



The Bahamas Crisis Centre Conference

PEACE AT HOME, PEACE IN OUR COMMUNITIES

**Opening Remarks by
The Attorney-General of The Bahamas
*Thursday, September 20th, 2012***

When I think about peace, I think of that popular song, ***“Let there be peace on earth and let it begin with me, let there be peace on earth the way that it was meant to be, with God as our father, brothers all are we, let me walk with my brother in perfect harmony”***. That is exactly your theme, Peace at Home (let it begin with me) and let me walk with my brother in perfect harmony (peace in our community). ***Sy Miller and Jill Jackson were a husband and wife songwriting team. In 1955 they wrote this song about their dream of peace for the world and how they believed each one of us could help create it.***¹

Let me take a moment on the outset to extend sincere congratulations to the Bahamas Crisis Centre as they celebrate thirty years of stellar serve to our country. I remember well my days as a volunteer when the Center started as the Women’s Crisis Center. I remember negotiating with the police to have women police officers be automatically involved in rape complaints; to have rape kits always available at the hospital; to have identification parades conducted by way of a one way mirror (which we bought) rather than the Victim having to touch the Accused; negotiating to have the Court take steps to protect the identity of the Victim (including having the Court cleared); and many other progressive steps, all made by VOLUNTEERS working together. As a strong and persistent advocate for the rights of women and children, as a legislator and Cabinet Minister, I was thrilled when the Domestic Violence

¹“ Let There Be Peace on Earth and Let it Begin with Me.” Written by Sy Miller and Jill Jackson, 1955

and Sexual Offences Act was passed and assented to in 2007. I say this to emphasize that the Crisis Center has in the Christie Administration many people, (you heard the Prime Minister's passion and commitment this week), who are committed to accomplishing the objectives of the Crisis Center. I want to remind you of the Prime Minister's admonition this week that you use the facilities of the Urban Renewal Centers to accomplish common goals. Today we have a unique opportunity to make a quantum leap – all stakeholders want “peace” and “strong families”. There is an alignment of consciousness. We CAN achieve this change. Significant credit for bringing about this change in consciousness must be given to Dr. Sandra Dean Patterson who, for decades, has made tremendous sacrifice to bring about the changes of which I spoke, and many others. When she returned home, she could have gone into private practice and made a lot of money. Instead, she chose nation building as a career. For this The Bahamas owes her a tremendous debt of gratitude. Again Sandra, I thank you and pledge the support of the Office of the Attorney General.

To the Delegates from the twenty-one (21) countries represented here today, thanks for visiting this “Paradise” in which we live, it is our hope that your stay, though filled with work, is one of refreshment. Take a minute to walk the beach and catch a sunrise. Like each of you, we are in a fight to chart a course that would preserve the beauty of our country.

Your theme; ***“Peace at home. Peace in our communities! Creating partnerships and solutions to transform our homes and communities”*** is in many countries around the world including ours, a dream, a wish and one which HOPE to change may seem dim.

The big question then is “how do we acquire this peace, what can we do to empower our people, to empower each other to be peaceful, to think, live and be architects of peace?”

It begins at the Home (with me)

As someone who has grown over the years and hopefully has become wiser, I dare to venture to say that peace; the state of peacefulness is an art that one has to develop. If you, are not at peace, if you are inwardly stressed, angry and disenfranchised you become agitated, abrupt and at times, abusive.

When we think of the Home, we think of training; a place you learn cook, keep house, wash the car, take out the garbage, learning the skill of interacting with others, how to solve conflicts and respect others and property, a place where we are being shaped and exposed to our parents as models. A place, that ensures that when we reached at the very least, the age of eighteen, we would be on the road to being responsible and productive citizens.

But, all of that has changed. Our children are not being trained, because the trainers are either not prepared to train, (in other words not trained themselves) or are not in the home to train, so the trainers are those on the streets or the television.

So, the fact that this conference is looking at the Home is more than timely, it imperative for **HOPE** and **HEALING**.

In Our Community

Our Prime Minister in 2002 recognized the truth in the adage, “It takes a village to raise a child”. In our context, it is a “community”. As a result he initiated and designed an Initiative called, “Urban Transformation and Renewal”. The notion driving this plan was that there was a need to focus on our communities **empowering** them to **decide** to be clean, caring, cooperative and active citizens. He realized that there has to be a holistic approach that engages all stakeholders to fight for peace. As a result, the Urban Renewal Initiative, now referred to as the Urban Renewal 2.0, has been inclusive. The Government has partnered with law enforcement agencies, the church, the schools, the business community and the society at large. The belief is that the entire society has a role to play in creating peace.² In gleaning your sessions for this week, the planners of the conference have made an admission that communities are important, the way we relate to each other and the partnerships we cultivate are imperative for **HOPE** and **HEALING**.

