

HOUSE OF REPRESENTATIVES*Wednesday, August 19, 1998*

The House met at 10.00 a.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I wish to advise that four members of the House have sought and obtained leave of absence from today's sitting; these are, the Prime Minister and Member for Couva North; the Member for St. Joseph; the Member for Naparima and the Member for Barataria/San Juan.

PAPERS LAID

1. Report of the Auditor General on the accounts of the Chaguaramas Development Authority for the year ending December 31, 1996. [*The Attorney General (Hon. Ramesh Lawrence Maharaj)*]
To be referred to the Public Accounts Committee.
2. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending March 31, 1996. [*Hon. R. L. Maharaj*]
3. Financial statements from Trinidad and Tobago Export Trading Company Limited for the fifteen months ending March 31, 1995. [*Hon. R. L. Maharaj*]
4. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending December 31, 1993. [*Hon. R. L. Maharaj*]
5. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending December 31, 1992. [*Hon. R. L. Maharaj*]
6. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending, December 31, 1991. [*Hon. R. L. Maharaj*]
7. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending, December 31, 1990. [*Hon. R. L. Maharaj*]
8. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending December 31, 1989. [*Hon. R. L. Maharaj*]
9. Financial statements of the Trinidad and Tobago Export Trading Company Limited for the year ending December 31, 1988. [*Hon. R. L. Maharaj*]
Papers 2 to 8 to be referred to the Public Accounts (Enterprises) Committee.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, I simply wish to indicate that item (m) on the Order Paper would be deferred having regard to the Finance Committee meeting which would be held later today.

DENTAL PROFESSION (AMDT.) BILL

Order for second reading read.

The Minister of Health (Dr. The Hon. Hamza Rafeeq): Mr. Speaker, I beg to move,

That a Bill to amend the Dental Profession Act, Chap. 29:54 be now read a second time.

Mr. Speaker, you would recall that earlier this year I read a statement in this honourable House in which I indicated that the Government would soon be bringing legislation to amend the Dental Profession Act to, in effect, do two things: firstly, to allow for the recognition of the University of the West Indies (UWI) Dental School degree by the Dental Council for the purposes of registration for the holders of those degrees; and secondly, to alter the composition of the Dental Council itself. The Bill I am introducing today is a fulfilment of that commitment.

The Bill contains nine clauses. Clause 3 defines the Minister as the Minister responsible for health. Clause 4 introduces the Schedule which we would deal with later on. Clause 5 deals with the new composition of the Council and adds for the first time a lay person on the Council, two members from the medical faculty of the University of the West Indies and one medical doctor. I will explain these a little later. Clause 6 is a consequential amendment. Clause 7 gives the Minister the authority by Order after consultation with the Council to amend the Schedule that would be included in the amendment. Clause 8 gives the Minister the authority in collaboration with the Council to review the curriculum and training programme of the University of the West Indies Dental School.

Dentistry is an important component of health care, the details of which I will not get into at this time. In Trinidad and Tobago, as indeed in many other countries, because of the many competing interests this aspect of health care has not been given the recognition it deserves or the resources it requires. It is necessary then to scrutinize what obtains in Trinidad and Tobago at present. I quote from a document written by Prof. Thompson, the Director of the dental school.

"There is a population of approximately 1.2 million people in Trinidad and Tobago and approximately 50 per cent of these are under the age of 18 years

the age most at risk for dental disease. The number of dentists registered with the Trinidad and Tobago Dental Council gives a ratio of approximately one dentist to 12,000 people. The World Health Organization recognizes that there should be one dentist to every 2,500 people; in simple terms this means that there are 20 to 25 per cent of dentists available to fulfil the required demands."

Mr. Speaker, because of this we have seen, over the years, a situation in which unqualified persons have been practising certain aspects of dentistry in Trinidad and Tobago illegally and sometimes to the detriment of their so-called clients. It is against this background and similar experiences in other Caricom countries that the Dental School, Faculty of Medicine, University of the West Indies was established to serve the needs of Trinidad and Tobago and other Caribbean territories. It is the only dental school in the English-speaking Caribbean.

The school offers a 5-year training programme leading to a Doctor in Dental Surgery Degree. It accepted its first batch of students in September 1989 and, to date, five graduating classes have completed the course of training, totalling about 63 graduates so far, from the institution.

As a new institution, the dental school has had its fair share of teething problems and has faced its fair share of challenges. It has sought to address these and even though the situation is not perfect at the dental school, it has reached a stage where international external examiners have been quite satisfied with the performance of the school and the graduates therefrom. I will come back to this later.

As is the case with many categories of professionals, for example, doctors, nurses, pharmacists, veterinary surgeons and lawyers, before dentists can practise their profession in Trinidad and Tobago, they need to be registered by the local regulatory body which governs the profession. In the case of the dental profession, the relevant regulatory body is the Dental Council established under the Dental Profession Act.

Under this Act a person is entitled to become registered under the following circumstances. I refer to section 5(1) of the Dental Profession Act:

- "5 (1) A person is entitled to be registered to practise dentistry on making an application therefor where he—
- (a) is the holder of a diploma;
 - (b) shows to the satisfaction of the Council that he is of good character; and
 - (c) pays such fees as may be prescribed.

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In section 15 it states:

"The Council may in order to be satisfied that the qualification of an applicant for registration is sufficient to assure the possession by the applicant of the requisite knowledge and skill for the efficient practice of dentistry—

- (a) grant temporary registration and make recognition of the qualification conditional upon satisfactory performance during the period of temporary registration; or
- (b) make the recognition of the qualification conditional upon the passing of an examination conducted by the Board of Examiners appointed by the Council under section 12."

Section 12(d) states:

"The functions of the Council shall be—

to publish for general information a list of universities, colleges or other institutions the diplomas of which are recognised by the Council;"

Therefore, a list of dental schools exists, the list referred to in section 12(d). It contains about 89 schools whose graduates are registered to practise their profession here by producing a diploma from any of these schools, showing a certificate of good character and paying the prescribed fee. There is no requirement from graduates of these schools to write the licensure exam before being registered by the Dental Council. Among that list of schools, the Dental School, University of the West Indies is not included.

For the graduates of the local dental school to be registered the Dental Council has invoked section 15(b). They have stipulated that these graduates must submit to an examination set and administered by the Dental Council. This has come about because over the years the Council has expressed concern over the adequacy of clinical and practical teaching of the students, as well as reservations about the syllabus of the dental school itself.

Attempts between the school and the Council to resolve this problem of practical training, resulted in the dental school agreeing that graduates complete a one-year period of internship under the supervision of a registered dentist, before being fully registered. Even this has not succeeded in dispelling the concerns of the Dental Council which continues to refuse to recognize the dental school's degree for registration purposes.

As I said before, the Dental Council has invoked section 15(b) of the Act. Incidentally, the fee for this examination is \$2,000 per student which must be paid to the Council, and a request has been made by the Council to have this fee increased to \$4,000.

10.15 a.m.

Since my assuming office, and even before that time, several representations have been made to my predecessors by graduates and students to have this matter resolved. Since assuming office as Minister of Health I facilitated several meetings between the Dental School, the Dental Council, the Ministry of Planning and Development and the Ministry of Health and even representatives from the dental students group. Several discussions were held and several suggestions and recommendations were made. The matter was thoroughly explored but the issues remain unresolved.

In March of this year the Cabinet appointed a ministerial committee comprising the Minister of Planning and Development, the Minister of Health, the Minister of Education and the Attorney General to consider the issue and make a recommendation on how to resolve the same. The committee was supported by a technical committee comprising representatives from the Ministry of Health, the Ministry of Education and the Ministry of the Attorney General. The committee held consultations with representatives of the Dental Council, the UWI Dental School and the graduates. The issue was again comprehensively explored and recommendations made to Cabinet. Cabinet deliberated on these and the present Bill is the result of Cabinet's decision.

Mr. Speaker, over the five years the final examination results from examinations that have been administered by the University have been as follows:

Year	No. of Candidates	No. of Passes
1994	19	17
1995	17	9
1996	17	11
1997	21	13
1998	30	13

Comparatively, the Dental Council has administered three sets of examination to graduates so far who have passed the UWI examinations and completed their internship and the results at the first attempt are as follows:

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Year	No. of Candidates	No. of Passes
1995	13	10
1996	11	3
1997	9	2

I must add that the entrance requirement for the Dental School is high and some of the best students, including national scholarship winners in Trinidad and Tobago, are admitted to that course.

Mr. Speaker, a comparison of the examinations will reveal that there are significant differences between the examination as conducted by the UWI Dental School and the one conducted by the Dental Council. The examination administered by the Dental Council has changed significantly over the years. In addition, the examination by the Dental Council is administered by local practitioners and general practitioners from the region while the examination by the University is administered by university lecturers and external examiners in each area from recognized universities.

Mr. Speaker, I will quote again from this letter from Professor Thompson in which he says:

“In their qualifying final dental examinations all dental students are assessed by experienced university examiners from the United Kingdom, the United States of America and Canada, many of whom currently occupy the posts of Deans of prestigious dental schools.

Since 1994 there are approximately 40 UWI graduates practising safely and competently within the Caribbean. Furthermore, eight UWI graduates are pursuing specialist training in both the United Kingdom and the United States of America without the necessity to undergo pre-entrance examination. This represents Trinidad and Tobago’s investment in future specialists.

Mr. Speaker, with your permission I would like to read into the record some of the comments of the external examiners who were involved in the assessment of the students in the examinations conducted by the University of the West Indies. The first letter is from Professor Williams, the Dean of Clinical Dentistry, St. Bartholomew and the Royal London School of Medicine and Surgery and Member of the General Dental Council of the United Kingdom. He says in a letter to Professor Thompson:

“As I come to the end of my first three years as external examiner, I would like to share my thoughts with you on the school.

As on the two previous occasions I was most impressed by the standards of your undergraduates. With very few exceptions I would be delighted to have them as students in my school. Clearly, I cannot speak with authority across the whole syllabus but their knowledge on oral medicine, oral diagnosis and oral pathology was at least as good as that of our UK graduates. I recognize some of the difficulties which have confronted the school in recent years and am most impressed by the dedication which many of your faculty have shown. Some of the new appointments also appear to be very promising.

This spirit, together with the opportunities which are to be seized indicated to me that the school has an exciting future. It seems to me unfortunate that there is currently a stand-off between the school and the Trinidad and Tobago Dental Council. I feel that every effort should be made to negotiate an understanding so that students who graduate from the university are automatically registered by the Dental Council. I can't help feeling that this issue should be addressed urgently. The biggest issue confronting the dental profession in Trinidad must surely be the large number of untrained and unregistered practitioners in dentistry. It is a matter of real importance that the University and the Dental Council come together to address this problem.”

Mr. Speaker, I would like to quote another letter from Dr. Lorna McPherson who is a senior lecturer and consultant, Dental Public Health, University of Glasgow Dental School:

“Thank you for the invitation to act as external examiner for the preventive dentistry, dental public health course at the University of the West Indies. I consider it a privilege to have had the opportunity to examine the various elements of the course and at this stage to provide you with my preliminary assessment with a detailed report being sent at a later date.

I found the course to be very comprehensive and of a very high standard. The examinations were well organized, the components very relevant to the subject and the marking scheme criteria for marking very appropriate. The overall standard of the candidates was very high and, certainly, at least comparable to that found in fourth year dental students undertaking dental public health degree examinations with the University of Glasgow.”

Mr. Speaker, the next letter is from Dr. Robert Clark who is Professor of Prosthodontics, Guys and St. Thomas Medical and Dental School. He says:

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“I have just finished examining your excellent students and feel I must write to you personally to record my surprise and concern that success in the final DDS examination does not entitle graduates to automatic registration in the Trinidad and Tobago Dental Register. Surely this is the result of a legislative oversight when the school had been set up which should be corrected as soon as possible.

While I appreciate that the intern year is designed to consolidate clinical skill, your students have already reached the level of competence at least equal to other schools in other jurisdictions in which I have examined.

I can see no good reason why they should not join the dental workforce as independent practitioners immediately the intern period is completed.”

Mr. Speaker, I would like to quote one final letter in this series. This comes from Dr. Horthon. He is consultant of orthodontics and paediatrics at the University of Bristol:

“Having discovered the local arrangements for recent dental graduates of the University of the West Indies, I feel I should write to you. Passing students in the University of the West Indies final examination for DDS I feel achieve equivalent status to their United Kingdom and BDS counterparts. The low success rate in the local Trinidad and Tobago Dental Council Board Examination gives rise to serious concern for the questionable standards of the internally regulated examination.”

Mr. Speaker, I would not read the rest of the letter.

There are two other letters that I would like to read into the record. This is the report by the internal examiner in periodontology for 1998. This was prepared by Professor Richard Palmer:

“Candidates were required to present a patient that they had been treating during the course. They were given 45 minutes to review and document the patient. They were required to present the clinical findings and the patients were evaluated by the examiner. The candidates underwent a 15 minute oral examination particularly focusing on the diagnosis, prognosis, treatment rationale, radiography and further treatment requirements. The patients presented were well treated. They all expressed satisfaction with the standard of care received and they all have experienced noticeable improvements in their periodontal condition. The candidates were able to verify various aspects of the management of their patients and were able to demonstrate good academic

knowledge of clinical periodontology. The overall standards of the candidates examined compares favourably with other universities.”

Mr. Speaker, finally Professor John Phillip:

“I am very pleased for this to be my second year as external examiner to the University of the West Indies Faculty of Medicine. Overall, with one exception, I was very pleased with the standard which prevailed in both clinical years.

As previously, the general medicine general surgery took place at San Fernando Hospital. In the practical aspects of the examination I was happy to have had the opportunity to examine the patients prior to the students seeing them and once again a wide range of conditions were presented which were of the appropriate standards to which the students were being tested. As you know during oral examinations I was again happy to examine the students on the basis of clinical cases involving slides and to discuss the etiology and management of each case. This, again, was well organized. With one outstanding exception the students were of a very high standard.”

Mr. Speaker, all the parties in this issue have one goal. That is to provide a high standard of dental care to the population of Trinidad and Tobago. The assessment provided by the external examiners from the letters that I have read gives us some confidence that the graduates are of an acceptable standard.

However, there is more. As you have heard from one of the letters I read, there are about 40 of them practising in Trinidad and Tobago very satisfactorily, competently and professionally and some of them are even abroad doing very well. We have gone one step further and I intend to circulate an amendment in a short while which will institutionalize the period of internship. That is the one year that the graduates will have to undergo on successful completion of their DDS degree. They must work one year under supervision from a registered dentist before venturing out on their own. This will give added protection to members of the public.

Mr. Speaker, although we have confidence in the University of the West Indies and the Dental School, it does not mean that because the graduates from the school will have automatic recognition that they can go ahead and produce substandard graduates. We have included in clause 8 of the amendment a provision whereby the curriculum and the training programme will be closely monitored. I intend, after the passage of this Bill, to establish a monitoring team which will implement that section of the Act.

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Mr. Speaker, the fact that the local Dental Council has refused to recognize the DDS degree for automatic registration is now already adversely affecting the school. The Government of Barbados, for example, have said that their legislation does not permit them to register graduates who are not registerable in the country in which they gained their degrees. Because of all that I have said we are introducing, as a schedule to the Bill, a list of dental schools from which degrees will be automatically recognized for the purpose of registration by the Dental Council. Included in this list will be the UWI Dental School.

Mr. Speaker, clause 5 seeks to amend by deleting subclause (9) and substituting the following—this deals with the composition of the council. As I said we have added here two members from the medical faculty of the University of the West Indies, one medical doctor to be appointed by the Medical Board of Trinidad and Tobago and a lay person to be appointed by the Minister of Health. Clause 9(3) deals with the issue of the quorum.

Mr. Speaker, let me assure this honourable House that such an alteration in the Council's membership will in no way decrease the control which is now exercisable by the profession in its function but will enable the University of the West Indies and others to contribute immensely to the deliberations of the Council. The Council can then avail itself of the University's expertise in dentistry and in so doing, ensure the welfare and improvement of the dental profession, not only in Trinidad and Tobago, but in the entire Caribbean area.

The new composition also includes a medical doctor whose role on the council is becoming more and more important. Dentistry and medicine are closely related professions.

As a matter of fact, for some post-graduate disciplines in dentistry, a degree in medicine is a prerequisite. For the first time, also, a lay person is being placed on the council to look after the interests of the public and, at the same time, to give the consumer's perspective on the council. This is the trend internationally and it has worked well.

10.30 a.m.

Clause 6 seeks to amend section 12 by deleting subsection (d). Accordingly, the council shall not be required now to publish a list of universities and other institutions for general information. As I stated, the schedule that is appended here will take care of that.

Clause 7 seeks to amend the Schedule, by inserting the following subsection:

“The Minister may by Order, after consultation with the Council, amend the Schedule by adding thereto or deleting therefrom any University, College or other Institution.”

Mr. Speaker, the Government views dentistry as one of the important aspects of health care. The amendment we are proposing today is one in a series of measures to improve the standard of dental care in Trinidad and Tobago. At present, there are several vacancies for various categories of staff, including dentists, dental nurses and dental surgery assistants. The training programmes for dental nurses and dental surgery assistants continue and the recruitment process will continue as well.

At present, the Ministry of Health is giving serious consideration to a proposal to acquire two mobile units so that dental care can be given in certain outlying areas. We already have one completely outfitted and this should be on the road before the end of this year. In addition, we have had an assessment of the need for dental equipment at the various health centres. We will be purchasing these as soon as possible so that dental work can continue in these areas.

Finally, there is a policy document which was prepared by senior dental surgeons from the entire Caricom area. This document has now been reviewed by the local senior dental surgeon and is now before the management executive of the Ministry of Health for final vetting and implementation.

