding and offering the chance of a good career. We told about this image in paragraphs 50 and 67-70 and what seems to us necessary is to create in the young Bermudian a feeling of pride, esprit de corps and a sense of belonging to a national organisation. But we would recommend that a firm of business consultants who specialise in public relations be commissioned to advise the Government and the Commissioner on the steps which may with advantage be taken.

208. None of our recommendations can achieve their objective overnight. They require time. So for some years to come expatriate police officers, particularly in the senior administrative and specialist grades, will need to be retained. But we cannot too strongly stress that it is absolutely essential for all white expatriate officers to be, and to show that they are, free from racial prejudice or preferences and to be at all times courteous and restrained in the performance of their duties however trying the circumstances may be. They should bear in mind that it is not merely brutality towards any civilians from which they should be free - and we repeat here that no such charge has been maintained against them. Theirs is a public duty, to be discharged with tact and consideration albeit with firmness and without favour. But it is also a duty which

cannot be adequately or effectively performed without the full co-operation of the public at every level. In the context of present-day Bermuda, such co-operation must be won.

Training

209. The inhabitants of a small island community who have not travelled abroad tend to be inward looking. To overcome this we recommend that appropriate arrangements be made so that on completion of basic training a recruit constable may be sent on attachment for a period of at least three months to a police force in the Eastern Caribbean. This should not be unduly burdensome. On the contrary, it would seem to us less expensive than the recruitment of officers on short-term contracts many of which have been ended before their term expired. If some such arrangement can be made, we prefer Barbados which has police problems the most similar to those in Bermuda. This will not only have the effect of gaining the recruit valuable police experience but will also broaden his mind and widen his outlook. The present scale of advanced police training courses in the United Kingdom and the United States of America should nevertheless be retained.

Promotion

210. In absolute terms the police establishment is very small, calling as it does for a total in all ranks of 273.

But it provides for one policeman to every 220 inhabitants, which is one of the highest police to public ratios we know of. For instance, in the United Kingdom it is 1 to 500 and in Jamaica 1 to 600. The reason for this, we were told, is that the police in Bermuda are required to undertake a number of extraneous duties which call for a deployment of manpower that is at least unusual. If that be so, we think the matter should be reviewed so that duties not rightly the responsibility of the police should be otherwise assigned. In this regard, consideration might well be given to making greater use of the Reserve Police. However, the point we wish to make here is that several police branches or squads charged with particular responsibilities comprise so few men that it is not always easy for them to make the necessary adjustment when one of them is promoted to authority over his fellows. And we have been assured that Bermudians are notoriously reluctant to take orders from fellow-Bermudians, irrespective of race, thus making more acute the problem we have raised. We believe it will help to ease the transition if a member of the Force is posted on promotion, particularly his first to the rank of sergeant, to some other branch or squad in the Force. It may not be always practical to do so, but whenever it can be done it should be, even for a brief period.

Police Liaison Committee

211. Because among other reasons complaint was being made of abuses of police authority which it was said were either not being reported through lack of confidence that they would be properly investigated or not being inquired into otherwise than perfunctorily, a Police Liaison Committee which had been constituted in 1961 was, we were told in evidence, enabled from September 1966 to act as a vehicle for relaying any grievances that might be alleged and for seeing that they are duly investigated. We have read the minutes of meetings of this committee and are satisfied that in its present composition and form it serves no really useful purpose in that regard. Its meetings are much too irregular and would appear to be convened at the discretion of the Commissioner. The generally recognised practice is to report grievances direct to the police authorities, but we can see that with a force constituted as the Bermuda Force is and in the present state of race relations in the colony those who are most vocal in their complaints would lack the confidence that they will be thoroughly investigated if the recognised practice is adhered to. We would accordingly recommend for purposes such as this the replacement of the Police Liaison Committee by a body comprising a panel of five or six persons, drawn from both races, of acknowledged integrity and independence, and unconnected with the police or politics, whose function it would be to receive complaints

against the police, to ascertain the nature and availability of evidence in their support and, if found prima facie to have any substance, to channel them to the Commissioner for investigation and action. They should also have the right and duty to follow up any such complaint so as to ascertain that it has been duly investigated and to report the result to the person or persons complaining. In other words, they should act as it were as a police Ombudsman. Policemen should have no fear because they can be assured that wild indeterminate charges cannot with propriety be left in the air against them and that they will not be called upon to answer any unless there is appropriate evidence warranting its investigation. On the other hand, the public will know that there is a body to whom complaint can be made with confidence that justice will be done, so they should be easily silenced if thereafter they attempt to make unreported charges against the police. Nor should anyone be apprehensive that people will be encouraged to make unfounded complaints. Wise functioning at the initial stage should be a certain safeguard against any such result.