The Office of The Attorney-General and the Ministry of Legal Affairs is presently engaged in consultations that will lead to a Family Court system.

We note that the term 'family' within our Bahamian context is of limited legal significance for although much effort has been placed on the definition of 'marriage', 'parent'

² A Charter for Governance-Believe in The Bahamas.- Progressive Liberal Party Platform, 2012, page 157

and 'parenthood', we recognize that relatively few cases define 'a family' . A function-based approach to providing a definition we believe will focus on what a family **does rather** than what a **family is**. Thus, the law might describe the functions of a family as: providing security and care for its members; producing children; socialising and raising children; and providing economically for its members. This functional description of 'family', helps define the objective of a family court system as being directed to 'family matters' including but not limited to the prevention of the breakdown of the family unit and the protection of the welfare of the members of the family, especially children.³

In August 2008 a Family Court System Committee, Chaired by former Justice Rubie Nottage, issued a "Report of the Family Court System Committee". I urge you to study that Report, which we shall post on the Office of the Attorney General website.

The Report envisaged a Family Court system that would be 'user friendly' and exhibit a more appropriate functionality whereby family law would then be freed to pursue the goals of being:

- **Protective** - to guard members of a family from physical, emotional or economic harm;
- **Adjustive** - to help families which have broken down to adjust to new lives apart; and,

³**Report of Family Court System Committee**- August 31st, 2008,. "What, then, is family law? " page 7, paragraph 3

- **Supportive** - to encourage and support family life.⁴

The principal aim of the creation of a Family Court system would thus focus on an attempt to fill the gaps and inadequacies of the legal system as it relates to 'family law' matters. Such a system would recognize within its jurisdictional limits the needs of the local family, in its context, and would seek to develop an indigenous jurisprudence that is reflective of those needs.⁵

To this end it could be said that national policy might dictate that the Family Court system focus on prevention through guidance and counselling to help family units before their problems develop into irretrievable breakdown.⁶

The court system would have a multi-disciplinary approach, seeking to incorporate both legal and social services into its daily operations, with its main objective being the prevention of the breakdown of the family unit and the protection of the welfare of the members of the family, especially children. Put another way, it would satisfy the objectives of a 'legal system' and also embrace a philosophical approach to the resolution of 'family matters' which would inure to the benefit of the nation as a whole.

Other features of this specialized court is that it is non-adversarial, houses an Alternative Dispute Resolution Support Services component, such as Mediation and Counseling

⁴Report of Family Court System Committee. August 31st, 2008- pg 4/ Eekelaar, J., *"Family Law and Social Policy"*, London: Weidenfeld & Nocholson, (1984)@p.24-26

⁵Report of Family Court System Committee. August 31st, 2008, page6

⁶ Report of Family Court System Committee, August 31st, 2008,page 6- Antoine, Rose-Marie Belle, *"Commonwealth Caribbean Law and Legal Systems"*, Cavendish Publishing, London, 1999, @p.259

Services, creating a multi-door court system, all located within one building facility and also cater to the unique needs of our archipelagic nation.

Persons who experience family strife are not criminals. These matters ought not to be heard and adjudicated upon in the same manner as criminal trials. Among other things, the premises, will enable easy access by all parties; the Court will sit so as to promote mediation rather than an adversarial approach; counselling rooms will be available and “child friendly” space will be in the Court. Finally, we shall be appointing a Task Force to review the more than 20 pieces of legislation, and the Rules promulgated thereunder, that relate to family matters, with a mandate to streamlining the entire process so that family matters are treated as matters of urgency, not “held hostage” by bureaucracy.

Let us continue to strive daily for success in achieving violence free relationships, peaceful families and empowered communities, let us dare to dream and imagine it and continue to fight for it. To fight for what you do not see, takes courage and stamina.

I encourage each of you to continue to take compassionate action and create that peace. To be courageous, being motivated by the fact that just as we have the capacity of violence within us, there is housed the capacity of peace. Teach our children, our co-workers, and our communities that each moment that they refrain from hurting another being by their speech, gesture, glance or deeds — they are exercising courage.... and when they are successful in those courageous moments — they are making peace.

Healthy relationships, peaceful families, empowered communities deserve the best of our imagination, and our never-ending commitment to make it happen. It is up to us each of us. We are the Mahatma Ghandi's and Martin Luther Kings of today.

In Sy Miller's words again: 'Let There Be Peace on Earth, and Let It Begin With Me' first born on a mountain top in the voices of youth, continues to travel heart to heart – gathering in people everywhere who wish to become a note in a song of understanding and peace—peace for all mankind."⁷

Thank you!

⁷ "Let There Be Peace On Earth and Let It Begin With Me." By Sy Miller and Jill Jackson, 1955- www.jan-leemusic.com. "A Brief history on the song: Let there be Peace on Earth and Let it Begin With Me." By Jan Lee