On the issue at hand, although we have had, as I indicated, several meetings and consultations, we do not have consensus or agreement from the Dental Council. When, however, one considers the larger picture and the plight of the graduates and the needs of the population, we feel that it is necessary to enact this piece of legislation at this point in time, in which we have introduced the necessary safeguards.

I hope we can receive the necessary support for this measure, so that the students, in whom both the Government and their families have made considerable investment, can begin more easily to practise their profession and improve the standard of dental care in Trinidad and Tobago.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Barendra Sinanan (*San Fernando West*): Mr. Speaker, I am pleased to participate in the debate on the Bill before the House, an Act to amend the Dental Profession Act, Chap. 29:54.

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Let me at the outset state that whilst I am pleased to participate in this debate, I am not pleased at the plight of the students at the Dental School. They have been made to suffer for the past three or four years because of an apparent conflict between the Dental Council of Trinidad and Tobago and the University of the West Indies.

Miss Nicholson: What a statement!

Mr. B. Sinanan: Perhaps if I read from the parent Act, the definition of “practice of dentistry”, it may put into focus the Bill before the House. It is defined as:

- “(a) the performance of any operation, and the treatment of any diseases, deficiencies, or lesions, on or of human teeth or jaws and the performance of radiographic work with human teeth or jaws;
- (b) the giving of any anaesthetic in connection with any operation on human teeth or jaws or supporting structures;
- (c) the performance of any operation on, or the giving of any treatment, advice or attendance to any person, as preparatory to or for the purpose of, or for, or in connection with the fitting, insertion, fixing, constructing, repairing or removing of artificial dentures or restorative dental appliances; or
- (d) the performance of any operation, the prescribing of any drug, the giving of any treatment, advice or attendance as is usually performed, prescribed or given by dentists;”

The crux of the matter before us in this amendment is whether at the Dental School, the teaching is sufficient and is of a high standard to allow students to practise dentistry as defined in the parent Act.

I would like to go through the amendments and then return to certain items raised by the Minister. The main purpose of this Bill is to allow automatic registration of students once they have obtained the University of the West Indies degree, and we have heard that the Minister will be introducing an amendment of a one-year internship after the students obtain their degrees. I presume that the automatic registrations will take place after the one-year internship.

This, the main purpose of the Bill, to allow registration without the need for an examination by the Dental Council of Trinidad and Tobago, I am not sure whether this amendment achieves this. Perhaps I may add here that this Bill seems to be creating more confusion than it is attempting to solve.

Let us look at the definition of “diploma” in the parent Act.

“‘diploma’ means any diploma, degree, fellowship, membership, licence or certificate granted by any university, college, or other institution conferring authority to practise dentistry in the country or place where granted...”

I pause here. That will now take into consideration the University of the West Indies so the University of the West Indies Dental School is now automatically an institution that has to be recognized but it goes on to say.

“...and recognised by the Council...”

—that is, the Dental Council of Trinidad and Tobago—

“...as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry;”

Therefore, the Dental Council of Trinidad and Tobago still has a major say in the admittance to membership of dentists in that council.

Mr. Speaker, if you look also in the parent Act, section 12 says:

“The functions of the Council shall be—

- (a) to determine and keep under review the professional qualifications and experience required of an applicant for registration or enrolment;
- (e) to appoint a Board of Examiners for the purpose of conducting examinations required by this Act to be conducted;”

I am just reading some of it.

“(g) to ensure the maintenance of proper standards of professional conduct by dentists and dental auxiliaries;”

I dare say that the main problem that exists at the Dental School, apart from the conflict between the Dental Council of Trinidad and Tobago and the Dental School seems to be centred around a question of the standards.

As we all know, the Dental School part of the University of the West Indies was started in 1989 and complements the School of Medicine and the Veterinary School. At that time, it was felt by the Dental Council of Trinidad and Tobago that in order for there to be more dentists, the Government should award scholarships. The then government and perhaps the previous one, too, felt that in order to have the University grow into a proper university, a dental school was a must, therefore, we had the Dental School established in 1989.

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It was also established to produce more dentists and, as a result, lessen or remove the situation where there were untrained and unregistered dentists practising in Trinidad and Tobago, the so-called quacks.

Mr. Speaker, I am suggesting that the amendment before the House does not really solve the problems that exist at the Dental School and the conflict that exists between the Dental Council of Trinidad and Tobago and the University, simply because when you look at the functions of the council and the definitions of “diploma” in the parent Act, if it is that the Dental Council of Trinidad and Tobago feels that the standard of the graduate at University of the West Indies is not what it thinks it should be, then it can still frustrate the ability of young dentist graduates from practising their profession, because section 12 and the definition of “diploma” gives it sufficient leeway and authority to frustrate the amendment before the House.

I have heard the Minister say much about the reports of the examiners, praising the University of the West Indies. Let me say that as much as there is praise, there are those who are prepared to criticize. But, I will come to that.

Clause 5 of the amendment before us seeks to change the composition of the board. We now have a situation where, in the parent Act, all members of the Council had to be dentists. This amendment now moves away from that position. It is now that the Board shall be managed by a chairman, a vice-chairman, a secretary, a treasurer—but this amendment does not say that they should all be dentists. I presume that certainly the chairman, vice-chairman, secretary and treasurer would be dentists.

Dr. Rafeeq: Look at new clause 9.

Mr. B. Sinanan: Yes. That is correct.

“(e) two members appointed by the Minister...one of whom shall be the Dentist holding the most senior dental post in the Ministry of Health...

(f) two members appointed from the Medical Faculty of the University of the West Indies;

(g) one medical doctor appointed by the Medical Board...”

I note an interesting inclusion here which is:

“(f) two members appointed from the Medical Faculty of the University of the West Indies;”

I have read some reports that suggest that there is a conflict between the Dean at the University Dental School and some of the professors there. I am not sure whether having two members appointed from the Medical Faculty of the University of the West Indies will serve to continue this conflict that exists between the Dental Council of Trinidad and Tobago and the Dental School.

It is, as I said, most unfair to the students at the Dental School. With respect to the practice of dentistry before you get your degree, it was always my understanding that it is a very difficult and costly course and, to have the students at the Dental School placed in the position in which they now are, is really most unfortunate, but there will come a time soon when both the Dental Council of Trinidad and Tobago and the Dental School of the University would have to get together to come to some common understanding for the good of the dental profession.

As I said before, the amendment before us, in my opinion, does not help the situation. It creates a bit more confusion.

10.45 a.m.

Mr. Speaker, the Minister indicated that there are about 40 local qualified dentists who are practising. I am sure that those dentists are well-qualified and enjoy a good practice. It is my understanding, however, that because of the history of the dental school, there is an unfortunate stigma attached to local graduates in that when one goes to a dental clinic and there is a local dentist as well as a dentist who obtained his diploma outside of Trinidad and Tobago, because of the history of the dental school and the bad reports emanating from that school, the patient seeks to go to the dentist who has qualified abroad. It is found that certainly in the initial stages of practice of a locally qualified dentist, most of their practice really is in doing the menial things such as cleaning of teeth and maybe a few extractions. So it is really unfortunate that the students at the dental school have been placed in this position.

Mr. Speaker, let me read from some reports that have come to my attention. One would see that as much as there is praise there is criticism. These reports go back to 1994. I will read some excerpts from these various reports. The first report I am reading from is a report of the visiting committee for the Dental School of the University of the West Indies which is dated 1994. It says under the caption "Administration and Facilities":

"The committee found that the organizational structure of the administration whereby the dental director worked under the Dean of Medical

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Sciences to be a stumbling block that delayed the implementation of decisions made.

There appears to be a serious conflict of interest between the Authority run dental clinics and the dental school polyclinics that works to the detriment of the dental school achieving the required number of clinical patients.”

In other words, this report begins to identify problems at the school itself. It has nothing do with the students *per se*, but with their ability to gain a proper education in dentistry.

“The present final year student interviewed seems to have a very low level of confidence in his clinical abilities. This is directly attributable to the fact that more clinical teaching is needed prior to their graduation.”

I think this has been one of the points raised by the Dental Council—a lack of clinical training undertaken at the dental school.

“One of the items noticed here which is a recommendation of this committee is that:

Student evaluations should be based more on independent patient care and less on written examinations.”

The Minister alluded to written examination earlier on in his presentation. What this report is suggesting is a more clinical approach and not so much a written examination.

“The faculty should mount a program of continuing examination for practicing

We are amending the Dental Profession Act and one of the main thrusts in all professions in this modern era, is to have continuing education. So for example, even in the legal profession, the time will come when, perhaps, it will be mandatory to have continuing legal education so that after two or three years in practice one would need to do sabbaticals. I think the Medical Board of Trinidad and Tobago is contemplating such a move. I think it exists in the medical associations in the larger European countries, where one must have continuing education. The situation cannot exist where one qualifies one year and is practising 20 years hence, the same medicine. Things change, so continuing education is really a very progressive step.

Under the heading, “Faculty - Teaching Staff”, it says:

“Any medical or dental school of value thrives and survives by its faculty. UWI has a minimum number of full-time faculty, some experienced more than

others. Most of the examining reviewers' comments relate to weaknesses of the program. Strengths were also enumerated."

This report gives some recommendations and I would like to read these recommendations into *Hansard*.

"1. There is need for a minimum of nine additional full-time faculty."

This report, Mr. Speaker, is a 1994 report, so things may have changed since then. Perhaps the Minister again, in winding up, can indicate if there are changes.

"Presently there are only half the faculty needed. The areas where additional faculty are needed are: removable prosthodontics, operative dentistry, fixed prosthodontics, endodontics and pediatrics dentistry.

2. Poor communications exist between the dental administrators and the faculty, faculty and students, school and Dental Council.
3. The clinical experiences of the faculty need to have greater depth.
4. Oral surgery needs more student oriented faculty. The faculty must concentrate on more basic oral surgery teaching for students at their first level rather than at the graduate student level.
5. Faculty must develop more hands-on clinical teaching so students will develop competently.
6. Faculty remuneration (salaries) must be increased one hundred per cent.
7. Improvement in clinical teaching and professional comradeship must be done by hiring local or regional practitioners."

Mr. Speaker, my information is that the dental school is to some extent, suffering from a lack of suitably qualified professors and teachers. This report recommends a salary increase of 100 per cent. Some of the reports that I will read from suggests that the faculty at UWI is less than what it ought to be, hence those who suffer in all this are the dental students.

"The phase II aspect of the dental curriculum especially the clinical aspects of these courses had little or no data and or scores to show class performance. There was a complete lack of data in most clinical disciplines on the number and quality of procedures being performed by students. As a result it is impossible for staff to reevaluate their teaching to reflect the deficiencies in student performance."

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The report concludes:

“Relative to the charge given to the Visiting Committee it is clear to the Visiting Committee that the Class of 1994 is not clinically competent to independently practise dentistry. Whether or not they will be competent can be determined only by further evaluation near the end of the internship year.”

We have seen the first graduating class and perhaps the second graduating class, having to sit this examination by the Dental Council of Trinidad and Tobago. Without a doubt, there is a problem at the dental school. It has to do, from what I am reading here, with the quality of teaching at the dental school.

Mr. Speaker, there is another report which is by the General Dental Council of England. This is a more recent report—1996. I would like to read some of the extracts of this report. As I said earlier on in my contribution, to run a dental school is very costly. It costs a fair amount of money, perhaps even more than a medical school. This report talks about the number of students at the dental school at page 3:

“The planned intake of 25 dental students per year has not yet been achieved in any year and the School is actively seeking recruitment of further students from other Caribbean countries and from other parts of the world.”

You ask yourselves why is the student intake at the dental school not what it ought to be; why it is not up to the level that would make it self-sufficient or even attractive for students or lecturers to teach.

“We do not judge the intern year to equate to the UK vocational training scheme...At the end of the intern year the new graduates are required to take an examination set by the Dental Council of Trinidad and Tobago...”

That is what I referred to earlier on.

In the Caricom countries, except for Jamaica, all other countries like Barbados, St. Vincent and most other Caribbean countries, would allow a dentist to practise in that country once he or she has passed the exams set by the dental school. In Jamaica you have to sit an exam that is prescribed by the Dental Council of Jamaica.

At page 4 states:

“Most of the medical and dental clinical lecturers (where registration permits) have part-time private practices and this also applies to dentists employed in the government service.”

This is suggesting perhaps, that if there are part-time dentists at the dental school, they may not necessarily be giving of their best.

At page 5 states:

“One of the major problems which has affected the School, almost from its inception, has been the difficulty in attracting and retaining academic staff.”

Mr. Speaker, the problem at the school is deeper than this amendment is suggesting.

“We were told that on a number of occasions the authorities had had to resort to crisis management to ensure that essential teaching programmes were given. As a consequence there had been a succession of short-stay visitors who had given courses.”

If there is a situation where there is a very mobile and transient staff, the students would never benefit from such an environment.

“This resulted in lack of continuity of the teaching programme and lack of consistency of the teaching message. There had also been occasions where the students had to be diverted from clinical work in order to pick up theoretical teaching when it became available.

We can well appreciate the concern expressed for the lack of academic and clinical leadership in a number of important disciplines, the lack of stability in senior positions and the inevitable knock-on effect that this has on research, post-graduate study and development of younger members of staff. We believe these concerns to be well-founded.

We were advised that three of the seven chairs and two of the five senior lectureships remain unfilled.”

As I said, this is a 1996 report. I do not know if things have changed since then.

“We are bound to comment that many of the academic posts are occupied by individuals who have graduated from schools, the degrees of which are not recognised by the General Dental Council.”

This is a very damning statement, Mr. Speaker, coming from the General Council of the United Kingdom. We have had the recent, unfortunate case where the professional qualification of a member of the ministry was called into question. Here this report is questioning the academic qualifications of those at the dental school.

This report is identifying that there is a lack of patients for the students to learn their course and that most of the patients go to the dental hospital.

“We were told that patients treated by dentists at the Dental Hospital are charged fees which are close to the level found in general dental practice. Patients treated by interns one floor up in the Dental Polyclinic pay 80% of the fee whilst treatment by undergraduates in the same Polyclinic is charged at 40% of the Dental Hospital fee.”

Apparently, there is something to do with the fees charged by these different departments which cause a lack of patients for the students.

I move to page (7) which states at paragraph 2.7:

“We are concerned about the barriers which prevent the continuing development of their clinical skills which have been mentioned in paragraph 2.2. We are not convinced that the timetables of the lecturing staff are balanced optimally.”

This report goes on to highlight many major teaching problems at the dental school. Paragraph 3.6 says:

“The teaching of preclinical and paraclinical subjects is designed mainly for medical students. When dealing with a mixed group of medical, dental and veterinary students, this emphasis clearly presents some limitation upon

including sufficient numbers of dentally orientated examples in the PBL programme. Further, the dental students are at a disadvantage compared to the medical students in that they have the additional teaching of the dental subjects which take up four sessions a week during the latter part of the Phase I course.”

Another problem identified is dental material science at paragraph 3.8:

“The course appears to be comprehensive, but it is not clear how it integrates with the preclinical courses in operative and prosthodontic techniques; it is completed nearly twelve months before the students start treatment of patients. The course in applied sociology and psychology in dentistry is also taught in the second year, but is not examined.”

Mr. Speaker, perhaps the Dental Council in adopting the attitude which they are adopting is not necessarily putting a stumbling block in the path of the students of the university. More than anything, I would like to think that they would wish that the standard at the dental school comes up to scratch.

Paragraph 4.1.3 says:

“The teachers were unaware of the committee structure in the Dental School, including the Phase II committee.”

This report really is a very condemnatory report of what is going on at the university.

“We have to say that we regard the experience in restorative dentistry as unsatisfactory.

An important part of clinical education is to assess and treat problems in patients who come in ‘off the street.’ Only limited experience is gained by the

At paragraph 4.2.5:

“We have to express major concern over the lack of clinical experience in orthodontics and paedodontics. Undergraduates receive no clinical experience in orthodontics.”

Paragraph 4.2.7:

“There is no specific teaching of gerodontics or of care of handicapped patients. Students receive no instruction in clinical audit.”

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Paragraph 4.2.9:

“We have major concerns with the teaching of anaesthesia and sedation.”

Paragraph 5.2 which is dated July 17, 1996 says:

“As we have said earlier, we do not believe that this year equates to a UK vocational training year and should therefore be considered as a continuation of the undergraduate course.”

I think the General Dental Council has identified in this 1996 report that the graduating class of 1995 was not up to scratch.

There are two other reports which really show a bad light on what is going on at the dental school, one is the report of Prof. Richard Walker and the other is by Dr. Newton Johnson. In order to appreciate the point I am making about problems at the dental school I would read some extracts from these reports. As I have said before, we heard the Minister read into the record certain attributes or statements by examining teachers and professors which pay the school high compliments. On the other hand, I have read two reports and I would read extracts from two more which claim quite the opposite. All I am suggesting is that there is something wrong at that school and the people who are suffering are the students.

In this report by Prof. Walker, in his introduction he has set the tone for what any good dental school ought to achieve. It says:

“The mission of a first rate dental school should be to educate and train a biologically orientated, technically competent, socially sensitive practitioner who adheres to the highest standards of professional conduct and ethics and who can function effectively within a team to advance the interests of oral health care within the community.”

The school finds itself in a similar situation which existed a few years ago when senior members of the school abruptly left the service of the University of the West Indies. The situation can be summed up very simply by the word “control”. These two reports from which I would read identify the serious conflict between the administration and the teaching staff.

This report is dated December 1996 and under the caption “Control of the

“The Dean, Faculty of Medical Sciences, controls the School of Dentistry. He is the Principal Budget Holder and the School is constantly reminded of the subsidies received from the Faculty. All decisions regarding staffing have to

pass through his hands. The appointment of part-time and full-time clinicians, academic and non-academic staff falls within his remit...

The Dean exercises authoritarian control and has the keen support of a favoured few...