212. Listening to the evidence we were strongly impressed that the Special Branch was quite unaware of the intensity of the tensions which had been building up and which finally erupted in the disorders. The Branch knew of course of the Progressive Labour Party's campaign with

its racial overtones, but its Head regarded what was being said as emotional, not inflammatory, and the Commissioner thought it innocuous. It was known too that there were resentments grounded on race, that there was talk about Black Power and that the Black Muslims had some sort of following. But the outbreak of the disorders was something wholly unexpected. To us this seems significant. It is in our view yet another evidence of the alien character of the Force, taken as a whole, and of their consequent inability to assess with accuracy the thinking of the masses, their motivations and their likely reactions. Which is another reason for the urgency of the need to make it Bermudian as soon as practicable.

213. We thought at one stage that it would make for better understanding between the police and the Court Street youths if they could work together in the social and recreational field. And we listened with great interest to the accounts of several policemen who told of efforts they had made to achieve that end. We were particularly impressed by P.C. R. J. Sherratt of whose earnestness and sincerity we were abundantly satisfied, but whose endeavours had failed to evoke more than a nodding response. We mention this here, not because the association which we think to be eminently desirable should have any security objectives in view, but because it illustrates again how wary

the masses are in their relations with the police. However, the police should keep on trying. The effort will pay handsome dividends if they succeed in building up confidence between themselves and the young. And we know of no better way to achieve this in a small community than by helping to establish and operate youth clubs where young people of both sexes can meet and feel free, thus taking them off the streets and keeping them out of trouble.

Ancillary Recommendations

214. We heard bitter complaints from the young persons who gave evidence before us of the deplorable state of the cells at the Hamilton Central Police Station. In their view, the cells could be in the condition described only if Authority in Bermuda held them and their kind in the utmost contempt. We recalled the Commissioner and asked him about them. He cut short our questioning by at once admitting that there was some justification for the complaint and that the cells should long since have been replaced. We nevertheless went to see them for ourselves. They were even worse than we had thought. They were a disgrace (as indeed the whole station was). Not only were they damp and badly lit, with a bare wooden slab serving as both chair and bed, but also they were without blankets, pillows or any furnishings whatever. In explanation we were told that all the blankets had gone to the laundry - nonetheless, a prisoner

was there. The matter should be put right without the least delay.

215. The last of these recommendations is minor, yet we think it important. We observed that the helmet worn by the police is a replica of that worn in the United Kingdom. It advertises the Force as alien and is unsuited to the weather conditions experienced in a sub-tropical climate. We think it should be replaced.

Chapter IX - Statutory Enactments and Instruments

Introduction

216. We do not interpret our terms of reference as giving us any authority to prescribe legislative policy for Bermuda. We should stop short at saying that certain legislative acts have had or are likely to have a particular effect. If our view is accepted by whomever the Government in power may be, then we shall have achieved our purpose. If not, we shall still have done our duty. We fully recognise that government policies are determined by a number of considerations, and not merely one, so that it is the business of the politician to resolve what in all the relevant circumstances the policy should be which he ought to pursue.

217. In point of legislation, four subjects have had to be considered in the course of our Inquiry. They are:

1. the law relating to auxiliary cycles and autocycles;
2. the law giving power to search any person without warrant upon reasonable suspicion of his being in possession of narcotic drugs;
3. banning publications from entry into Bermuda under the authority given to the Governor in Council by the Prohibited Publications Act; and

4. what should be done about juveniles who offend against the law or who are thought to be denied proper attention in the home and may thus be in need of training.

We have said much about each of these already, so in discussing them now we shall try to avoid repetition.

218. Two general principles should be noticed. First, in a democracy such as Bermuda is, the ruling party (whatever it be) is entrusted with the responsibility of making laws for the peace, order and good government of the country. There must therefore be some regulation of each person in the society in the common interest of all. But in democracies such regulation is normally limited to what is regarded as necessary or expedient to attain this objective. Secondly, for the due acceptance and the proper functioning of laws, they should not be out of harmony with the society in which they are intended to operate. If they are, the whole rule of law is endangered. Hence, although legislation is often a useful means and must (when appropriate) be used for shaping public sentiment, care needs to be taken that the law is not so unrelated to reality or does not flout public opinion to such an extent as to make the people reject and themselves flout the laws that are passed. Sometimes, the dividing line is obvious. At other times, it has to be carefully drawn. But at all

times the policy-makers should keep the line in mind if law and order are to prevail. Having said this, we take each subject in turn.

Auxiliary Cycles and Autocycles

219. Paragraphs 52-57 set out squarely the questions to be resolved. To summarise them:

- a) Should the age limit for obtaining a driver's permit be reduced from 21 years and, if yes, should it be reduced to 18 or to 16 years?
- b) Should auxiliary cycles continue to be required to have one gear only or may they be equipped with two?
- c) Should the law prohibiting the carrying of a pillion passenger over the age of 16 years on an auxiliary cycle be repealed or amended?
- d) Should maximum speed limits (which will affect all motor vehicles) be increased either generally or only in certain (and, if so, which) prescribed areas?
- e) Should provision be made to ensure the prompt inspection of auxiliary cycles and autocycles which have been seized on suspicion of being so geared or of being so noisy as to constitute a breach of the law?

220. Every witness who was questioned about it

(including the Commissioner of Police, officers from the Traffic Branch and members of the public generally) admitted unreservedly and without exception that no reason exists for maintaining the minimum age for a driver's permit at 21 years. Everyone was agreed that Bermudian riders are excellent and show their proficiency from an early age. No one suggested that, with maximum permissible speeds fixed as they are, any hazard could arise from the mere issue of a driver's permit for which its holder, whatever his age, is required to pass a test. On our assessment upon the evidence before us, public opinion is overwhelmingly, if not unanimously, in support of the reduction of the minimum age at which anyone may obtain a driver's permit. The only point anyone raised is whether it should be reduced at once from 21 to 16 years or in stages - first, from 21 to 18, and later, from 18 to 16.

221. As regards the gears, it is plain that the extra gear is not the higher but the lower gear. It therefore does not add to the speed of the cycle. It facilitates going up hill. It is easy to operate and presents no difficulties of any sort. It helps a rider carrying a pillion passenger to do so without undue loss of power and thus without any tendency to wobble on a road which is steep.

222. We can think of no point of policy which should

induce a government to reject the accepted view in favour of reducing the minimum age for obtaining a driver's permit. Nor can we see any reasonable objection to re-defining "auxiliary cycle" so as to permit it to be equipped with two gears instead of one. And if it is so re-defined, it seems to us that no adequate reason will exist for retaining the prohibition against carrying as a pillion passenger on it any person over the age of 16 years. There is substantial support for all this change because it is generally recognised, as we do, that it is right not to insist on maintaining on the statute book laws which do no good and are a source of friction. And if the minimum age limit is reduced to 16, a whole area of friction between the police and the young people would be removed. The Bermudian resident would be free to choose whether he will ride an auxiliary cycle or an autocycle and no advantage save in respect of its cost will be gained by using either. The police would not have to regard an auxiliary cycle as an autocycle immediately both its gears have been put into use, nor would it any longer be open to them to charge a youngster who may lawfully ride an auxiliary cycle with riding an autocycle while he is disqualified by reason of age. No further need would arise for stopping a cyclist to investigate the age of his pillion rider, and cyclists would be free to carry whomever they would without being

deterred by the police or hindered by the hills.

223. For the reasons stated, we think it would be to the advantage of all and consistent with the opinions of most if (a) the minimum age for obtaining a driver's permit was reduced to 16 years, subject of course to the permit being restricted so as to authorise the driving or riding of certain types of vehicles only, and (b) the term "auxiliary cycle" was re-defined as being a motor-propelled bicycle the wheels and frame of which are of a design and construction similar to those of a pedal cycle, or a motor-propelled bicycle in the nature of a scooter, the cubic capacity of which does not exceed 50 cubic centimetres.

224. It may be that the policy-makers would prefer not to go the whole way at once but to reduce the minimum age for obtaining driving permits to 18 years. What we have said above would then apply to young persons above that age, and the area of friction would be restricted so as to affect those between the ages of 16 and 18 only. In that event, it would as now be unnecessary for anyone to obtain a driver's permit to authorise him to ride an auxiliary cycle, so if anyone over the age of 18 elected not to obtain a permit he should not complain of any restrictions to which by so doing he would make himself subject. And if the restrictions continue as at present to include equipment with one gear only, he would be fully aware of it before making his election.