The Dean understands little about dental education, dental research and patient care. He also has difficulty in accepting or trusting the advice given by the present senior members of the dental academic staff."

Mr. Speaker, there really seems to be major problems at that school.

"Any foreign academic staff member who enters the Faculty of Medical Sciences at any level is bound to feel insecure and uncomfortable. Non-nationals have no control and receive little in the way of encouragement and support.

It is apparent that a small group of part-time and full-time nationals are, through allegiance to the Dean, able to destabilise the activities of the energetic few, at will. This atmosphere is not conducive to development and may explain the reason why many overseas members of staff are not retained for longer periods."

If there is a situation like this which exists at the dental school, obviously the school would not attract quality staff.

Under the heading "The Director's Office" states:

"It became apparent, during the meeting arranged by the Dean in the presence of the Principal, on 9th December, 1996, that the views and opinions of national and part-time junior staff were going to be allowed to undermine the authority of the Director's Office.

The Dean's presence effectively silenced the views of the fearful majority, some of whom were too fearful to speak, many were too fearful to attend."

Under the heading "Personal Comments" Prof. Walker said:

"I received varying comments from my colleagues when I first pursued my interests in the School of Dentistry. Encouragement came from eminent members of the Profession in the United Kingdom, who see the real possibilities of making this Dental School a viable proposition. Sadly, I also received strong words of discouragement from academic colleagues from the UK and Overseas. One such letter came from Malaysia and, was presumably,

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based on experiences from Commonwealth students who had studied in the West Indies.”

He talked about meeting Prof. Prabhu who was then the Director of the School of Dentistry and of having to wait in a taxi and spending two days in some hotel and not provided with proper accommodation.

“After nearly thirty years of academic and clinical experience, I wondered how my expertise might benefit the University of the West Indies, and help resolve some of the many problems of the School of Dentistry.”

Mr. Speaker, Prof. Walker has had a very long and distinguished career. He was a consultant to the government of Hong Kong, chief examiner and member of the board of examiners of the Hong Kong Dental Council. He has two research qualifications and over 40 publications in referred national and international journals. He is the author and co-author of five standard dental texts, he had experience of the problems in setting up the new dental faculty in Hong Kong. He is a Fellow of Royal College of Physicians and Surgeons, and a Fellow of the International College of Dentist. Here is a very knowledgeable and qualified Professor saying these things about what is going on at the university.

“In the short time that I have been ‘overseeing the administrative duties of the Director’s Office’, it has become apparent that the Director, School of Dentistry does not have total control over the academic and non-academic staff and does not have the total support of the Dean, faculty of Medical Sciences or the Principal, St. Augustine Campus.

Placed in an untenable position after the meeting held on 9th December, 1996, the only responsible act is to step aside. This I have done in order to revert to the original terms of my contractual letter dated 13th December, 1995 and my appointment as Head, Clinical Dental Sciences, with effect from 1st August, 1996.”

This report is suggesting that here is Prof. Walker coming in with some degree of verve and energy and being frustrated. I cannot say that he is right and the Dean and others are wrong. I do not know. All I am saying is that the report gives sufficient evidence to enlighten us as to the state of confusion up at the dental school.

11.15 a.m.

Finally, I am going to read extracts from a personal statement to the Vice Chancellor and his team of enquiry, University of the West Indies School of Dentistry, again in December, 1996 by Newton Johnson. He says at page 1:

“The first thing I wish to place on the record is that I found the students and interns to be a credit to the University, the nation and the region. It is nothing short of a disgrace that a small number of staff have attempted to involve the students, in a clandestine manner, to support their own self-interest. I deeply regret the stress that these few individuals have brought to the student body. I would also wish to place on the record that I found the vast majority of staff to be decent, caring and hard working.”

He spoke also in this report of Prof. Richard Walker and his international reputation. He continued at page 3 to state:

“In the early weeks I had to manage and resolve a succession of serious complaints from angry patients, the majority of whom had genuine reason to complain. Indeed, I can say that at least 50% of my time in the initial phase of my work was taken up with resolving crisis after crisis. It was simple to identify the cause of all the problems: a total mismanagement of the clinical facilities.”

And then, he enumerates some of these:

- “1. Students and interns worked without adequate clinical supervision; no single member of staff could be accountable for the care of any patient, or the actions of any student...”
2. Academic members of staff who came and went as they pleased, i.e. we had no clue as to who was supposed to be where; staff would disappear; staff were unaccountable; lectures and laboratory sessions were cancelled at short notice. An excellent example involves the lecturer in Oral Surgery. I was totally shocked to realize that this person was and is in fact a full-time member of staff. I had thought that he was a sessional lecturer because this person appeared to spend the majority of his time working in his private dental office in Port of Spain and the rest of his time he seemed to be spending working for the Health Authority. Students reported that he failed to deliver his teaching; the proof of this is the fact that we had to teach the junior students local and analgesia technique because they had received little or no instruction from this lecturer in oral surgery.
3. Having Part-time clinical instructors, who provided almost all of the clinical teaching, was and is totally inappropriate. This arrangement was severely criticised by the GDC report. The part-time clinical instructors

are paid at a rate of TT \$150 per hour. They frequently arrived late and left early, regardless of the needs of the students/interns, and most important of all, the needs of the patient in the chair. It is fair to say that some of the part-time clinical instructors worked hard and did a good job, but many did little teaching and chose to sit reading the newspaper and drinking coffee when they were being paid to teach. It is also highly significant that most of the instructors have undertaken little if any continuing dental education since their graduation and as a result many of the instructors are perhaps 20 years or more out of date.”

Now, it is all well and good, as the Minister says, to have students passing the UWI exam and being entitled to practise in Trinidad and Tobago and the Caribbean, but you know, Mr. Speaker, sometimes people tend to migrate, and with this type of situation in existence, I am sure that the UWI graduates at the dental school do not get automatic admission to professional bodies in Canada, the United States of America or England. I am told that they have to do some sort of internship and continuing education before they are admitted.

- “7. An Internship Programme run by a well meaning part-time instructor, who had no experience in education.
- 8. No ‘risk management’ policy or protocol, e.g. no incident or accident book; the emergency oxygen cylinders were empty; emergency drugs passed their ‘used by’ date; an empty first-aid box; no protocol for dealing with emergencies; no written guidelines for the management of spillages; no written guidelines for cross-infection control; no policy for dealing with patient complaints, etc.”

Mr. Speaker, it is really sad that we have to listen to this, but it is, perhaps, the only way we can get to the root cause of the problem at the university.

- “9. The clinical timetable was wholly inappropriate, resulting in the students receiving something like one third of the clinical experience they should have.
- 10. The important outpost clinic at Arima was shameful...”

And at page 6 he states:

“It was obvious in August that a truly massive amount of background work was needed to lay a new, stronger and better foundation for the School and especially the clinic. Quality measures were urgently needed to address the

serious problems we found and those that had been clearly identified by the GDC and others.”

Then I think he got a little personal in the report and claimed that there were elements of racism being attached to him.

Mr. Speaker: Hon. Members I wish to advise that the speaking time of the Member for San Fernando West has expired.

Motion made, That the Hon. Member’s speaking time be extended by 30 minutes. [*Mr. Kenneth Valley*]

Question put and agreed to.

Mr. B. Sinanan: Mr. Speaker, I will not use the full 30 minutes. I do empathize with the students at the UWI Dental School. They have been placed in a very unfortunate position through no fault of their own. There appears to exist, and will continue to exist, notwithstanding this amendment, conflict between the Dental Council of Trinidad and Tobago and the authorities at the UWI Dental School.

I have read from four reports which is quite contrary to what the Minister had claimed earlier in his contribution. As I said, I cannot put my head on a block to say that what is in these reports is correct or not. All I am saying is that it raises sufficient doubt and provides sufficient evidence to indicate that something is manifestly wrong at the dental school. There appears to be a lack of proper teaching staff, there appears to be transient staff, very migratory staff; the university appears to be unable to attract and retain suitably qualified professors. Certainly, the remuneration of these professors seems to be most inadequate. One report suggested 100 per cent increase.

What I am saying in the final analysis is that we support the idea that the students at the University of the West Indies—like students in any other dental university—once they pass their exam, should be allowed to practise their profession. The question really is, when we go back to the definition of “practice of dentistry”, are the students at UWI receiving the best possible education they are entitled to? That is the crux of the matter. Whether the standards that are comparable world-wide are available at the dental school at UWI seems very much to be in doubt.

The Minister earlier referred to a ministerial committee and technical committee that did some study. I am not sure whether the Minister or his Ministry

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have got to the root cause of the problem. The root cause of the problem here seems to be that there is an insufficient number of suitably qualified staff, there is migratory staff, lack of proper training, and more so, clinical training. I think that is the major problem of the Dental Council in calling for these exams. I am not aware that the Dental Council of Trinidad and Tobago wishes to prohibit any dental student graduating from UWI from practising his or her profession. I think what they are after, really and truly, is for the standard to be comparable with other dental schools.

Before I take my seat, let me again ask the Minister to address the two points I raised earlier on when I said that when one looks at the definition of “diploma” and the functions of the Council, what the Government is trying to achieve may not be achieved. I am suggesting that this amendment can create more confusion than it is attempting to solve and, perhaps—I do not know if it is appropriate—but I am suggesting that maybe a joint select committee of Parliament or some other committee could look at UWI, because we have had four reports here basically condemning what has been going on there.

Let me close by really empathizing with the students at the UWI Dental School who, through no fault of their own, have been placed in a very awkward position. I hope that to some extent, the passage of this amendment would in some small measure alleviate their plight, but I doubt it.

Having said that, let me conclude by saying that it is no substitute for proper training if the standard at the UWI Dental School is poor. The fact that they are getting a degree there and can come out to practise does them no good, because after a while—since this is a competitive environment—a patient would not continue to go to the dental practitioner if he or she is not satisfied with the quality of the dental care. So, the students must understand that it is important that they demand a proper and very high standard of teaching and education at UWI. If not, all we are doing here is really procrastinating and carrying on with sub-standard work and sub-standard education. I thank you for the opportunity to participate in the debate on the Dental Profession (Amdt.) Bill.

11.30 a.m.

Mr. Eric Williams (*Port of Spain South*): Mr. Speaker, I thank you for the opportunity to speak on this Dental Profession (Amdt.) Bill.

Mr. Speaker, my colleague has gone to great lengths in detailing some of the problems that Members on this side have with this particular amendment. I need to

continue, because in the time allotted, and certainly, in his contribution, one could not present all of the woes which suggest that we have a very real problem that is not being addressed by this Bill and, in fact, is probably being compounded by this Bill.

I think it is fair and accurate to say that the students who gain admission to the University of the West Indies (UWI) and all of its degree programmes are some of our brightest and finest young people. The entrance requirements to the University of the West Indies are very high and I am advised that it is a very competitive environment one faces when trying to get into that institution, but no problem with the students. As my colleague pointed out, they have been placed in a very unfortunate position. Beyond that, when these students come out of the university, if what we are proposing here goes forward and the root of the problem is not addressed, we may be faced with a situation of placing the public at risk.

Mr. Speaker, this situation is not dissimilar to the situation that most of us here faced when we sought to gain the right to drive on the roads of this nation. We took a written examination which allowed us to receive a learner's permit and the analogy in the dental profession is probably temporary registration, which would allow one to then continue with clinical studies in the university environment. But then, after a prescribed period of instruction and further examination, one is then required to take a practical examination and, in the case of driving, we all had to go out and drive on the road, we needed to demonstrate a practical knowledge and ability to apply those things that we had done in the written part of the examination, but we also needed to demonstrate that we were, in fact, roadworthy and would not be a risk to other motorists and pedestrians; in short, the public.

What has come to my attention, based on the research that I have had to go into on this Bill, is that the Dental Council—which by law, to date, is required to certify that a dental student must gain the appropriate degree from the University of the West Indies based on an examination which is very comparable by all international standards to other examinations—is concerned that the students are sometimes facing a difficulty in getting past some very key and rather critical, practical aspects of that examination.

If that is the case, then let us get to the root of the problem, rather than gloss over the situation and force or cause these students to get into practice prematurely which, as my colleague rightly pointed out, will do them a disservice and by extension, would do the public a very grievous disservice. *[Desk thumping]*

The hon. Minister read from a document which was circulated to all Members. It bears the stamp of the University of the West Indies on the letterhead and it is

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signed by the Dean of the Faculty of Medical Sciences and the Director of the School of Dentistry. He read some very glowing recommendations from external examiners, but he did not read all of them that are in this book. This, by the way, as I pointed out, was circulated by the university. Before I go on, I should say that external examiners have a prescribed area within which they assess the student and they are not allowed to stray outside of that. So, their comments are quite pointed.

Let me read from a letter by one Dr. Newton D. Johnson of the University of the London Hospital Medical College. Here is what he had to say on September 18, 1995. By the way, this was written to Prof. Prabhu, the then director of the school. This is prior to Dr. Johnson coming to lecture here. I quote:

"What I would advocate is that the Dental Council adopt a similar line to the UK GDC and the dental schools over here - namely, that representatives of the Dental Council are satisfied about the quality of the graduates by virtue of their final degree examinations and that the external examiners are doing their job. The Dental Council need to be convinced that the UWI examinations ARE of a satisfactory standard. I see little wrong in being totally open - the Dental Council need to see the depth and breadth of the final examinations. This is so important. From what I saw, you have had external examiners of the highest quality and reputation."

Now this is prior to him coming here to lecture.

Let us review again some of the comments of Dr. Newton D. Johnson. Mr. Speaker, it is important to note that Dr. Johnson left the employ of the University of the West Indies in disgust. In fact, I am advised that he drove to the airport in his vehicle and called his bankers and some other people to say that he is leaving the keys for the car in the car and he is gone. That is what was the end of this same Dr. Johnson here who is advising that the Dental Council should, in fact adopt the UK-GDC guidelines and that they should recognize the wonderful things that they do.

Let us look at some of the things that he had to say. This report is dated December, 1996. It is a *Personal Statement to the Vice Chancellor and his Team of Enquiry, UWI School of Dentistry*. That is another thing. Before I go forward, I wonder if the hon. Minister could provide Members of this House with the findings of the Vice Chancellor's team of enquiry into the UWI School of Dentistry; and why the UWI Vice Chancellor, in the first place, felt a need to enquire into the goings-on at the UWI School of Dentistry.

He says here at the bottom of page 1, and I quote:

"Subsequently there have been several other harshly critical reports tabled, e.g. the General Dental Council of the UK made a formal visitation in March of 1996 and documented over 50 (fifty) serious points of concern. Other critical reports have been submitted by the Dental Council of Trinidad and Tobago (DCTT); and there are many criticisms to be found in the formal reports of the External Examiners to the School."

Now, I will go into a little more detail later in my contribution of some of the other things that the GDC had to say and, certainly, what the visiting people on behalf of the Dental Council had to say.

Let us look at this. This is Dr. Johnson before he got here. He went on to talk about several things which were wrong. He prefaced it by saying at page 3 that there was a total mismanagement of the clinical facilities. In one of his points, at No. 11, he said:

"Prof. Walker..."

and we will speak about him a little later too, Sir.

"Prof. Walker will be in a better position to describe the inadequate nature of the curriculum and DDS course, I shall restrict my comments to the clinical aspects of the course and I can say that the clinical course was splintered and uncoordinated. Please note that some 40% of the DDS degree marks are awarded by continual assessments. I was appalled to find that all of this 40% is arrived at through laboratory and written exercises and that *none of this 40% emanates from an assessment of CLINICAL skill or competency.*"

Mr. Speaker, the Dental Council of Trinidad and Tobago has been pointing out to the University that the students are not meeting the required standard in the clinical aspects. I am advised that they pass the written part of the examination with flying colours; it is the clinical aspect. That is where you and I sit in the dentist's chair and we know that many people already have a fear of doing that.

At point No. 12 he states:

"An attempt was made to cobble together some form of 'In-House Student Assessment System' in anticipation of the GDC visitation to the School and their potential criticism if such an assessment were not in place. Upon arrival at the school I found that all that was done was a cosmetic attempt to duplicate the in-house assessment system that has been running, very successfully, at The Royal London Hospital Dental School for almost thirty years."

This is after the fact. He is now here on the ground and he is commenting.

"In fact, I was the person who supplied Prof. Prabhu with outline information of this system as only one example of sound, quality educational practice. The UWI tried to implement this system 'wholesale', without tailoring it to the needs of the UWI course and without truly understanding the underlying principles of the assessment process. This strategy was doomed and consequently failed within weeks of attempting to implement it. Needless to say, the GDC were not taken in by this sham.

These are a mere sample of what I faced when I took up my post at the end of July."

Mr. Speaker, this is the same gentleman in the document that contains a number of other supposedly glowing reports from external examiners from the London Hospital Medical College. Dr. Johnson went on to point out a number of other things. Page 9 of his statement:

"One of the main criticisms leveled against the School by the GDC, DCTT and some of the external examiners is that there is no constancy in the education and training of the students..."

Imagine, our bright students, this is what they are facing, and hence the public. It goes on:

"i.e. students are taught a certain way in the classroom and laboratory by up-to-date full-time staff, and then they are taught something different, (often totally different), when they are supervised by the part-time staff. There is a massive question mark of quality hanging over the entire clinical part of the DDS course."

11.45 a.m.

Mr. Speaker, it is an understatement to say that our students are not being properly prepared at the university, if we are to believe Newton D. Johnson of the London Hospital Medical College.

I go on to another report of the then external examiners dated July 1996. It is the Report of the External Examiner in Conservative Dentistry including Endodontics and Crown and Bridge. It appears to be by Dr. D. Y. D. Samarawickrama, B.D.S, PhD., F.D.S.R.C.S., Head of the Department of Conservative Dentistry, St. Bartholomew's and the Royal London School of Medicine and Dentistry. He points out under the heading "Examination", subheading, "Marking Scheme":

"The current use of the continuous assessment marks is to be commended as this gives some edge to those students who have performed steadily throughout the course. Allocation of 40 % of marks to incourse assessment is similar to that in many other schools in the UK and elsewhere. The School should consider withholding students who fail to pass incourse assessments from taking the final examination."