225. We do not overlook the special needs of tourists and other visitors who may wish to have some transport of their own. If, as we may express the hope, the Government favourably considers the adoption of the opinions favoured by most of those who have expressed views on the subject and set forth at (a) and (b) in paragraph 223, provision can then be made that any tourist or other visitor shall be exempt from the obligation to obtain a driver's permit, provided that the exemption shall not extend to enable him to drive or ride any motor-propelled vehicle except an auxiliary cycle. Their present special position would therefore not be altered save that they would not share it as they do now with young persons between the ages of 16 and 21 years.

226. As regards speed limits, our personal observation is that very few persons in charge of motor-propelled vehicles other than auxiliary cycles keep strictly within the law. Even auxiliary cycles with the low-powered motors with which they are equipped do not invariably do so. This is the sort of consideration we had in mind when we referred to the law being unrelated to reality. Sooner or later, it arouses a sense of grievance because it is looked upon as a revenue-earner and not a protective measure instituted in the common interest of all. Against some people it will be alleged that they get away with it and, although it may just be luck, tensions will find another breeding ground. We

were told by witnesses who ought to know (including some members of the Police Force) that no harm would be done by increasing the speed limit somewhat, especially in certain areas, as, for example, the Kindley and South Shore Roads. In our view, a wise course would be to have an objective assessment made by traffic experts, uninfluenced by any preconceived notions, to consider their recommendations and to legislate accordingly. Any such legislation may then be strictly enforced.

227. We mentioned in paragraph 55 about the delay in having auxiliary cycles inspected by a Transport Control Board Inspector. We were told that, because of a shortage of staff and the amount there is to do, such delays are inevitable. Shortage of staff seems to us an inadequate excuse for unfairness, especially when it ought to be appreciated, and indeed is well known, that to any young person his auxiliary cycle or autocycle is a very prized and constantly-used aid to modern living. We were told too that Bermudians take extraordinary care of their cycles, and we have seen evidence of this ourselves. So it cannot but make matters worse when a cycle is restored to its owner scratched or otherwise damaged from being kept with a collection of others for anything up to a week. The law in its operation should not sit high on its charger of authority and be callous, or even careless, who gets hurt

meanwhile. That way leads to disrespect for law.

Anti-Narcotics Law

228. Because it stems from the Geneva conventions to which we referred in paragraph 58 and is in conformity with analogous legislation in most parts of the world, and also because it is in the common interest of all in the society that the traffic in narcotics should be firmly suppressed, we are not in favour of and accordingly do not propose for consideration any modification of the law as it relates to marijuana or any other narcotic drug. Indeed, we think that, if duly administered in accordance with its provisions, interpreting them as we do in paragraph 62, most of the grievance complained of will be avoided.

Prohibited Publications

229. For the reasons stated in paragraphs 75-77 we are concerned about the banning "Muhammad Speaks" and other Black Muslim publications by Instrument under the hand of the Governor. But the decision whether or not to maintain the ban is essentially a matter of government policy. We ourselves are against such bans unless they can be justified by very sound reasoning, and we have little doubt that the publications continue to be read and their contents to be passed on to as wide a circle as is interested. In the last resort, the responsibility lies with the Special Branch to keep itself and the Government fully informed of any

sensitive areas in the community and of the reasons why they are so. We recommend therefore that the Governor in Council review the question whether the ban should be maintained and, if it be decided that it should, then, in furtherance of the policy of non-discrimination, consideration should be given to the imposition of a similar ban against all publications having a like tendency.

Juvenile Offenders

230. We commented in paragraph 81 on the extent of juvenile crime as reported in the annual Reports of the Bermuda Police. As we said, the figures greatly concerned us. Whatever the sanction imposed, whether the child is put on probation or sent to the Junior Training School for corrective training, the record of the conviction remains and they have many and various prejudicial consequences to him in later life. Not least of these, we were told, is often the denial of a visa to visit or emigrate to the United States of America. We referred to the presumption that a child under the age of 14 years is incapable of crime, but that this presumption may be, and apparently commonly is, rebutted. So we welcomed being told of the Juvenile Liaison Scheme which seems already to have begun to justify its introduction.