He was suggesting a particular course.

There is another report by Prof. C. Cumming, Professor of Oral Medicine. His qualifications are B.D.S., D.M.D., PhD., F.D.S.R.C.S., (Edin), Professor and Chairman, Department of Diagnostic Sciences, University of Missouri, Kansas City, Missouri USA. He pointed out three things and congratulated the staff for their efforts. It seems he was the external examiner for oral medicine. In his conclusion he makes specific recommendations for future development. In other words, they are not quite where they are supposed to be. He pointed out that there should be:

"Standardization of the marking system throughout the School of Dentistry and inclusion of a specified viva percentage within the system.

He went on to speak about careful monitoring of the students and further curricula development along the lines of reports of the Institute of Medicine in the USA, again suggesting areas of improvement.

I have another report dated May 31, 1996, Report of visiting examiner, to the University of the West Indies, May 1996, by Professor John W. Frame, appointed examiner for the courses... Oral Surgery, including Exodontia, Pain Control, Local Anaesthesia, Human Disease, General Medicine and General Surgery.

This is what he had to say:

"This is the third successive year I have been involved in the examinations. This year, all the examiners expressed the opinion that the average ability of the students was below that of the previous two years."

He is dealing with some of the practical parts. Almost at his conclusion he says:

"As I mentioned in my two previous reports in 1994 and 1995, I feel that the students' experience in clinical dentistry is below that expected of fourth year dental students in other Universities. However, they appear to have had a good exposure to oral and maxillofacial surgery, through attendance at Professor Thomson's clinics and operating sessions."

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Mr. Speaker, I will show later on that Prof. Thomson is actually the only professor that we know of, who is on staff at the university at this current time and is also the director. There is another professor listed one Prof. Pillai, but I could not get any information about him or her, so I cannot say for sure that that person is there.

In another report by Prof. David A. McGowan, Professor of Oral Surgery, University of Glasgow, dated October 10, 1995, under the heading:

"Oral & Maxillofacial Surgery (DD 301)" it is stated:

"As last year the candidates were well prepared and their knowledge was comprehensive and up-to-date without any obvious 'gaps'.

The standard achieved in the subject this year was entirely satisfactory..."

This was in the internal exams—

"but performances did not reach the dizzy heights of last year's group. On the other hand no candidate failed to satisfy the examiners in the subject."

In other words, we barely got by.

If we look at the end of this book at the dental staff of the university, part of the story becomes clear. The university lists nine areas of study which are prescribed for dental students: basic dental sciences and materials, oral medicine and pathology, pediatrics and orthodontics. Please forgive me if I do not say these things correctly, it is not my field. While I am trying to learn I may not have it down correct. The list continues: prosthetic, OMFS, which is the maxillo-facial surgery, community, periodontics and general practice.

It appears to be listed in order of rank. At the top is professor, then there are senior lecturers, then lecturers of three ranks. Of these nine areas, there is one Prof. Pillai listed under "Oral Medicine and Pathology", May 1998, which means that person may have just started at the university. I am advised that there is no record of this individual with the local Dental Council, as is required. Then there is Prof. Eric Thomson who is professor of OMFS. Seven chairs are vacant and a couple of them are advertised, but nobody is in them.

Under "Senior Lecturers", again in the nine areas, five senior lecturers, four areas vacant. At the next level of lecturer, all are occupied. At the next rung down, six chairs, three are unoccupied. At the next rung down, five are unoccupied and of these members of staff seven are fully registered with the Dental Council—that

is to say, they have satisfied what is required for full registration—but 16 have temporary registration.

What does "temporary registration" mean? It means that in the Schedule of this Bill, it lists the schools from which people are automatically qualified, or failing that, they take the local examination and gain full registration. If you do not satisfy those requirements for practise in Trinidad and Tobago, because you are at the university conducting clinical work you may receive temporary registration.

Of the faculty at the university, 16 are temporarily registered, including senior lecturers and lecturers. It means they have not satisfied the qualifications to practise dentistry in this country outside of the university, but they are teaching our bright students. The university has a problem with attracting appropriate staff and clearly the external examiners are pointing toward this.

In the "List of Submissions" from the university, it states:

"A collection of documents sent to the Minister in charge of tertiary education. This is important in that it proves unequivocally that the D.C.T.T. made no effort at assessing U.W.I. graduates before deciding on a licensure examination."

It goes on to make a very inflammatory charge:

"This is clearly discrimination."

I decided to find out if this was true and so I pointedly asked the Dental Council. In fact, they volunteered a list of correspondence dating back to 1990 through 1995 in which there was correspondence going back and forth with the university, the Dental Council and Ministers of Government on this very matter. Thus, this list of submissions, all of which are dated from 1995 onward, clearly have not taken into account the history, the warnings that have been put, the flags that have been placed, by the Dental Council of Trinidad and Tobago that up until now, as the body which was required, not to accredit the university, but simply to ensure the appropriate standards were met so that the public is safeguarded.

This statement clearly presents itself as a terminological inexactitude on behalf of the university. I think they ought to apologize to the Dental Council about this. Beyond that, it points to a very clear division between the UWI and the Dental Council. In fact, if one were to go on to read from Prof. Richard T. Walker's submission under the heading "The Dental Council of Trinidad and Tobago" dated December 1996. It is a submission to the Vice Chancellor and his Committee of Enquiry into the School of Dentistry, University of the West Indies. He pointed out:

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"Members of the dental profession of Trinidad and Tobago have complained regularly about their exclusion from developmental affairs of the School of Dentistry. This is understandable, and with hindsight, there should have been a great deal more discussion between all parties involved and affected by the establishment of the facility."

Can you believe, Mr. Speaker, that we have the School of Dentistry set up to train our students and at the same time the body set up by law to license these students, not talking to each other? If we are to believe Prof. Walker who was then director and a professor at the university, he is alluding to the fact that notwithstanding the efforts of the Dental Council to become a part of the process to guide and assist in the process with all of its resources, they have been excluded.
[Interruption]

Mr. Speaker, through you, I remind Members that the document was dated December 1996. Prof. Walker had some other choice words to say about the university. By the way, he is also no longer at the university, he left as well. He pointed out:

"Over the first seven years of its history many reasons have been offered for the failure of the Dental School to develop as it should."

He is alluding to the fact that the school has not developed as it should and listed the following reasons:

"Failure to retain high calibre academic staff
Poor management within the Dental School
Too few patients
Lack of academic leadership
Lack of money
Lack of continuity of teaching."

12.00 noon

What this Bill is seeking to do is to declare in the schedule as listed here that the University of the West Indies is an accepted school; that students would be automatically licensed to practise in this nation. These are the words of the former director. Mr. Speaker, he continues a litany of woes. The lack of consultation and dialogue, I am advised, is not only confined to the relationship of the Dental Council and the University. One has to ask what else is going on. I am advised

and, in fact—not to use a pun or mix metaphors of any kind—I had to extract from the members of the Dental Council the fact that they thought that they were called in by the hon. Minister and, in fact, the ministerial team to which he alluded to consult on this Bill. He also said that there is no consensus. What I am advised is that when they went to see the ministerial team, near as they can recollect—and bear in mind that I had to extract this from them. They were not entirely forthcoming with this. I believe they are in a bit of shock still over what is going on because it seems so unreasonable and hazardous. They were asked with regard to the proposed composition of the new Dental Council—I was not there. It is hearsay but I can only bring to this Parliament the voice of our citizens as a representative. I have to rely on their candour and truthfulness and I have no reason to doubt it. They were asked, “Do you object to the changing of the composition of the council?” I am advised that they suggested to the honourable team that a lay person should be added to the Council to bring the view of the public.

Can you imagine their shock to see that this Bill contemplates changing, wholesale, the composition of the Council? In fact, this Bill would contemplate that there are four members elected by their peers (dentists) and five members who are appointed: two by the Minister of Health, two members from the medical faculty of the University of the West Indies and one medical doctor appointed by the Medical Board of Trinidad and Tobago.

Let us examine this. The Minister of Health has two, one of whom is a senior dental officer. That person is already an *ex officio* member of the current Council but the Minister wants to have another representative, then two members from the medical faculty of the University of the West Indies. This is the same medical faculty of the University of the West Indies that several reports have already been read into the record by my colleague and by myself which indicate that there is a serious problem because of the fact that the dental school is placed under the purview of the Dean of Medicine at the University of the West Indies. Here it is that we want to take the problem that exists at the University of the West Indies into the public domain, into the wider practice of dentistry in this nation.

If what is already going on at the University of the West Indies is scandalous, then what is contemplated in this Bill goes beyond scandal. It has proven to be an unworkable, untenable situation. But beyond that, to obtain a quorum of a meeting of the Council, one member of those appointed by the Minister and one member appointed from the medical faculty must be present otherwise there is no quorum. In other words, dentists are not being allowed to regulate the practice of dentistry

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in this nation. Certainly, not by peer review which is what obtains in the legal profession and I know there are several lawyers among us here. I do not believe that for one minute the legal profession would stand for this. It is the same in the medical profession and the hon. Minister is himself a medical practitioner. I do not believe the medical practitioners in this nation would stand for this. This goes beyond what is the norm internationally and certainly what is the norm among other professional bodies locally.

Beyond that, Mr. Speaker, it is clear this is an attempt to influence the deliberations of the Dental Council and it would appear to those who are less charitable, as an effort to undermine the prudent regulation of dentistry in this country. I do not want to ascribe that to anybody in particular but I say if a person were less than charitable they might come to that conclusion.

Mr. Speaker, under the clause which would seek to include in the schedule of the accepted universities, the University of the West Indies, the question I am advised which was asked of the Dental Council, "Can we add another school to the list?" The Dental Council I am advised said to the committee or advised them that in their considered opinion that was not advisable. But if not, we should just abandon the entire list and just examine anybody who wishes to practise here. Much has been made of that statement.

In the United States and the United Kingdom folks have to take an examination. Particularly in the United States, each region has an examination. Therefore, even if you graduate from Harvard School of Dentistry in Massachusetts you cannot automatically practise in Massachusetts until you take your State Boards. The same thing obtains in Canada. In addition to which, much has been said about how our students go to the United Kingdom and these other places and gain licences to practise. In fact, what is going on is that they are going to do post graduate studies and as with everywhere else, including Trinidad and Tobago, if you are in an accredited programme in a university that is doing this you gain temporary registration. The fact that our students gain temporary registration when they go elsewhere to do post graduate work is part of the course. It does not give them the licence or the registration to practise in the public domain in the United Kingdom, United States, Canada or anywhere else for that matter.

Mr. Speaker, the question of consultation between members of the ministerial team and the Dental Council of Trinidad and Tobago was non-existent. I respectfully submit that there is a view that the decision was already taken and this was merely an attempt to rubber stamp those decisions.

Mr. Speaker, let me go into a little more detail of some of the problems that were highlighted. In an effort to assist the University, the Dental Council of Trinidad and Tobago approached the University and arranged a visit of a team of eminent dentists from the United States, Jamaica, Barbados and Trinidad and Tobago to visit the school. These are folks who are practitioners of good standing and repute and have a reasonable grasp of the teaching of dentistry. The charge of that committee was as follows:

“The visiting committee appointed by the Council of the Dental Board of Trinidad and Tobago was given the charge to evaluate the School of Dentistry as to its acceptability for accreditation.”

Lest I forget my protocol, Mr. Speaker, this report was dated June 14, 1994.

“The single most important charge to the committee was to determine whether or not the terminal class (1994) will be ready to practise dentistry independently by the end of their internship year.”

Mr. Speaker: Hon. Members at this point we will take the break for lunch. The sitting is suspended until 1.25 p.m.

12.10 p.m.: *Sitting suspended.*

1.25 p.m.: *Sitting resumed.*

Mr. E. Williams: Mr. Speaker, before we broke for lunch I was informing this House of The Report of the Visiting Committee to the Dental School of the University of the West Indies. This committee made several comments to the University and certainly about the programme at the University. In response to their comments, the then director of the dental school, Prof. Prabhu responded by saying the following—

“As you have seen for yourself - we have a Dental School with state-of-the-art facilities but we are also faced with many problems:”

And he listed them:

- “- shortage of teaching staff;
- occasional shortage of materials;
- bureaucratic ‘bottle-necks’ in dealing with administrators at different levels;
- declining patient numbers at our doorsteps;

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- a psychological barrier concerning Mount Hope that exists amongst the minds of the people who are in need of treatment;"

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, I did indicate earlier that item (m) on the Order Paper was being deferred so that we could get to it later.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House do now resolve into Finance Committee to consider the variation of the 1998 accounts.

Agreed to.

Mr. Speaker: Hon. Members, before we go into Finance Committee, I wish to indicate to strangers here that the Standing Orders provide that while the House is in Finance Committee the only people who are permitted to be in the Chamber for that purpose would be Members of the House and necessary staff. So, I must ask that the public gallery be cleared. However, you are free to come back as soon as we are through with the Finance Committee.

1.30 p.m.: *House resolved itself into Finance Committee.*

2.15 p.m.: *House resumed.*

FINANCE COMMITTEE REPORT

The Minister of Finance (Hon. Brian Kuei Tung): Mr. Speaker, I wish to report that the Finance Committee has met and considered several matters relating to variation of the 1998 accounts.

I wish to advise that the report of the Finance Committee will be presented to the House of Representatives, and legislation to give effect to the report will be taken through all of its stages on Friday, August 20, 1998.

DENTAL PROFESSION (AMDT.) BILL

Mr. E. Williams: Mr. Speaker, I think this side presented a cogent case that this Bill is ill-advised at this time and we continue to do so. But, there are a few more statements that really must be made on the matter. As a result of the visit of the Committee that was commissioned by the Dental Council in June 1994 Prof. S. R. Prabhu, who was then the Acting Director of the School of Dentistry responded to that committee's visit and some of his words are quite instructive and I quote:

"As you have seen for yourself—we have a Dental School with state-of-the-art facilities but we are also faced with many problems:

- shortage of teaching staff;
- occasional shortage of materials;
- bureaucratic ‘bottle necks’ in dealing with administrators at different levels;
- Declining patient numbers at our door steps;
a psychological barrier...
- our inability to go to the community at large.

He made a comment that is quite instructive and I quote:

“Yes, your observation that the level of competence achieved by our students at this point in time is not comparable to your students at the same level in the US is not surprising. We have one more year to go and in which to address the deficiencies.”

This was the year before the first examination took place and the Dental Council sought to intervene to give some assurance that matters would be corrected prior to the first examination class.

What we have seen from all the reports and results that we have had to date is that these conditions have not been corrected. What is even more instructive, as has been alluded to before, was the visit of the General Dental Council of the United Kingdom at the request of the university. Their visit took place from March 4 to 8, 1996, two years after the Council arranged a visit of practitioners from the United States, Barbados, Jamaica and Trinidad and Tobago, and they presented a report. The members of the committee from the General Dental Council were as follows: Prof. R. M. Basker, BDS, LDS, MGDS, DDS; Prof. R. M. Browne, BDS, PhD, DDS, FDS, FRC(Path.) and T.S. Macadam, Esq., BDS.

Mr. Speaker, the conclusions of this visit were instructive, and I would like to quote from paragraph 6.1 of their report:

“The visitation to the School of Dentistry, University of the West Indies, was conducted by using as the bench mark the General Dental Council’s Recommendations Concerning the Dental Curriculum published in 1990.”

In other words, we are speaking about the first curriculum of the school.

“We have to say that in our view we cannot regard the current course of instruction, included in all Phases, as being sufficient within the terms of Sections 16 (2) of the Dentists Act 1984.”

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Mr. Speaker, this is at the request of the university which was seeking accreditation for its School of Dentistry from the General Dental Council of the United Kingdom, and this was the first conclusion. The second conclusion is:

“The University may wish to know that the 1990 Recommendations...”

This is of the UK curriculum—

“are in the process of being revised and that the new version is expected to be published early in 1997.

2.25 p.m.

What they are pointing to, Mr. Speaker, is that since we currently have the same problems at our school of dentistry—based on the 1990 requirements—the revision of 1997 means that we have fallen even further behind in terms of our international standards to which we would like to aspire and I think that is truly sad.

After a fair amount of examination, I have come to believe that the Dental Council—as near as I can ascertain—is not supposed to be educators. In fact, based on the record that I have gleaned from my—

Mr. Speaker: The hon. Member’s speaking time has expired.

Motion made, That the hon. Member’s speaking time be extended by 30 minutes. [*Mr. K. Valley*]

Question put and agreed to.

Mr. E. Williams: Thank you, Mr. Speaker and Members of this House for the extension of time.

As I was saying, Mr. Speaker, near as I can glean, the Dental Council is really a licensing body. They take their prime directive as the protection of the public of Trinidad and Tobago. The university is the body in which we have invested considerable funds to educate our citizens and those from other regions. From all that I can tell a problem exists in that the university’s programme appears to not adequately prepare the students for practice in this jurisdiction and, certainly, in others, as evidenced from folks from the United States, United Kingdom, the Caribbean: Barbados and Jamaica.

Mr. Speaker, we are being asked in this House to declare—what in the face of all these comments appear to be indefensible—that at this time in our current history and in its state of operation, the Dental School at the University of the West Indies be accredited. What standards are we setting, Mr. Speaker? What are we doing to

ensure that our citizens receive the best dental care? Basically they are saying the students are bright, courteous and motivated, they have state of the art equipment and facilities, yet there is that missing ingredient, the practical side of the training.

Much has been said about the current ratio of dentists to the population and what the World Health Organization suggests is an optimal ratio. May I point out, however, that one thing I have come to understand is that the ideal which is set out by the World Health Organization tends to be coloured by societies which could be considered to have, as it were, a high IQ with regard to dental services, societies in which folks are predisposed—or at least a little more than in societies like ours—to seek dental care: remedial or preventative. I think it is still very much in the psyche of the average Trinidadian and Tobagonian that the dentist's chair is to be avoided at all cost, unless in the case of when one goes for pain eradication, which usually results in an extraction and other situations.

I think that this Bill is a bit before its time. It is advisable that the Government seeks to remedy the situation at the University of the West Indies, in the first instance. To that end, I call on the Government to consider, maybe, a Joint Select Committee of the Parliament to investigate the situation at the Dental School and then to advise the Parliament on a position that it ought to take with regard to this Bill, particularly the accreditation of the school.

If the General Dental Council of the United Kingdom has suggested that it is not time; if it is that our regional colleagues have said it is not time because of certain deficiencies, what is the rush? Why are we rushing headlong into a situation where we would put our citizens at risk?

There was an argument that the Dental Council was seeking to maintain an exclusive club; to exclude students from the University of the West Indies from practice. I have also come to understand that many practising members, including those from the Dental Council have, in fact, hired UWI graduates after they have gained their licence, so I do not think there is any question of discrimination.

As has been seen by the effort to assist in developing and guiding the curriculum, I believe that the Dental Council has been attempting to discharge its function as is required in law. Further, I think that the question of changing the composition of the Dental Council is ill-advised. I think that the business of peer review as obtains in several other professional bodies—the integrity of that process ought to be maintained. This particular approach opens us to what could really be some unfortunate situations in the future and, in fact, would open our professionals to be viewed in a particular way by the international dental community, as it were.

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I call on the Government very strongly, notwithstanding all the emotion which has gone into this; the fact that parents have been asked to expend large sums of funds for the tuition of very deserving and bright students, I understand in excess of \$50,000 per year—I think that the students and the population at large are not getting value for money, and as a result we are attempting to remedy a major infrastructural problem by legislation. We are attempting to legislate something which is seriously flawed and has many deficiencies. I repeat, I think it is ill-advised to pursue that course at this time. We need to put our house in order; let us be serious, let us be strong; let us be of a single purpose to put our house in order, make sure that our students are properly prepared so that they could go on to do all that is required of them, including mentor future students who, in time, would become dental practitioners.

Mr. Speaker, with those few words, I thank Members of this House for allowing me to make this contribution. I sincerely hope that the Government has heard some of these comments.

Thank you, Mr. Speaker.

2.35 p.m.

The Minister of Education (Dr. The Hon. Adesh Nanan): Mr. Speaker, I rise to support the Bill, an Act to amend the Dental Profession Act, Chap. 29:54. When I listened to the contribution of the Member of Parliament for Port of Spain South, he seemed to have a warped concept of the profession of dentistry and I would explain later why I make that statement.

Mr. Speaker, the evolution of dentistry dates back to 300 A.D. and I am going to speak about Mayan dentistry. I read:

“The Mayas were a peaceful people with a highly developed culture who inhabited the Yucatan Peninsula as well as present-day Guatemala and Honduras. The nation’s history began about 2500 B.C., but the culture flourished from about 300 A.D. to about 900 A.D. They were accomplished smelters and forgers of gold, silver, and bronze in addition to being highly skilled in cutting, polishing, and engraving precious and semiprecious stones.

Despite these skills, they did not perform restorative or corrective dental procedures. The skills they developed for working on teeth were for ritual or religious purposes. The Mayas were skilled in the fabrication and placement of beautifully carved stone inlays in precisely prepared cavities in the front teeth.

These inlays were made of various minerals, including jadeite, iron pyrites, hematite, turquoise, quartz, serpentine, and cinnabar.”

Mr. Speaker, just listen to the instruments that the Mayas used in 300 A.D.:

“A round, hard tube was spun between the hands or in a rope drill, with a slurry of powdered quartz in water as an abrasive, to cut a perfectly round hole through the tooth enamel. The inlay was then cemented into place. The stone inlay was ground to fit the cavity so precisely that many have remained in the teeth for thousands of years.

The Mayas also filled their teeth in various ways. It is probable that each design had a particular tribal or religious significance; or possibly it was done for more frivolous reasons such as vanity. More than fifty different patterns have been identified.”

Mr. Speaker, this is 300 A.D. When I listen to the Member for Port of Spain South talking about if one has pain in one’s tooth, one would most likely have to extract it, does the Member not know of the profession of dentistry and the specific section called endodontics? A tooth is made up of the white surface called enamel, below is the yellow surface called dentine, the pulp and root canal. In today’s world minimum extraction is done. There is now conservative and restorative dentistry. Dentists do not only pull teeth. Cosmetic dentistry is one of the most paying parts of the profession of dentistry. When I spoke about the Mayas and their skills in terms of putting gem stones in precisely prepared holes in enamel, I spoke about that skill in 300 A.D. Today the profession of cosmetic dentistry is fetching the highest price on the market. Let me explain cosmetic dentistry.

In cosmetic dentistry, there is no repair of tooth surface in terms of decay as such. For example, in tooth formation you may have malformation or you may have stains originating from too much fluoride in the water, or even young children when they take tetracycline at a very young age, the teeth are stained yellow. So what you see coming forward is the staining of teeth. People come in for preparation because they want to have their teeth looking as they were before—perfect teeth. That is the aim of movie stars—a perfect smile. That is what I want to hear from the Member for Port of Spain South—aesthetics—but he spoke about extractions. Backward dentistry! The Member was speaking about quacks.

Mr. Speaker, as a practising dentist—and I want to go to the Bill—I want to make a comment on the Schedule. The Bill speaks of a list of dental schools. I listened to the Member for La Brea who said I was a quack, but I want to set the

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record straight. I graduated from Howard University College of Dentistry in 1992. [Desk thumping] When I spoke on the Pharmacy Bill, the Member for Arouca South said I cannot speak on behalf of the Pharmacy Board, but today I am still a registered dentist in this country and I am going to explain to the Members for Port of Spain South and San Fernando West why that dental school should be recognized and why that curriculum is important for the students of this country and all the students in the gallery. They must be recognized and must be, what we will call, the builders and forgers for a total quality nation of the Prime Minister.

Dr. Mohammed: Speak to them Adesh, speak to them Adesh.

Dr. The Hon. A. Nanan: Curriculum delivery. Mr. Speaker, I listened to the Member for Port of Spain South speaking about curriculum matters.

Dr. Mohammed: Where is Hinds?

Dr. The Hon. A. Nanan: The Member was speaking about letters coming in from various qualified professionals. I want to read for him what is dentistry. When I was preparing for that Bill, I wanted to get precisely the explanation for Members and for them to feel the profession of dentistry and how those students are feeling now. I quote:

“Dentistry performs a great variety of services in the prevention and control...”

Not only extractions. Prevention and control; oral hygiene—

“of dental and oral diseases and disorders, and in the provision of substitutes for lost dental tissues, both tooth and bone. From the point of view of the patient, the most note-worthy of dentistry’s functions are the relief of pain and the preservation of a normal and socially acceptable appearance.”

Extractions is what I heard on that side. Socially acceptable appearance.

“In the acceptance of these responsibilities, dentistry accepts another more subtle one—the preservation of the patient’s anatomy and tissues.”

Hon. Member: All he is talking about is false teeth.

Dr. The Hon. A. Nanan: All I am hearing about is extractions and backward dentistry.

Hon. Member: Backward as the PNM. What do you expect from the PNM?

Dr. The Hon. A. Nanan: Mr. Speaker, a dental curriculum takes a student from the formation of a tooth. The student must understand the dimensions and

appearance of a tooth. In year 1 of dental school a block of wax is given to a student, who at the end of that first year, must be able to carve a tooth out of that block of wax. It could be a front tooth. I do not want to use too much dental language in this debate.

Hon. Members: Use it.

Dr. The Hon. A. Nanan: The incisors, canines, the premolars and molars. Mr. Speaker, I vividly remember dental school. [*Interruption*] I am listening to asides from the Member of Parliament for Diego Martin Central asking me how I got into dental school.

Hon. Member: Do not worry with Colm. He does not have any teeth.

Dr. The Hon. A. Nanan: I will tell him later, but right now I want to deal with the wax. A block of wax was given to a student who must have some kind of perceptual ability. If you did not, you developed it. There were models of the existing teeth—dimensions of a tooth—what we call mesial, distal, buccal, labial dimensions, which theoretically, is the size of the crown of a tooth; the length of the root. I did not hear anything about that in this debate. I did not hear anything about the strength of a curriculum. That is what determines the strength of a curriculum, which is what I wanted to hear, not letters.

Mr. Speaker, that block of wax had to be carved to represent a tooth, whether it be a lateral, incisor, central incisor, a bicuspid, a cuspid, a premolar or a molar. I would give you the story about the actual carving of my first tooth. I think it is necessary here because as a student I remember what I went through and I am sure they all went through that in various forms. I remember I was in Washington at that time, and I was trying to carve the tooth which was to be presented on Monday. It was a Sunday night during winter and the lights were out because I was in a home that was not of the highest standard.

Mr. Hart: You squat.

Dr. The Hon. A. Nanan: I had to use candle light to carve that tooth.

Hon. Member: Wax and wax.

Dr. The Hon. A. Nanan: I carved that tooth and took it to my instructor and I said, “Sir, I spent the night carving this tooth and the lights were out and I carved by candle light.” I was supposed to carve a left lateral incisor, so he looked at it and put it up against the book which had the diagram. He said, “Well student, you have carved a perfect right lateral incisor.” [*Desk thumping*]

Hon. Member: This is a man who could see in the dark.

Dr. The Hon. A. Nanan: Mr. Speaker, I just wanted to bring that to the Members here.

Hon. Member: Imagine what you would do in the light.

Dr. The Hon. A. Nanan: That is how one grows in that profession of dentistry, by starting off like that—having the feel for the tooth.

Mr. Valley: Candle light.

Dr. The Hon. A. Nanan: Mr. Speaker, dentistry becomes part of you. For example, when a dentist looks at any patient, the first thing he would look at is the head features—the mouth and the arrangement of the teeth. Not everybody would look at somebody and see teeth first or as the case may be. A dentist would look at a patient and see exactly that a tooth is out of alignment or there is a shift in the centre line of the mouth. So those are things that the curriculum would instil into you as you go along from year to year. That curriculum is geared to take you at your own pace.

2.50 p.m.

I would go through the curriculum but I just want to go through quickly, before I forget, what the Member for Port of Spain South spoke about in terms of the shortage of patients. Mr. Speaker, Howard University College of Dentistry is a recognized institution. It is over 40 years or more since Howard was established, but when I went to dental school, in my junior year, when we were assigned to work on patients, that recognized dental school had a shortage of patients. I bring that to the attention of Members here because I listened to the Member saying that there is a shortage of patients.

Every dental school suffers that problem of shortage of patients. We had to be creative. I remember when we were given files, what happened was, because the old records kept turning over and over, patients moved and did not inform the dental school; they may have died and were still on file. *[Interruption]*

Mr. Speaker, the Member for Diego Martin Central has asked—I had seven files for which I could not contact anybody for one or two months. For example, the subject of prosthodontics is bifurcated into two areas. There is fixed prosthodontics and removable prosthodontics. Removable prosthodontics is the production of dentures. As junior clinical students, we had to recruit students on

our own. We went to the supermarket and stood there looking for patients and we asked them whether they wanted to come in to get a new set of dentures, or a full set of dentures; because every section had junior and senior requirements. You would have to do ten complete dentures and five partial dentures over a two-year period.

I just bring that to the forefront because of that patient shortage spoken about. We had to be creative. Howard University would give patients to students and we would not be able to contact anybody because some of them had moved out of town, some of them died, or some of them just relocated or migrated, as the case may be. So, we had to be creative and go out and entice those patients to come in and, of course, there was a reduced rate paid by the patients for the dentures. Patient pools had to be attracted on our own.

In fact, when we were doing the board examinations, the national board for the north east region in the United States, we had to get patients who would be suitable for us as students.

Mr. Valley: So you did a board examination?

Dr. The Hon. A. Nanan: So, what? Is that something strange?

I just brought that into the picture to show how one had to be creative and resourceful to get patients. One could not rely on the dental school to attract patients; one had to be able to source that patient pool. I just brought that in because the Member spoke about a shortage of patients.

But I want to get back to the curriculum, because that is the energetic part of this debate. I am dealing with that part of the Bill that deals with curriculum and the Minister being able to review the curriculum of the Dental School.

Mr. Speaker, dental attrition and anatomy was paramount as we moved forward. When we were given that block of wax and we had to spend hours trying to carve that block of wax, it was a frustrating exercise but, looking back now, I see the relevance of that to the curriculum, so I am just bringing it forward to show the necessity of a structured curriculum. We had dental anatomy and dental attrition and the curriculum teaches one how to relate to the structure of a tooth and, of course, in one's sophomore year, one works on models so there are models of teeth. Dentistry is broken up into several different parts. There is restorative dentistry, prosthodontics, periodontics, oral surgery, oral pathology—there is an entire host of subjects that make up the curriculum, but everything is on a phased basis and everything fits into this mosaic.

So, as we move through the curriculum, I spoke about Mayan civilization and Mayan so-called dentistry, but we had a subject in our curriculum, dental materials, which taught us about the materials to be put into the teeth. Of course, everybody knows about amalgam and composite restoration, but the chemical structure of the materials themselves must be known, as well as the conditions under which they will operate because those materials will be put into the mouth which is a very sensitive area. In fact, in head and neck anatomy, your tongue senses.

For example, you will look into the mouth with a dental mirror and, to the normal observer, you might see a microscopic lip on a restoration—less than a millimetre—but that patient would sense that there is that defect when the tongue of the patient passes across, because the tongue magnifies the dimensions of anything in the mouth. Actually, anybody here can try it by passing their tongue on any one of those fillings.

Now, the topic of restorative dentistry teaches the student that there must be perfect dimensions; there must be smooth fillings. That is why I brought in dental materials because the temperature and conditions under which materials operate must be known.

For example, I want to return to endodontics because that Member got me very upset when he spoke about extractions, because endodontics is using root canal therapy—a very popular term these days. I brought to the Parliament today some information on the subject of endodontics, which I want to share with Members. I also have graphic representation. What is root canal therapy? What is this mystery about root canal therapy?

We have to understand that in the mouth, there is very limited space. If there is an extraction of a tooth, as suggested by the Member for Port of Spain South, he does not know the amount of disorder that would take place in the mouth. He does not have a clue of the problems that can be caused by that. Let me make reference to an extraction process. Teeth are erupting all the time continually. If there is no attrition adjustment—

For example, if a dentist puts—and that is why I mentioned quackery—a filling like amalgam in a tooth for restoration and it is too high, do you have any idea of the trauma that would cause? It does not occur to the Member for Port of Spain South. But with any high surface filling, firstly the patient will have problems biting and chewing, because there must be that millimetre microscopic measuring of teeth. If a tooth surface is looked at, one will see grooves. Of course, in some cases there are too many grooves in teeth because of morphology, there will be

that. But, a tooth surface has select grooves. Every single groove in that tooth performs a function.

Mr. Valley: What relevance is this to the Bill?

Dr. The Hon. A. Nanan: I am speaking about the curriculum.

Every single groove in that tooth performs a function. It may not be obvious, but I was dealing with the subject of extractions and, for the information of Members, dentists use extractions as a last resort. It is only if the tooth is non-restorable. I want to deal with the restoration of a tooth.

Mr. Valley: What is wrong with you?

Dr. The Hon. A. Nanan: A tooth is supported by gingival tissue and alveolar tissue. Mr. Speaker, gingival in relation to gums; alveolar, bone. Besides restorative dentistry, there is the subject of periodontal disease and all this is coming into the curriculum in terms of the disease processes in the mouth and I have gone into this lengthy discussion on teeth and teeth structure, to talk about the curriculum of the Dental School.

I spoke about the curriculum being structured in such a way that there would be a step-by-step process. There would be dental materials as a subject; dental accretion; periodontology which is the study of the gums and bone of the mouth. I spoke about oral surgery. All these are incorporated into the curriculum.

But, I want to turn my attention to the circulated amendment which is the aspect of vocational training, the one-year vocational training requirement. What is this one-year training?

The dental student is taught the basics of dentistry. I already spoke about the requirements in terms of what is required of a dental student at junior and senior years. They would have to do a number of fillings; they would have to do exactly what they would do if they were practising dentists or if they were working in a hospital, but it is done under supervision of an instructor and at one's own pace.

3.05 p.m.

In the dental office or the hospital, one has to develop speed. What one has been taught at dental school in a curriculum is the basics and one is progressing at one's own pace. One would do the same processes in the dental practice, but would be supervised by an instructor and move at one's own pace.

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Mr. Speaker, the question of amalgam restorations, endodontic and periodontal therapy are all different aspects of dentistry and surgery. It is not only extracting. There is also tempo mandibular joint problems. What one sees in his work as a dentist are all those cases that he has seen as a student, perhaps some occurring outside of that, but one is being trained to deal with those problems.

In today's world of modern dentistry, we have the use of the radiograph or X-ray and we are able to see and utilize a radiograph to determine if there is any problem around the root surface of a tooth that would normally be hidden from the naked eye. The dental curriculum deals with the usage of X-rays, and how to take a proper periapical radiograph and I am mentioning these things to give an idea of how the dental curriculum is structured and why the dental school here should be recognized.

Mr. Speaker, when I went to Howard University, the Dean of Clinical Studies there sanctioned our dental school. He said that we have students who could compete with students at Howard. So I wanted to give the Members a feel of dentistry in this debate and I have tried to do so in terms of peridontology and oral surgery, and to show Members opposite that it is not only extractions with which we are dealing. There are other parts of dentistry which must be brought to the forefront.