231. We have thought that it might assist further if statutory provision was made whereby, despite its being

found that a child had committed an offence, a court may in its discretion not enter a conviction against him. Such a discretion can and should be exercised by taking into due account the age of the offender, his antecedents, his past record (if any), the whole of the circumstances relating to the offence including anything in extenuation of it and any other relevant matter. And if the discretion is exercised in his favour so that no conviction is entered or recorded against him, the court may discharge him either unconditionally upon due restoration being made or compensation being paid or upon his being put upon probation for such period not exceeding, say, three years, as the court may think fit. Some such provision has been found most helpful in operation in various parts of the world. Not only does it enable corrective measures to be taken, limited though they may be, but (and this is as we see it of the utmost importance) it avoids a child starting early in life with a criminal record which is and remains a stigma difficult to overcome and which may be prejudicial to him in various ways in later life whatever his record after that early lapse. Accordingly, we would recommend that consideration be given to the enactment of such a law.

232. We are concerned too about juveniles coming from one-parent or broken or problem homes for whom no adequate provision is available. We think in this connection of

some, such as one we encountered at the Junior Training School, who are the offspring of parents one or perhaps both of whom have had to undergo psychiatric treatment. For any such juvenile nothing is really open to him but to become a layabout hanging around the streets and sooner or later to drift into delinquent behaviour. Thought we think should be given to rescuing them and giving them home and training and hope in the Junior Training School or the Sarah Kemp School. This would be a boost to these schools as well, since they would tend to get rid of their wholly "corrective" label and become essentially regenerative.

Race Relations Advisory Council

233. It was proposed in the course of our Inquiry that the Council should be given executive powers. It was an attractive proposal. But after full consideration we do not recommend it. In some respects the Council is still feeling its way along what for Bermuda is uncharted ground, and there is little precedent of which we know in any part of the world which can be a sufficient guide. Nor will it be easy to define precisely what powers should be conferred, for what breaches sanctions should be imposed or the nature of the sanctions which should be prescribed in order to make them really effective. In any event, the Council as a whole is not dissatisfied with the role it has been assigned or with the response it has had to its recommendations. So,

at any rate for the time being, we think it should preserve its present scope.

Chapter X - Conclusion

234. We need not repeat our findings here, nor do we think it necessary to sum up our conclusions. But we would take note once more that the racial division, deep and traditional as it was, has been arrested and the movement towards the centre, slow and halting though it be, has discernibly begun. What is demanded of the one group is a sincerity as transparent as it must be real, and of the other a venturesome act of faith. But while integration will take time, the time available is short. Bermuda's hope lies in the events of the immediate years, whether they will justify the faith and thus support the venture.

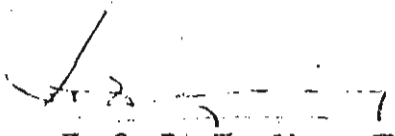
235. There is much that we were asked to pronounce upon which we have thought outside our terms of reference. In so saying, we have in mind questions like colonialism and independence, taxation policies and the like. But if we were invited to say what in our view is basic for the prevention of future disorders, we would answer that the face of Bermuda should be literally and speedily changed. Black men and women must be and must be seen to be in truly authoritative positions - in government, in commerce, in the hotel industry, in the professions, everywhere. That is not to say that they should enjoy the exclusive right to them, but just as Mr. Houghton recommended (and we agree) that the principle of compensation should be actively at work in

levelling the government-maintained and government-aided schools, so too we are convinced that the same principle must be applied in every sphere of activity if the two races are to be levelled up and true integration is to follow.

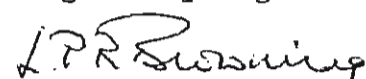
236. There is no need for fear. Fear merely brings ills. What is required is confidence - the confidence that renews strength, gives buoyancy and earns justification.

237. Finally, we must express our thanks and appreciation to Mr. A. J. Saunders for his efficient and conscientious service as our secretary. Without his help our task would have been far more arduous and difficult. Further, we would mention with gratitude the valuable and courteous assistance given us by the Attorney General and (when he was unavoidably absent) by the Solicitor General, by the several counsel who appeared on behalf of various groups, and by the typists and stenographers who performed their strenuous duties in an able manner.

238. Also, we would wish to thank His Excellency the Governor and Lady Martonmere for the hospitality and consideration shown us during our very pleasant stay in Bermuda.


H. O. B. Wooding, Chairman


Hugh W. Springer


L. P. R. Browning

24th January, 1969.

APPENDIX I

A. PERSONS AND BODIES WHO GAVE EVIDENCE

AND SUBMITTED MEMORANDA

Amalgamated Bermuda Union of Teachers

Warner, J. M.
Stewart, R. J.
Brock, M.
Burch, Miss D.A.

Bermuda Chamber of Commerce

Astwood, G. C.
Davis, W. Y.
Law, R. C.