The vocational training aspect is important because one would get that opportunity to be supervised and continue the process one was doing in dental school. There would be a greater exposure to patients and after that year the student would be able to deal with emergency cases.

Mr. Speaker, the curriculum of the dental school in Trinidad and Tobago is no different from any other curriculum in any other dental school. It is structured in such a way that the students go from year 1 to the final year learning the basics of dentistry which remain the same whatever university one may attend. There may be slight variations, but in terms of curricula matters, the University of the West Indies School of Dentistry can stand up to any other curriculum.

The Member mentioned patient shortage and this takes place in any dental school. One has to be creative and build one's own school of patients.

As I close, I fully support the Bill before the House and say that curriculum matters and patient shortages can be dealt with.

Thank you.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, after listening to the presentation of the last speaker, I am in need of a painkiller. As a matter of fact, I almost feel as if I have gone through a very painful session with a not so competent dentist.

The Member for Tabaquite carried us in an excursion into the origins of dentistry, something which apparently originated in Mayan culture, B.C, and in typical fashion of the speakers on the other side, he has not dealt with the issues.

This Bill has nothing to do with prosthodontics. What is happening today is the Government is amending the Dental Profession Act to remove the control of the Dental Council—that is what is going on in this Parliament today. All this thing about false teeth—why do you not say false teeth instead of prosthodontics? The Member is not fooling anybody. All this excursion into the inner cavities of one's mouth is absolutely irrelevant. What we are dealing with today is an attempt by the Government to remove the control of the profession from the Dental Council and the last speaker completely ignored that.

I would like the Minister of Health to tell us why he finds it necessary to do this. If one looks in the Parent Act, one sees that at present the board is elected by a dentist, that is the most important thing. It is a self-regulating profession just like law. The Bar Association determines the qualifications and the procedures whereby the legal profession regulates itself. The medical profession also regulates itself. Until today, the Dental Council regulated its own profession. I shall read it, because obviously, the Member for Tabaquite is not aware of it.

“The board shall be managed by a Council elected by and from among

Let us go to what the legislation before the House seeks to do. Clause 5 says:

“The Act is amended by deleting section 9 and substituting the following:

9(1) The Board shall be managed by a Council which shall consist of—

- (a) a Chairman who shall be President of the Board;
- (b) a Vice Chairman who shall be Vice President of the Board;
- (c) a Secretary who shall be Secretary of the Board;
- (d) a Treasurer who shall be Treasurer of the Board;
- (e) two members appointed by the Minister of Health, one of whom shall be the Dentist holding the most senior dental post in the

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Ministry of Health, the other, a lay person to represent the general interest of the public;

- (f) two members appointed from the Medical Faculty of the University of the West Indies;
- (g) one medical doctor..."

Who elects these people? It is not here. In the existing Act, the Council is elected by and from among dentists. Who determines this? It is not in the Bill. The board shall be managed by a Council which shall consist of x, y, z.

Clause 9(2) says:

"The members referred to in subsection (1)(a) to (d) shall be dentists."

Simply saying that they shall be dentists means that they have to be registered dentists of Trinidad and Tobago. What I want to know is who elects them. I would also like to know why there is a built-in majority in a 9-member board where persons who may not be members of the Dental Council now have a majority on the Board. What is going on?

The Minister has to tell us why we are moving away from a self-regulating profession to one regulated by the state. That is essentially what is going on here. The Government is taking control of the profession of dentistry and there are compelling arguments on both sides. One may say that the Dental Council is a little cabal, or cronies who do not want bright university students to practise dentistry, or there is a little cabal of old men who do not want anybody to join their profession which is a very uncharitable argument.

On the other hand one may say—as I have been informed—that the purpose of this legislation is to allow relatives of senior Government officials to become dentists. There is Sen. John, with a relative who is now denied admission to be a registered dentist in Trinidad and Tobago. There are arguments on both sides and one always has to be suspicious of this Government. Are they bringing this legislation because sons and daughters of Government officials cannot be registered as dentists at present? Is that the reason? Or is it because they genuinely want to deal with this group of men who deny bright and promising students their opportunity to practise their profession?

Mr. Speaker, I am afraid that I cannot trust the Government. If the Minister had come to this House and amended section 5 and left the control of the dental board within the profession, then I would have no problem. The objective is achieved that we add to the Schedule, the University of the West Indies.

Two things are happening in this legislation: one, we are adding the University of the West Indies as an approved institution and interfering with the composition of the Dental Council. Again there are arguments for and against. One may say it is Trinidad and Tobago's university and we should support persons who graduate from that university, very compelling argument, but on the other hand, what about the question of standards? Himself cannot regulate himself in terms of degrees.

As a former lecturer of the University of the West Indies myself, the engineering degree programme was in jeopardy of being decertified by several important accrediting bodies such as the Institution of Civil Engineers in the United Kingdom because it was the opinion of that very important international organization that UWI had not maintained the required standards in terms of the quality of its staff, the level of expertise available, equipment, and in terms of practical examinations.

In the 1980s, we in the Faculty of Engineering had to do much work to convince and satisfy the Institution of Civil Engineers that we should be maintained as an approved degree programme for entry into post-graduate programmes in the United Kingdom and elsewhere. So one cannot say simply because it is the University of the West Indies that one should accept the degree. That is utter nonsense!

3.20 p.m.

The veterinary school in the same medical complex was in difficulty for years because there were serious questions about the quality of the teaching and the quality of the clinical studies—the practical aspect of that degree. Why are we hiding things? It is a fact that there are problems at the present dental school. Let us not deny it. The Mt. Hope Medical Sciences Complex has been in formation for a number of years. The facility was built in 1985. But buildings alone do not make an institution. One needs all of the complementary facilities that go with them. One needs staff, proper degree programmes, practical exposure, and so forth.

It is a fact that the Mt. Hope medical faculty has been deficient for a number of years in particular disciplines; veterinary science was one and dentistry was another. One cannot overlook the statements made by international institutions that there is deficiency at the present time in the clinical aspect of the dentistry degree. We do not have to learn about prosthodontics, Mayan culture, fillings, surface imperfections and other aspects of restorative dentistry. That is not the issue here. The issue is: Is the UWI degree in dentistry up to standard? I do not think that there is any argument that the theoretical aspect of the degree programme is acceptable. I do not think anybody is arguing that point.

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The curriculum is adequate and appropriate. I do not think these are issues, and if anybody raises them, I would not support that the curriculum at the University of the West Indies faculty is not appropriate and not comprehensive and rigorous enough to allow someone to qualify as a dentist. But, in any applied discipline like engineering or medicine, there are two aspects to one's course of study. Engineers cannot become registered engineers in Trinidad and Tobago, or become chartered engineers to any of the international certifying bodies unless they have four years of practical experience in the field. We graduate with a very theoretical degree, and it is necessary for engineers to go through a period of training in the field, preferably under supervision.

Doctors have to do internship at the hospital. Lawyers have to attend law school. I see an effort made by the Minister with this vocational training amendment and I am happy that the Government has, at least, decided to make an effort to introduce vocational training, to introduce practical training into the whole question of whether one should be allowed to practise as a dentist. Again, there are more questions than answers. Who determines the extent of this vocational training? Who reviews the student at the end of the period of vocational training? Who examines the students? Who determines whether the student has been successful or not?

The law simply says "successful completion of a period of vocational training". So, if in fact the Government genuinely wants to ensure that there is equity under the law in Trinidad and Tobago, and they believe that students of the university are being victimized at present and not being allowed their just right to practise as professional dentists then, at least, put some more information and detail into this amendment. Who is going to establish the extent of this vocational training? Who will review it and how will a person qualify at the end? I would like the Minister to come clean. Let us know what is going on with this amendment he has brought before the House today.

There are compelling arguments in anything related to health that one has to take extra special care. In the case of engineering, the reason engineers have to undergo four years of practical training—and in the United States they also have to do an examination in each state that they practise; one is not allowed to practise as an engineer in the United States unless one does the professional engineering exam after graduation and after having undergone a period of practical experience—is because engineers deal with life and death. If he is incompetent and does not design or construct a building properly, the building can collapse and people can

die. This is why in my profession there are lengthy periods before someone is allowed to be a registered or chartered engineer.

We are now looking at another applied discipline: Health. Why should it be any different? Why should we allow people to go out and get involved in treating persons for some illness or ailment? I view dentistry the same as any other health discipline. Let us forget the cosmetic side of things. That is another aspect, like plastic surgery. Let us talk about someone genuinely having a problem, a serious disease in his or her mouth, a tumour or something else requiring surgery and immediate and serious attention. Do we really want someone straight out of the university to go into that environment and have all of that responsibility for people's health and people's lives? People look at dentistry as being just extracting a tooth, to borrow the words of the Minister. People look at it as just pulling teeth. As the Minister himself pointed out, there are many aspects to dentistry and a misdiagnosis could result in the death of a patient.

There is a famous case in Trinidad and Tobago where an untrained person was accused of having contributed to the death of a patient who came to see him because he had a dental problem. My understanding of that situation is that person, not having the requisite knowledge and experience, did not detect that the person had a tumour or some other similar problem, and did not prescribe the proper treatment. Eventually the situation became malignant and the person died. It is a famous case. I am sure the Member for Tabaquite knows about that.

We are not talking about quacks here. We are talking about our own children who have attended the University of the West Indies. Our brightest and most promising students who go through a proper degree programme and come out with a degree at the end of the day. But, there are questions. Do they have the requisite level of rigour in their clinical studies? The way to deal with this, Mr. Speaker, in my opinion, is that the university degree at UWI should be subject to review by some relevant body. I do not accept that the university should judge itself. I believe that there should be some relevant accredited body which can review the output at the university to determine whether they are maintaining the standards.

Having come from that institution myself, there is always a reluctance on the part of persons within the university to admit to their own deficiencies, and they issue degrees in the knowledge that not all of the degrees they certify are up to standard. One therefore cannot allow an institution in a professional situation, to certify its own degrees, Mr. Speaker.

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In the legislation before us, there are a number of dental schools. The University of Alabama, Baylor College of Dentistry, Boston University and the Los Angeles School of Dentistry. At the time of this legislation, the powers that be were of the view that these institutions, including ours where the Member for Tabaquite is alleged to have studied—not according to the Member for Point Fortin—had reached the required standard to allow graduates to immediately become dentists. There has been no addition to the list, as far as I am aware, for many years. I understand that it is over 10 years that there has been no addition to the list of schools approved for automatic registration as a dentist.

Mr. Speaker, are we doing the right thing by simply adding the University of the West Indies, and forgetting about the standards there, the clinical studies, the curriculum? Just add the name and that is it. Are we doing the right thing by taking away control of the profession from the professionals? Is this done in any other profession? Why does the goodly Minister of Health not bring an amendment to the Medical Act to take control away from doctors for the registering of doctors and put it in the hands of the state? I ask the Minister of Health to tell us that. Why does he not bring an amendment to the Medical Act or the relevant Act to do with the registration of doctors and remove control of the registration of doctors from the medical board? What is he interfering with the dentists for?

I need to know, does the Minister genuinely believe that this is the right way to go? I do not want us to digress into false teeth, tooth decay, toothpaste, cracked enamel, gingivitis, Listerene and all of the other irrelevancies which do not deal with the central issues at hand. I would like the Government to tell us why they are doing this, and what safeguards they are putting in place to ensure this period of vocational training. I applaud the Government for that amendment. It means that some part of them is listening; some little part is listening.

They realize that the university degree is deficient in terms of the clinical aspect, so they have put in the vocational training but, I want them to tighten it up. Do not just leave it open. Put proper rules, regulations and procedures in place so that this process of vocational training would not be a “mamaguy”, that one could go to work by one's “pardner”, sit there for an hour once a week and, at the end of the day, he writes a nice letter saying “Russell” is a good boy and he has shown that he understands the complexities of dentistry. I ask the Minister to tighten that aspect of the amendment. I think that once we do that and allow the Dental Council to get involved and have some influence in that vocational training, in some way, we would resolve all of the burning issues that have made this debate very contentious.

I assume we are all going in the same direction. I actually do not believe that Sen. John has prompted this legislation. I do not believe that some Member of the Government's son or daughter cannot get registered and is pushing for this legislation. We on this side met with the Dental Council. I believe them to be genuine and that their fears are genuine, and I do not think it is a little cabal of old men trying to maintain a stranglehold on the profession. I believe we have to strike a middle ground. We have to deal with the students who have spent a lot of money and time getting a degree from the university.

3.35 p.m.

It is wrong to prevent them from practising their chosen profession, but it is also wrong to interfere with the management of the health profession in Trinidad and Tobago to the extent that one can lower standards. That is also wrong. [*Desk thumping*]

So that I will ask the Government, let us get the "mamaguy", "ole talk" and false teeth out of this debate, deal with the issues which are raised and I am certain that they will get the support of the Members on this side once they address it in a meaningful manner.

I thank you, Mr. Speaker.

The Minister of Planning and Development (Hon. Trevor Sudama): Mr. Speaker, as I sat and listened to the Member for Diego Martin East, I could hardly believe that he came from the institution called the University of the West Indies. Because, here I am listening to someone who was teaching at the University of the West Indies come out on an all-out attack on that institution and, therefore, one wonders what credibility he had as a lecturer at that university. Why was he there if he felt the standards at the University of the West Indies were so bad and people were accrediting and doing things merely to make themselves look good? But it is this colonial mind that we have to deal with.

I want to ask them on the other side, first of all, should there be a dental school at the University of the West Indies? Are they supportive of a dental school at the University of the West Indies or are they not? I want the PNM to answer that. If they are not supportive, then they will make the kind of arguments that I have listened to from the Member for Diego Martin East.

Mr. Speaker, I want to say that when an institution is started it is obviously going to have some teething problems. In the first few years we could have had understood why it was necessary to have an examination by the Dental Council in

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order to certify that the dentists had a proper period of training. However, one has to face reality. Where people have spent a lot of time, money and resources and it is a very, very long course and, at the end of the day one has to write another examination which would determine whether one would practise dentistry or not, one has to wonder. In the meantime, one can do nothing, because one has not been certified to practise.

When we looked at what had happened we saw that in instances where 11 students were required to write the examination set by the Dental Council, eight out of the 11 failed. Now, if that rate of failure is out of the ordinary—it is extraordinary—and we had discussions with representatives of the school and with representatives of the Dental Council. We had meeting after meeting and we tried to resolve this problem. We asked the Dental Council to work very closely with the Dental School in determining the curriculum, in determining what were the required aspects of practical dentistry which had to be addressed.

I have been at these discussions since 1996. Over the past two years we have been having continuous discussions. A Cabinet subcommittee even called in and interviewed the various parties: representatives of the council, representatives of the dental school and the students, and we heard all the arguments of the various stakeholders. After hearing all the arguments, it was decided, because, I want to make it very clear, the final decision-making as to what is the national interest and what ought to be in the national interest resides with the Government as representatives of the people of Trinidad and Tobago. We have to decide in the final analysis what, indeed, is in the national interest, in the interest of whole country and not simply in the interest of a group. That is our responsibility and this is why this legislation is before us today.

One asks oneself: Should the Government allow a profession self-regulation in a situation where we are having this consequence as a result of people having gone through a very long course of study and not being able to join and practise the profession? Mr. Speaker, we are concerned about standards as well. Surely, no one will want to see people who have not been properly trained inflicted on the general population; nobody wants to see that. But from all the evidence we had, from all the reports we were able to look at, it seemed to us fair to conclude that the standards at the Dental School of the University of the West Indies were indeed appropriate and proper and like every institution, of course it will be a developing institution and, therefore, from time to time, one would need to have amendments, changes and improvements taking place. But as a result of our investigations, this is what we were told and this is the conclusion we came to.

With regard to this issue about taking away control from the dentists themselves. When one looks at the composition, clause 5 states:

"9.(1) The Board shall be managed by a Council which shall consist of—

- (a) a Chairman who shall be President of the Board;
- (b) a Vice Chairman who shall be Vice President of the Board;
- (c) a Secretary who shall be Secretary of the Board;
- (d) a Treasurer who shall be Treasurer of the Board;"

All these people must be practising dentists. So we have four and then the fifth person here under (e):

- (e) two members appointed by the Minister of Health, one of whom shall be the Dentist holding the most senior dental post in the Ministry of Health, the other, a lay person to represent the general interest of the public;"

So we have five dentists. So if these people on the Council cannot look after the interests of the Council, the interest of dentists generally, then who will? It is in the national interest that we have people on a council who have a broader experience, rather than those who have confined themselves to the profession; that is a developing trend everywhere, to put on the governing bodies of the profession, people who have a wider experience.

Then, the Member talked about the legal profession. One does not have to write an exam to practise in the courts. The court admits one as a legal practitioner after a period of study and after one has passed one's examinations and law school, which is part of one's training. After one has finished that, when one goes to be admitted as a practising lawyer, the court does not ask one to write another exam. So that analogy is wrong. After a satisfactory period of training and certification by the school or the university, then one ought to be allowed to practise.

What we have done here in the amendments is to state very clearly that in the meantime, while a period of attachment, a period of what we might call internship, vocational training is engaged in by the dentists, he or she will have temporary registration and, therefore, would not be denied earning. Do not forget this is a very expensive exercise. Hundreds of thousands of dollars are spent by the university and by the students. The cost of training someone in dentistry is one of the highest costs of all the training that is done at the university. After one goes

through all these costs, one is told at the end of the day, "Look, you cannot practise, you have to write this exam." The experience with the examination has been such that we feel that something has to be done to get a broader view of that process of certification. This is why this legislation is before us today.

We have also heard the evidence from the university, from the school, that standards there are appropriate and that when compared with elsewhere, when the very same students go overseas, they do very well and they are allowed to practise in other jurisdictions. What then is the problem? We feel that the matter has to be addressed.