Bermuda Democratic Party

Francis, W.
Watson, Mrs. E.
Jeffers, C.
Williams, C., of counsel

Bond, E. R. Raymond

Committee of 25 for Handicapped Children

Jardine, Mrs. I.
Akehurst, H. F.

Garrod, Sgt. G. J.

Government Departments:

Education

Williams, D. J., Director
Robinson, Dr. K. E.
Bean, Dr. M. L.
Rosser, W. G.
Jackson, A. S.
Scott, B.

Health

Frazer, Dr. Simon M., Chief Medical Officer

Junior Training School

Tucker, Col. J. B., Chairman of the Board
King, Mrs. D. E.
Muirhead, Capt. T. M., Headmaster

Labour

Perston, W., Labour Relations Officer

Police Department

Robins, G. H., Commissioner

Recreational Facilities

Ming, R., Youth Adviser

Social Welfare

Chudleigh, H. E., Exec. Officer, Social
Welfare Board

Parsons, Insp. D.

Patton, J. M., M.C.P.

Pearman, R. L.

Philip, I.

Police Association

Sheehy, Ch. Insp. J.
Maule, Sgt. A. G.
Cox, Const.

Progressive Labour Party

Browne-Evans, Mrs. L., Parliamentary Leader
and of counsel
Brown, R.
Darrell, G.
Hodgson, A.
Roberts, W.
Thomas, A.
Trott, D.
Wade, F.
Warner, Miss E.
Woods, E.

Race Relations Advisory Council

Buchanan, Rev. G., Chairman
Astwood, J.
Hunt, A.
Simmons, R.
Smith, C. J. M.
Whelan, Rev. J.
Wilson, M.
Woodhouse, Rev. D.
Francis, A. A., of counsel

Sherratt, Const. R. J.

Smith, H. Maxwell

Trott, Ch. Supt., O. S. W.

United Bermuda Party

Stubbs, Dr. J., Leader of Delegation
Barnard, R. L.
James, Dr. C.
Ratteray, Dr. S.
Collis, C., of counsel

B. PERSONS AND BODIES WHO GAVE EVIDENCE

BUT DID NOT SUBMIT MEMORANDA

Bermuda Credit Association

Campbell, D. E.
Conly, G.
Brech, G.

Bermuda Employers' Council

Asbury, G.

Bermuda Hotel Association

Clay, H. L. D.

Bermuda Industrial Union

Johnstone, R. R.
Blakeney, E. A.
Simmons, A. R.

Butterworth, P.

Cann, Const. D. C.

Christian Denominations:

A.M.E.

Ogden, Rev. C.
Whelan, Rev. J.

Church of England

Nesbitt, Rev. T.
Shrewsbury, Rev. M.
Woodhouse, Rev. D.

Church of the Nazarene

Collom, Rev. J.

Canadian Presbyterian

Morley, Dr. F.

Roman Catholic

Clarke, Fr. C.
Mancini, Fr. A.

Costello, Const. J. P.

Court Street Youths

Simons, Miss Marvel, and others

Foggo, Const. C.

Fubler, Pastor C. F.

Galloway, K.

Government Officials:

Thompson, C. E. - Acting Chief Immigration
Officer

Wallace, J. B. - Principal Probation Officer

Johnson, Const. A. M.

Kerr, Const. D. A.

Lunn, Const. D. N.

Morris, Sgt. K. R.

Morrison, Ch. Insp. I. M.

Richmond, Const. V. G.

Smith, G.

Tanner, A. J.

Trott, R.

C. PERSONS AND BODIES WHO SUBMITTED MEMORANDA

BUT DID NOT GIVE EVIDENCE

Black, Police Sergeant

Fire Commissioner

Government Statistician

Hodgson, Miss Eva

Joell, Wm. E. R.

Lady Cubitt Compassionate Association

Lewis, Kenneth

Lottimore, Eugene

Lottimore, Winston

Lynch, Richard (June 8th Movement)

Preece, Annabella

Robb, Marion

Salvation Army

Stone, Ruth

Viera, Harry, M.C.P.

APPENDIX II

REPORTS, MEMORANDA AND OTHER DOCUMENTS
SUBMITTED TO THE COMMISSION OF INQUIRY

PART I - FROM GOVERNMENT SOURCES

Constitutional

- Report of the Boundaries Commission together with newspaper clippings of Parliamentary debates
- Dr. Gordon's Petition together with Parliamentary and other relevant Reports
- Report of the Bermuda Constitutional Conference, 1966, (Cmd. 3174)
- Hansard Report of the House of Commons debate on the Bermuda Constitutional Bill on 14th and 19th June, 1967
- Bermuda Constitution Order, 1968 (S.I. 182/1968) and the two amending Orders (S.I. 463/1968 and 726/1968)

Economic Affairs

- Appraisal of Bermuda's Economy and Future Prospects by Professor Richardson, 1963
- Customs Tariff Act
- Report from Government Statistician
- Memorandum on Land Tax
- Report on Insurance Companies
- Estimates of Revenue and Expenditure

Education

- Memorandum from Director of Education, 1968
- Annual Reports of Director and Board of Education, 1956, 1964-67
- Report of the Plowman Commission, 1963
- Report of Mr. Harold Houghton, 1963
- Recommendations of the Board of Education, 1964
- Reports of the Joint Select Committee on Education, 1965 and 1966
- Report of the Duncan Committee on Teachers' Salaries, 1963
- Tables: Statistics of admissions to schools
Distribution of teachers and students by race
- Harrington Workmen's Club Secondary School Scholarships

Health and Welfare

- Reports from Chief Medical Officer
- Report from Executive Officer, Social Welfare Board
- Development Plan for Social Welfare Board
- Report from Youth Organiser
- Notes on Social Conditions and Welfare Services
- Notes on Old Age and Widows Pensions Schemes
- Conclusions of Inter-Departmental Committee on Illegitimacy
- Memoranda: Positive Approach to Mental Health
Ambulance calls - procedures
Hospital Patients - payment by
Analysis of factors affecting the mental health of certain of those involved in the disorders
- Drug Conventions applied to Bermuda

Annual Reports of Board of Health

Annual Reports of Social Welfare Board

Report from City Engineer re Improvements to Northern section of Hamilton

Immigration and Labour

Report from Labour Relations Officer

Immigration Annual Reports

Junior Training School

Memorandum from E. Raymond Bond

Report by Headmaster

Newspaper clippings

Admission table 1957-1968

Annual Reports of Commissioners on Treatment of Offenders

Legislation

Banks Act, 1930

Education Act, 1954, amended to date

Customs Tariff Act

Restaurant Act, 1961

Advertisements Regulations Act, 1911, Amendment Act, 1965

Registration (Births and Deaths) Act, 1949, Amendment Act, 1966

Marriage Act, 1944, Amendment Act, 1966

Abolition of Discrimination in Legal Instruments Act, 1967

Hotel Keepers Protection Act, 1930, Amendment Act, 1967

Labour Board Act, 1945

Labour Disputes (Arbitration and Enquiry) Acts, 1945 and 1964

Trade Union and Trade Disputes Act, 1945

Trade Union Regulations, 1946

Trade Union (Registration) (Appeals) Rules, 1946

Trade Union Act, 1965

Trade Union Regulations, 1965

Parliamentary Debates

Hansard Report of Questions and Answers in the House of Commons on 29th April and 2nd May, 1968, on the subject of Bermuda

Hansard Report of the House of Lords debate on the presentation by Lord Brockway on 9th May, 1968, of a petition from certain inhabitants of Bermuda.

Police

File 1 : Report from Commissioner of Police

Force Instructions on

- (a) Use of chemical mace
- (b) Control and dispersal of unruly crowds

Reports on

- (a) Police dog biting incident
- (b) Use of tear gas at Warwick private home
- (c) Alleged police brutality

File 2 : Summary of disturbances and incidents

File 3 : Police H.Q. Operations log-books covering period of disturbances

File 4 : Summary of arrests, charges, prosecutions, convictions and acquittals

File 5 : Summary of police officers and civilians injured

File 6 : Monetary estimate of damage to property

File 7 : Statements from 204 persons (police officers, witnesses and accused persons)

File 8 : Drug addiction

File 9 : Press Reports on Disturbances

Memoranda: Use of tear-gas on prisoner in cell
 Juvenile Liaison Scheme
 Police Liaison Committee
 Impounding of auxiliary cycles
 Law relating to auxiliary cycles

Statistics: Offences of violence against police 1965-1968
 Police strength
 Narcotic searches and arrests, January-April 1968
 Juvenile crimes 1965-1968
 Persons charged with offences during and immediately after disorders
 Police manpower wastage 1965-1968
 Accused persons by age
 Conviction Records of Persons arrested and also of "Court Street youths"

Copy of Commissioner's talk to Rotary on "The Work of the Police"

Report from Chief Superintendent Trott on Public Relations, Recruiting Problems, Youth Programmes