Mr. Sinanan: Can you indicate who, or which body will certify that a dentist has successfully completed the one-year period of vocational training?

Hon. T. Sudama: The Minister of Health will answer that question in his winding-up, but obviously, one would think the dentist to whom one is attached will have a say in indicating. If it is a partner-partner business, then that applies to the whole profession, or only some people will operate in that way and others will not. Your argument is extremely inconsistent. Therefore, this certification will rest with the dentists to whom someone is attached.

3.50 p.m.

From time to time there will be vacancies on the staff of the Dental School as with other faculties; this is being addressed. From our information, the Dental School, at all times, has had a minimum level of staffing in order for it to carry out its functions. Its comparative standards to other schools do stand up to scrutiny.

We have dealt with the arguments coming from the other side about the whole question of protecting the public. This Government has a wider responsibility to the public to ensure that the rate at which people enter the profession is satisfactory in order to have dental facilities available to all concerned. If the entry into the profession is too restrictive—we have had the situation where students have failed the examinations on more than one occasion. These examinations are held every six months; you fail, you write again after another six months; you fail, you write again, and there is the feeling that something is wrong. Therefore, it has to be addressed.

This is why I have told both the Dental Council and the school to go back and collaborate and come to a decision as to what is the appropriate curriculum, both for the theoretical and practical aspects of it. If there is on-going collaboration, one would be able to determine the shortcomings before the final exam is written, so

the council would be in a better position to advise the school if it feels that in certain respects standards are not being met. While I have insisted on that and I asked the school and the council to go back and collaborate, from the information we got there has been very little collaboration between them in order to deal with this problem.

The funding situation at the university is critical. We spend a lot of money. In any one year the Government provides the university with over \$200 million to support nationals at the various campuses. It is indeed more when we add the arrears that we are contributing, that we inherited from previous administrations, to the tune of over \$300 million which we have decided to liquidate over a five-year period. When that is added to all the other funds for legal education, the Government is put in the position where over \$300 million is devoted. Even so, we have had to take the very difficult decision that the university students—not those in the medical profession but in the other faculties—should be paying a greater portion of the economic cost of their training.

A few years ago their cost was 15 per cent. The tuition fees constituted only 15 per cent of the economic cost of training. We have made the decision that because of the stringency in Government's own financial resources, the students should be making a bigger contribution to their training. We have decided to go by steps until we reach the point where they would contribute 20 per cent of the economic cost of their training.

The point is, we cannot afford to expend all these resources, time, effort, money, academic expertise and so forth, and at the end of the day not have value for spending that money. It means if we cannot have these trained people go out into the public and make their contribution as professionals, then we are wasting a lot of time and money. If we are going to have the dental school at the university functioning at all, then there cannot be a situation where its reputation is so tarnished that students are not going to enroll. In fact, there is a reluctance now on the part of Caricom nationals to come to the university's dental school simply because, at the end of the day they cannot get registration. They have to go through this whole procedure of writing exams.

We have taken the initiative and asked the school and the council to come together to avoid this problem occurring. When doctors pass their final exams at medical school and they serve a year of internship, as far as I am aware, they do not have to write an exam in order to go out there and practise. Why the restraint for dental students? Therefore, we are correcting it by the whole question of

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standards. It is being dealt with by the amendment before us and the question of admission to the profession in a way where we have a wider viewpoint and input into the operation of the council, than merely just the dentists themselves making a decision.

They would have the majority position. The majority of the board on the council would be dentists. There would be a representative from the medical faculty of the university and one from the Ministry of Health. We feel that adding that kind of expertise to the Dental Council would make that body a lot more responsive and relevant and would make it operate in the wider national interest. This is the position we have taken.

Mr. Speaker, we did not bring this Bill here without having gone through a long process of discussion and investigation of the facts. In the final analysis, given the crisis that has confronted the profession and the admission to the profession and the status of the Dental School at the University of the West Indies, we felt it was in the wider public interest to have an amendment to the composition of the Dental Council. This is the reason for the Bill before us.

I reiterate that the Government has a responsibility to look at all aspects of the problem and come up with a solution. It cannot leave the regulation of any profession solely to the practitioners themselves, there must be monitoring because there would be people who would tend to be monopolistically inclined and restrict admission. It stands to reason because people are only human. It happens in economics where firms attempt to restrict entry into the market. It happens anywhere there may be that tendency. If that tendency exists and there is an undue restrictive exercise of power, then obviously the Government has to take note of it and arrest it. That is the case.

At the same time, while we are doing that we do not want to open up the profession to people who are not properly trained, this is why we have this amendment. But in all conscience, the Government just could not sit back and look at the deteriorating situation in the dental profession and the situation where the dental school of the University of the West Indies was in jeopardy and the students were experiencing the greatest frustrations after having gone through a long and arduous period of study and having spent so much money, to find themselves in the position where they could not practise their profession for which they have undergone strenuous training.

The other side must make up its mind. Are they supporting the Bill? If they are not, what they are telling us is that we should allow the school to collapse, mash

up the university. The Member is no longer at the university, thank God, otherwise he would have done a good job of mashing up the engineering faculty of the university, as he has been doing such a good job with trying to mash up the PNM in supporting the Member for Diego Martin West so vehemently against the Member for San Fernando East. [*Laughter*] His name is mash up! Mash up Mr. Imbert, that should be his name. Anything he gets into he mashes up. He has such a frame of mind, evil, contorted.

Mr. Manning: Stay out of our business!

Hon. T. Sudama: The Member for Diego Martin East is always engaged in some sort of mischief. One could see the mischief as he made his contribution here this afternoon. If I may offer some advice to the Member for San Fernando East— [*Interruption*]

Mr. Manning: We do not want it!

Hon. T. Sudama:—if he wants that party to survive, as fast as he could he should get rid of the Member for Diego Martin East.

Mr. Manning: Mr. Speaker, I take it if the Member wants the UNC to survive he must get rid of the Attorney General.

4.05 p.m.

Hon. T. Sudama: There is no conclusion to that effect from what I am saying.

The decision that the Members on the other side must make on this Bill, if they say they are opposing the Bill—I do not know what their position is because they have not stated a position. Are they opposing or supporting the Bill? The Member for Diego Martin East attacks everything. Whatever it is, it is his job to attack. We do not know what the position of the Member for San Fernando East is. Is he the true leader on the other side? Does he give directions? What is your position on this Bill?

Mr. Manning: I did not get three per cent.

Hon. T. Sudama: What is your position on this Bill? Are you supportive of it? Do you understand the problems that we are trying to deal with?

Mr. Manning: When you make two per cent talk to me.

Hon. T. Sudama: Are you supportive? What have you come here to do in this House? Just to talk and make mischief as the Member for Diego Martin East?

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Mr. Speaker, we are seeking to do a number of things with this piece of legislation before us. I have described them to you. I have talked about the problems at the Council level; the problem of the school being in jeopardy; the question of the students and their future; and the signals that we are sending out to the Caribbean and the countries outside that we are a sovereign country and yet we cannot run a proper dental school and, therefore, the authority, image and status of the Dental School is being affected.

We are addressing all these and it is our duty to do so as a Government. As we do so, Mr. Speaker, I commend this Bill to the other side and I challenge them to vote against it and when they do so we will take it to the hustings. We will take it there as we are challenging them on the death penalty and we will take it to the hustings. The final arbiters are the people of Trinidad and Tobago and that is where your fate will be decided but your fate will be decided before we go to the hustings.

Mr. Speaker, we commend this Bill to the other side. A Bill that is designed to put the dentistry profession in a better light and to uplift the functioning and status of the dental school at the University of the West Indies and to make less restrictive admission to the profession and, therefore, make dental facilities more readily available to the wider public of Trinidad and Tobago.

Having, therefore, given all these reasons and outlined the thinking on what we have done and the discussions that we have held over a two-year period in order to resolve this problem, this Government has come to the conclusion that this is the route to go and we commend it to the House and ask the other Members to support it.

Thank you very much, Mr. Speaker. [*Desk thumping*]

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, when I first saw this legislation and the background to the matter before us, that is, the information from the Dental Council as well as the information from the University, my initial reaction was that, perhaps, this Bill should have been introduced in the other place so that there would have been a clinical review of the issues without the politics. As you know, Mr. Speaker, matters introduced in this House tend to be much more political than in the other place.

However, when I listened to the debate today up to the last speaker, I thought that I was wrong. I thought that all the speakers before the last one did justice to the debate. The Minister opened and, of course, he set out the case as outlined by

the University. Members on this side outlined some of the issues of concern to the Dental Council. I think that the debate really took a turn for the worse when we had the Member for Oropouche entering the debate.

Mr. Speaker, we welcomed that Member back into the Parliament. We are all happy to see that he has returned in good health but we would have appreciated it if during that period that he spent in the hospital he would have had time to talk to our Creator and to realize that there should have been not only a physical healing but there should also have been a spiritual and mental healing so that he could have returned to this House without the bitterness with which he left. Mr. Speaker, I sent him such a note. When he came back I told him welcome back and that I really do hope that there was that spiritual and mental healing but he comes back here the same way. One wonders what has to happen to a man for him to realize that a change is required. I want to ask the Member to reflect.

Mr. Speaker, the Member threatened that if we failed to support this legislation, like the death penalty, they will take it to the hustings. This Government is attempting to make an issue of a non-issue. I saw them on television and my little boy laughed. The death penalty issue? Since when is the death penalty an issue in Trinidad and Tobago? Governments are hanging people all the time. Since when is it an issue? The issue is the fact that that Government is attempting, under the sham of the death penalty, to remove rights of the people and that is the issue. The issue is not the death penalty. *[Desk thumping]* It has never been an issue. The issue is their attempt to remove the rights of ordinary citizens.

Dr. Griffith: Irrelevant.

Mr. K. Valley: It is not irrelevant. It is that Member who mentioned the death penalty. *[Interruption]*

I came here, Mr. Speaker—

Mr. Speaker: Hon. Members, may I appeal for order while a Member is making his contribution, please.

Mr. K. Valley: Thank you, Mr. Speaker.

Let me turn to the Bill because that is what I came here to do. Mr. Speaker, the purpose of this Bill as outlined in the explanatory note is first of all that it is supposed to make better provisions for the composition of the Dental Council of Trinidad and Tobago. That is at clause 9. The Bill in the explanatory note also

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talks about making better provisions for the registration to practise dentistry in Trinidad and Tobago. I submit in opening that although that is stated as an objective of this Bill, that objective cannot be achieved by this legislation.

In our opening contribution this morning my colleague from San Fernando West made the point that even with the current amendment, the Dental Council can still require the graduates from the University of the West Indies to write the examination. Therefore, in the current structuring of this legislation there is no change. We have been here since 10 o'clock and there is no change.

Quite clearly, Mr. Speaker, if one looks at the definition of "diploma"—the point was made earlier—it says quite clearly:

"...recognized by the Council as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry."

When the amendment talks about having a diploma, that diploma must fit in a certain way. Therefore, if the Dental Council is now saying that the qualification from the University does not meet the requirement as outlined in the Bill, that it does not fall within the definition of diploma, then they can ask them to write their examination. That is clear.

Miss Nicholson: That is not an argument.

Mr. Valley: That is not an argument? Well, bet me "nah".

Mr. Speaker, when you look at the amendment, by simply putting in a schedule, to my mind it makes the thing even stricter because no longer must one have a diploma, one must also have a diploma from certain schools outlined in the schedule. Whilst before there was the discretion of the board to determine whether they would accept or not accept a particular school, even if they say the exam had to be taken, in this case if one qualifies from a school that is not on the list, then he cannot even apply to be a dentist. It does not take away the requirement of an examination. That seems clear to me.

Moving from that point, Mr. Speaker. Listening to the debate today it seems to me that there are two fundamental issues. There is, first of all, the contention made by the Dental Council that the faculty does not have the capability to provide adequate training for the dental profession. That is the case stated in different ways by the Dental Council. They have argued that they have been talking with these people for a number of years.

Mr. Speaker, we have to remember that the concept of ethnocentrism seems to be at play in different professions in Trinidad and Tobago. I remember, for example, that management students at the University of the West Indies had a problem being admitted to the Institute of Chartered Accountants of Trinidad and Tobago. I do not know whether that problem has been resolved up to today. They claim that the programme of studies followed by the University was insufficient to qualify for admission to the Institute of Chartered Accountants.

Our local lawyers, in the beginning, had a similar problem. We had persons who were trained in the United Kingdom feeling that these were second class lawyers. I must admit that whenever I hear this argument that these people are not as good as those, I have a difficulty. As a fact, we know that in most professions there is a closed shop; there is that protectionism. We have to face the fact. There is that allowing only so many members to come in so that they can maintain a certain face structure.

4.20 p.m.

Mr. Speaker, I was part of a government ably led by our political leader.

Mr. Manning: Take that.

Mr. K. Valley: As a fact, we started that liberalization process. We are saying the basic point is that the old paradigm of protectionism, whether it be in trade or in services, as we approach the 21st century, must go. If we have to take our place and be really competitive in the world, that old paradigm of closed shop, wherever it appears, we have to dismantle it and I accept that concept.

Mr. Speaker, I thought that when this Bill was presented this morning, there was a bit of disservice because there appeared to be a lack of philosophical underpinning. It appeared as though we were merely being *ad hoc*—we have a problem, the Dental Council is fighting with the university and we will solve that—rather than really looking at the whole process of liberalization that is now being—if it is not fast becoming—the norm in the world

We have closed shop with respect to lawyers. There are some large institutions in Trinidad and Tobago that a young lawyer, in spite of what he does, cannot get work from even though he may be qualified, admitted by the law society or what have you. He cannot even do a mortgage transaction for them; it is only one big house or law firm that can get that job.

We have closed shop with respect to valuers. If you have property and you want to get a valuation, the financial institution would tell you whom to go to. We

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really need to look at these issues as we prepare our country for competition in the new century. We have to look at all of these closed shops and decide exactly what we are going to do. I start from that basic premise. When I see that, I say there might be some self-interest here.

We go further and look very closely at the case made by the Dental Council. Even when we look at the responses from the university, we see that there is an admission that all is not right at the Faculty of Dentistry. One asks really, what is the proper role of these two institutions? The Dental Council was established in 1980 and the other around 1989. The Dental Council predates the dental school. There seems to be—for want of a better word—some fighting for turf. Quite simply, as a layman I would say that if there is a dental council—a professional body—which is supposed to see about standards, ethics and so forth of the profession, and the university is training dentists, well there ought to be some meeting of the minds concerning the curriculum. They should be meeting on a regular basis and determining what the curriculum ought to be. Looking at the documents, to me that does not appear to be happening. Aside from the Dental Council we have heard from the university. I must admit that from where I sit, I feel that the university has made sufficient effort to get assistance from the Dental Council—I might be wrong—and they have failed.

Mr. Speaker, in reviewing the information supplied to me, I was particularly amazed at certain correspondence. For example, there is a piece of correspondence here written by the campus dean, one, G. N. Melville, dated February 16, 1995 to the Honorary Consultant of the Dental Council. It starts:

“I thank you for your letter of January 17, 1995 which arrived during my absence from the country on university business.”

The letter continued outlining the dental internship programme and asking for the assistance of the Dental Council. A response was sent on March 22 to Prof. Melville and the letter says:

“For at least six years the Dental Council has endeavoured to establish clear positions in respect of a number of issues relating to undergraduate training and internship of dental students at Mt. Hope.

Your letter dated January 16, 1995 was some way toward clarifying the present position.”

That is the letter that outlined the internship programme and so forth for the students.

“We note that the internship programme was a month late in starting, suffered from a paucity of patients or they did not take into account the provisions of our letter to Dr. Lenny Saith which was given to you on August 29, 1994 (copy of letter attached).

At the council meeting held on January 12, 1995, the decision was taken to hold board examinations for all graduates in dentistry from the University of the West Indies.”

Mr. Speaker, note that the letter was written first on January 17 to Dr. Melville asking for information on the internship programme. Dr. Melville responded on February 16, and on March 22 the Dental Council is now saying, fine, we got your response, but on January 12—in other words, before that letter was written the Dental Council appeared to have already taken a decision concerning the board examination.

So when one look at the response to that letter by Dr. Melville, it states:

“Your letter to me of March 22, 1995 is hereby been acknowledged. I have noted with utter astonishment that at a meeting held on January 12, 1995 the Dental Council of Trinidad and Tobago took a decision to hold board examinations for all graduates in dentistry from the University of the West Indies.

My astonishment is based on the fact that the decision was taken prior to your letter to me of January 17, 1995, in which your council requested information on the university's dental internship programme and the type of clinical exposure available to the students doing their internship.”

Mr. Speaker, if that is correct one can only see that is bad faith. So obviously there are issues and problems. There is a feeling that, really, if these two parties that are critical to training of our young dentists cannot do the job, then perhaps we need a joint select committee; we need to talk with both sides; we need to talk with the Dental Council; we need to talk with the university; we want to understand the history a bit more. To me, it is critical that we have a functioning school. I think it is also critical that we have a professional body that will ensure the maintenance of standards.

Any new discipline that is developed by the university would have teething problems, but I would expect that the professional body associated with that discipline would be all too happy to assist the university in developing the programme. I think that is what it is. Mr. Speaker, I am all too aware that power

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seems to be a thing that goes to some persons head rather quickly. So they have the Act and say the Act gives them power to set exams—"We not worrying with

There was another letter in this file that, I would hope, was written in such a tone simply as a result of an inability to handle the English language properly rather than out of arrogance. It is a letter written by the Dental Council to the university. Yes, there are problems at the university. I think we see that clearly from the information coming out. It was in the document of Richard Walker's paper of 1996, that perhaps, pinpoints clearly the source of the problem. It says:

"The mission of a *first rate* dental school should be to educate and train a biologically orientated, technically competent, socially sensitive practitioner who adheres to the highest standards of professional conduct and ethics and who can function effectively within a team to advance the interests of oral health care within the community."