Annual Reports of the Police Department

Reports from Police Officers on their problems in dealing with the young

Statements from Police in connection with persons subsequently charged with perjury

Report from Fire Brigade Commissioner

Press Reports

Press Reports of political meetings published between 27th January, 1967, and 22nd May, 1968, the date of the last elections to the Bermuda House of Assembly

Press Reports relating to the civil disorders published between 25th April and 11th May, 1968

Press Reports of trials for offences arising out of the civil disorders

Race Relations

Anti-discriminatory legislation

Constitution of Race Relations Advisory Council

Annual Reports of RRAC

Minutes of RRAC Meetings

Reports of Committees on
 Racially offensive literature
 School integration
 Career opportunities
 Discrimination in beauty salons
 Discrimination in organisations using the nomenclature "Bermuda"

Report for the United Nations

Registration

Report on Jury system

Annual Reports of Registrar-General

PART II - FROM NON-GOVERNMENT SOURCES

Amalgamated Bermuda Union of Teachers
Bermuda Chamber of Commerce
Bermuda Democratic Party
Brown, W.G.
Committee of 25 for Handicapped Children
Hodgson, Eva - "Second Class Citizens, First Class Men"
(Book)
Joell, Wm. E. R.
Lady Cubitt Compassionate Association
Lewis, Kenneth
Lottimore, Eugene
Lottimore, Winston
Lynch, Richard (June 8th Movement)
Patton, John, M.S., M.C.P.
Pearman, Russell L.
Philip, Ira
Police Association
Police Officers - Parsons, Garrod and Sherratt
Preece, Annabella
Progressive Labour Party
Robb, Marion
Salvation Army
Smith, H. Maxwell

The Bermuda Society of Chartered Accountants
United Bermuda Party
Viera, Harry, M.C.P.

APPENDIX III

SCHEDULE OF HEARINGS

August

- 26 Opening Session
- 27 J.M.S. Patton
Commissioner of Police
Inspector Morrison, Special Branch
- 28 Inspector Morrison
6 police officers on duty at Hamilton Hall
- 29 2 police officers on duty at Hamilton Hall
Paul Butterworth
Committee of 25 and Mr. Tanner
L. Clay, Hotel Association
- 30 L. Clay, Hotel Association

September

- 4 P.C. Richmond, on duty at Hamilton Hall
P.C. Sherratt
Sgt. Garrod
Insp. Parsons
Raymond Bond
- 5 Police Association
- 6 Group of youths from Court Street
- 10 Rev. Fubler
Gershwin Smith
Kitchener Galloway
Robert Trott
- 11 Race Relations Advisory Council
- 12 Race Relations Advisory Council
Commissioner of Police
- 13 Bermuda Democratic Party

September

- 16 Bermuda Democratic Party
Progressive Labour Party
- 18 Progressive Labour Party
- 19 Progressive Labour Party
- 20 Progressive Labour Party
United Bermuda Party
- 23 United Bermuda Party
- 24 Youth Adviser
Director of Education
Executive Officer, Social Welfare Board
Chief Medical Officer
Labour Relations Officer
Chief Immigration Officer
- 25 Junior Training School
Amalgamated Bermuda Union of Teachers
Ira Philip
Russell Pearman
- 26 H. Maxwell Smith
Ch. Supt. Trott
Chief Probation Officer
Christian Denominations
- 27 Bermuda Chamber of Commerce
Bermuda Credit Association
- 28 Visiting - See Appendix IV
- 30 Visiting - See Appendix IV

October

- 1 Bermuda Industrial Union
Bermuda Employers' Council
Closing Session

LIST OF VISITS MADE

September

- 27 Junior Training School
Prospect area
Hotel School
- 28 Casemates Prison and Senior Training School
Bowling Alley and Simons Superette, Warwick
Shelly Bay - disused race-track
Ferry Reach - open space area
Harrington Sound Workmen's Club
Hamilton Police Station and Remand Cells
- 30 Schools:
Berkeley Institute (Secondary)
Harrington Sound (Primary)
St. George's (Primary and Secondary)
St. George's Grammar (Primary and Secondary)
Whitney Institute (Primary and Secondary)
Elliott (Primary)
Hotel and Catering College (Post Secondary)
Prospect Girls (Secondary)
Bermuda Technical Institute (Secondary)
Sixth Form Centre (Post Secondary)
Central (Primary)
Saltus (Secondary)
Warwick Academy (Primary and Secondary)
Warwick (Secondary)

Additional visits were also made, from time to time, to the Court Street and back of town area.