He goes on to say a few other things:

"On the face of things the prospects were looking quite good..."

He is talking about prospects of the dentistry school at Mt. Hope—

"however, over the past weeks, there has emerged a recurrent serious problem.

The School finds itself in a similar situation to a few years ago when senior members of the School abruptly left the service of UWI. The situation can be summed up very simply by the word CONTROL."

It goes on:

"The Dean, Faculty of Medical Sciences, controls the School of Dentistry. He is the Principal Budget Holder and the School is constantly reminded of the subsidies received from the Faculty. All decisions regarding staffing have to pass through his hands. The appointment of part-time and full-time clinicians, academic and non-academic staff falls within his remit. Some of the non-academic staff are hand picked."

Mr. Speaker, it seems to me that the first thing we need to do is to take that dentistry school out of the faculty of medicine. Let them have a separate part; let them run their own business; let them pay to hire staff; let them get good staff if we really want to develop a dentistry school and let the university and the Dental Council come together to design a curriculum for our students. I think it has been

said here, that there seems to be no problems with respect to theoretical knowledge. The problem area seems to be the clinical area—practical hands-on.

Mr. Speaker: Hon. Members, the sitting is suspended for half an hour.

4.35 p.m.: *Sitting suspended.*

5.13 p.m.: *Sitting resumed.*

Mr. K. Valley: Mr. Speaker, when we took the break, I was making the point on which I think we are all agreed, that the theoretical underpinning of the dentistry programme at the university is quite good. That has come out clearly. But what is at issue is the hands-on practical or clinical application which, of course, can be perfected with time, and that is the whole concept of internship in most professions. With Chartered Accountants in Canada, for example, I know one has to serve a two-year period; medical doctors have to serve periods of internship and perhaps, even residency. Obviously, the question is: How is the interest of all parties best served in this situation?

That reminds me of the point I made earlier on about the closed shop. I remember, I think it was around September of 1995, when a person who is now a Member of Parliament, visited my office in Diego Martin making the point that she had, I think it was a daughter and son-in-law, who graduated from some medical faculty in Cuba and who were unable to gain admittance to the Trinidad and Tobago Medical Association. She came to see me to find out what could be done to have that Act amended so as to have the faculties in Cuba listed as approved institutions for registration.

That came to mind in the preparation for this debate because, I make the point that as we move into the 21st Century with the emphasis on transparency, we need to have transparency also in terms of professional bodies recognizing graduates. I must repeat that we need to do whatever is required to get away from this closed shop approach.

Here we have a Dentistry Faculty. Why would one say that if one were to come from some unknown school, yes, there might be need for board examinations and so forth, but when that faculty is part of our University of the West Indies, I really believe that fact alone should impact on the Dental Council, a requirement to work with that body. While we agree that yes, the professional body ought to be there setting certain standards, there must be that compromise.

There seems to be some people who do not like the idea of compromise. There seems to be some of us who believe that fighting must continue, that one ought not

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to talk through issues and compromise. Very early in life, I learnt that compromise was the essence of living and I want to recommend that to the University and the Dental Council, that there is need in this situation to forget all that has gone in the past and sit together in the interest of our students and our region to develop a curriculum that would best represent the training for our young dentists. I think that is going to serve our people quite well.

Just a little aside on the Cuban doctors. As you know, Mr. Speaker, my political leader will swear by Cuban doctors now. So that obviously, I would hope that the next piece of legislation we would see coming from the Ministry of Health is some amendment to that Medical Association Act to allow for some liberalization.

As I am on that point, I want to touch on one area in the Bill which made me think that the Dental Council seems to have been treated shabbily. I noted in the Bill that a schedule is now attached to the Bill, of approved universities, colleges and so forth, and the Bill suggests that there might be changes in consultation with the Dental Council. I want to ask the obvious question of whether there was consultation in the development of this list in the first place?

Dr. Rafeeq: Yes.

Mr. K. Valley: It cannot be their list, because it did not have the University of the West Indies. *[Interruption]* So, the university was on the list? *[Interruption]* Is it their list then? *[Interruption]* The Dental Council list. But the Dental Council list could not have the University of the West Indies. But it is not their list then?

Dr. Rafeeq: We have added the University of the West Indies.

Mr. K. Valley: Oh, you have added the University of the West Indies, without consultation. All I am saying, Mr. Speaker, is for good order, I really would like this piece of legislation to go to a Joint Select Committee.

Hon. Member: No. No.

Mr. K. Valley: Mr. Speaker, here we have a situation where the Government has admitted that it has attempted to bring the parties together over some period without success. All I am suggesting is for us to inform the University of the West Indies and the Dental Council now that it is not a Government thing, it is a Parliament thing. We are one on this and they must come together in the interest of not only Trinidad and Tobago, but the region.

I saw in the pile of information supplied to me that the Government of Barbados wrote the university saying, "Listen, from here on we are not sending

our students to the school, because they cannot practise in Barbados.” To be accepted in Barbados, they must first of all be accepted in the place where they were trained and, because they are not licensed by the Dental Council—*[Interruption]* But you are solving one problem and then you are leaving everything else. Understand what is happening: until you bring people together and make them understand that they must work together, you still have the problem.

You are saying here that fine, you are solving it; you are bringing in the University of the West Indies, but, friend, this is only one issue. The Dental Council would find 1,000 other issues to use to frustrate your efforts, unless you can bring them together and let them understand that they have a vested interest in working with the University of the West Indies in developing the programme. That is critical.

Miss Nicholson: The Government will do that.

Mr. K. Valley: But the Government has tried over a number of years—this is what we have heard—and that has not happened. I am saying that we must send a clear signal that this is from the Parliament of Trinidad and Tobago. It is not simply a government thing now, the Parliament is saying that this is the approach we want to take.

I have noted that there is an amendment which suggests that the graduates would qualify for dental registration and, again, I want to note the point that unless there is a further amendment that even with the temporary registration, the Council can still require registration even before the temporary registration, as a matter of fact.

I have noted the suggestion of one-year vocational training, I think it is called. While we agree with that, I wonder, given the history of the University of the West Indies, and given that area of concern, whether the one-year period is sufficient. I would have preferred to see a two-year period. Later on, we can reduce it to one year. But let us face it, as a fact, we know there is a problem with the university training now. There is a problem, therefore, in the interest of the people of Trinidad and Tobago, let us have it initially for a two-year period.

I think also that we should ask that the Dental Council and the University develop some type of monitoring situation. Put a programme in place. There may not be a need for a clinical examination at the end of the period, but there ought to be some clear monitoring system in place to ensure that, in fact, the young graduates gain the clinical experience that is necessary for them to perform better in their profession. I would feel that would go a long way, Mr. Speaker.

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Lastly, I want to touch on what I see as the role of professional bodies and I see self-regulation ranking quite high on that list and, because of that view, I wonder about the amendment to clause 9 where we are having a professional body with most of the persons appointed to that body coming from outside the membership, or not being elected by the membership.

We need to put things in place such as programmes of training to have our students accepted, but I think a professional body ought to have that concept of self-regulation imbedded. The members ought to elect the officers and I do not like this concept of two members appointed by the Minister of Health. While I would agree that perhaps we need to have members from the Faculty of Dentistry on the Dental Council, I do not think that they should be members from the Medical Faculty. It ought to be more reflective of members of the Dentistry College and I do not know what is the purpose of the layman on the committee.

5.25 p.m.

In any case, I think a keen requirement must be that the majority membership on the board of a professional association ought to be elected rather than appointed. I have a concern with that and I would ask that it be reviewed.

Lastly, I think that there ought to be the concept of continuing education for all our professional bodies at this time. We are living in a changing world, and in whatever field, there is need for that continuing education. I hope that the professional bodies, including the Dental Council, would concentrate on areas such as self-regulation and continuing education. They set standards, but I do not know whether they ought to be an examining body. I have a problem with that. We have our university to do that and they ought to work with our university in setting the curriculum. They should set their standards, but I do not know whether I would want professional bodies to be examining bodies.

Those are the comments which I have on this Bill. I think we need clearly to try to avoid closed shop, we need to understand the other side, and we need to compromise in the interest of Trinidad and Tobago.

Thank you.

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. Speaker, I rise to register my unqualified support for this amending Bill, and certainly to make some contribution with respect to the legal and some of the other points raised on the other side.

Mr. Speaker, I cannot let pass the words of the Member for Diego Martin Central when he referred to the very erstwhile and able Member for Oropouche, when he said, he felt when he returned that he would be returning with physical and spiritual healing, but he returned to the Parliament in the same way.

The Member for Diego Martin Central did not hear what the surgeon for the Member for Oropouche had to say. The Member disclosed to us on Wednesday night the words of the surgeon which explained why he has returned to us in this way. When the surgeon opened his heart, we were told he found a very pure heart and that is why the Member for Oropouche has returned in the same way because there is no need to change a pure heart.

Mr. Manning: Thank you for giving way. I wonder if the surgeon wears spectacles, or if he is being certified as not needing any.

Hon. K. Persad-Bissessar: I am sure that the surgeon who operated on the Member for San Fernando East would be able to answer that question. I suspect that the Member for Diego Martin Central was, in fact, using the opportunity to send a signal to the Member for San Fernando East and, in fact, his disappointment was that he was hoping that the Member for San Fernando East would be the one to come back different and more spiritually and physically healed, but was so disappointed to find that he came back in the same way. [*Desk thumping*]

Mr. Speaker, nothing has changed. I am saying we are happy that Mr. Sudama has returned the same, except he is stronger and we all welcome him to this House. I think Members on both sides are very happy to have him.

The amendments to the Dental Profession Act are innovative ones. I believe that they attempt to bring the dental profession smack into the 21st Century. These amendments are similar to those which are being considered worldwide and so the trend has been in Australia where a Dental Legislation Review Committee had been set up which is seeking an ongoing process to review legislation which would seek to establish common standards across the health professions, whilst at the same time addressing issues which are unique to each profession.

Mr. Speaker, that review is being described as a unique opportunity to look to the future to put in place a model that would take them into the 21st Century. Some of the recommendations out of that Australian review are very interesting because they mirror what we are already doing in Parliament today. The purpose of the regulation was to say they wanted to look, not only after the interest of the professionals, but the public interest as well and to protect it. They also pointed

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out that registration requirements should focus on relevant matters such as the capacity to perform in the occupation. They had the idea that members of the board be appointed on the recommendation of the Minister of Health, and that positions on the board should not be allocated by statute to particular groups, but people appointed should be able to bring a wide range of perspectives and skills, and the board should include legal and community representation. There should be a balance on the board in terms of men and women, and people of different ethnic and social backgrounds. Mr. Speaker, from that example, it is very clear that this Government is moving in the right direction with the amendments which are before the House.

The issue which has been raised by the Member for Diego Martin East and echoed to some extent by the Member for Diego Martin Central had to do with why we are changing the composition of the Council to include persons who are non-dentists. He went so far to ask, why is the Minister of Health not bringing a similar proposal to deal with the professional body of doctors? The Member for Diego Martin Central put it another way, he said, he does not understand why we are putting laymen. What is the role and purpose of the layman on the Council?

We can answer that very simply. Firstly, we must understand that in any organization where there is a closed shop, a monopoly of interest, what one is in fact doing, is creating an incestuous relationship. If you are saying that the Council should be comprised only of dentists, it is my respectful view that you would be creating—while you have the opportunity now to make a change—you would in fact be saying keep a kind of incestuous relationship.

Mr. Speaker, we all know what happens with the kind of incestuous in-breeding which takes place and we are seeing what is happening in the White House at the moment. I am saying what happens in such a case is that you may not necessarily serve the interests of those who are the laymen, the public interest, and the non-dentists. The patients' interests may not be served where a very closed shop only of dentists is kept. That is in answer to the first point.

The second point raises the question: Why are we not doing it in other areas? We have already done so. We have done it for surveyors and other professional bodies by Act No. 33 of 1996. In section 4 of the Land Surveyors Act it says:

- “4(1) The Board shall consist of members appointed by the Minister as follows—
- (a) the Director of Surveys who shall be Chairman;

- (b) seven persons, being citizens of Trinidad and Tobago, of whom—
 - (i) four shall be Land Surveyors nominated by the Institute of Surveyors of Trinidad and Tobago and of those four at least two shall be Trinidad and Tobago Land Surveyors;
 - (ii) two Land Surveyors nominated by the Director of Surveys and of those two at least one shall be a Trinidad and Tobago Land Surveyor;
 - (iii) one person who, not being a member of the governing body of a self-regulating licensing body of a self regulating licensing body under any other Act, nor being registered under this Act, is by reason of experience in professional or public life qualified to serve on the Board.”

It is very clear that locally, we have already followed the precedent. This is not an unprecedented move to include persons who are not dentists and do not belong to the profession within the Council. It is already happening here.

With respect to why we are not doing it with the others? We are giving consideration to the other professional bodies for a similar opening up and liberalizing of the membership of professional bodies. This is the trend internationally to open it up to allow for that public interest to be represented within the council.

Another issue which has been raised and it is in fact worthy of consideration, has to do with the proposed clause 9 which says:

- 9(1) The Board shall be managed by a Council which shall consist of—
- (a) a Chairman who shall be President of the Board;
 - (b) a Vice Chairman who shall be Vice President of the Board;
 - (c) a Secretary who shall be Secretary of the Board;
 - (d) a Treasurer who shall be Treasurer of the Board;
 - (e) two members appointed by the Minister of Health, one of whom shall be the Dentist holding the most senior dental post in the Ministry of Health, the other, a lay person to represent the general interest of the public;

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- (f) two members appointed from the Medical Faculty of the University of the West Indies;
- (g) one medical doctor..."

The point was raised how these persons are to be elected.

The hon. Minister of Health would be moving an amendment with respect to that. So that issue would be clarified. It is our view that would have been covered within the Bill, but out of an abundance of caution and clarity, the Government would be proposing an amendment to make provision with respect to the manner in which these members of the Council would be appointed.

The issue raised about hands-on training and whether the graduates coming out of the university would have enough practical experience—the Member for Diego Martin Central expressed some concern about that. The amendment proposed to clause 4 of the Bill covers that concern by providing that there would be a one-year vocational training period where the graduates would be temporarily registered until, having completed that year of vocational training, the graduates would become fully registered.

We believe that could solve the problem with respect to practical training. If I may go back to the point about the composition of the Council, the Minister of Health has advised me that the Dental Council has agreed to the lay person being included within the council of the dental profession.

5.40 p.m.

The Opposition made the suggestion that a joint select committee be set up to deal with this Bill. This issue has been long outstanding. It is our respectful view that the consultations were carried out by the Ministry of Health, and it is our respectful view that the hardship that is being experienced by the graduates coming out of the University of the West Indies for so many years have not been addressed, and we do not believe that it is appropriate for a joint select committee to be set up to look at this Bill.

The final point I would like to make is that it is very clear here in Trinidad and Tobago that we need more dentists practising in the country to deliver dental health care. There is a view among some that the field is saturated; there are too many dentists. The statistics do not bear this out. I have been advised that there are about 150 registered dentists in Trinidad and Tobago, but that the World Health Organization has estimated that in terms of our population of 1.3 million, in order

to deliver standard and proper dental health care, the country needs about 500 dentists.

It is very clear that here we have persons who have been trained in the field and spent years in that training and, on the other hand, we have a population that is in need of such qualified personnel but we have a blockage, an obstruction in the system that will not allow them to be registered to deliver the dental health care that we need. If we bear that in mind, we believe that the time is now to put this Bill through the Parliament and get the support of the Parliament. I believe the Hon. Leader of the Opposition had indicated in an off side that he would support this Bill as amended. In terms of the two legal issues that have been raised, there are two amendments that were put forward to address those concerns.

I commend this Bill to this honourable House, and I thank you.

The Minister of Health (Dr. The Hon. Hamza Rafeeq): Mr. Speaker, I want to thank all the Members who have taken part in this debate. I think we have had some very useful contributions. I especially thank the Member for San Fernando East for his contribution that he did not make. *[Laughter]* I am not here to defend the dental school, neither am I here this evening to cast aspersions on the Dental Council. We recognize—I think it has been borne out by some of the reports that have been read—that there are problems existing at the dental school, and we acknowledge that. Some of them in the past have been very fundamental difficulties and deficiencies.

One of the main issues has been the issue of staffing. I will deal with that in a little while. We also recognize—this has also been borne out by some of the reports and letters that have been read and it is very unfortunate—that there have been some serious personality conflicts at the dental school; some of the letters alluded to that, where the dean of the faculty and director of the school were at cross purposes. We hope that the situation has been solved to a certain extent. Both the dean and director who were involved in that sort of conflict situation are not there anymore. There is a new dean and a new director of the school, and we know that right now there exists a harmonious relationship between the Dean of the Medical Faculty and the Director of the Dental School.

Mr. Speaker, there has been concern expressed about the staffing problem, and I would like to read from a communication from the University of the West Indies, the Director of the Dental School. This letter is dated August 10, 1998 where he says:

"You will recall in previous discussions our intention to seek accreditation and recognition of our training programme with the British Dental Council. Of necessity, this requires synonymity and parity with UK Dental Schools. In the past, concerns have been expressed about the curriculum and staffing.

I chose to seek advice and guidance from Bristol University Dental School, which is a prestigious institution recognised and accredited by the British General Dental Council. Based on our discussions, outlined below are the more notable changes:

Curriculum

UWI Dental School, effective 1998 has adopted the Bristol Dental School Curriculum. We receive advice and help at a Professorial level from the Bristol Academic Staff.

Vocational Training (VT)

To ensure compatibility with the UK system, immediately following graduation, the UWI graduates will compulsorily pursue a one year vocational training programme in hospitals, clinics and practices."

That is dealt with in the amendment we have circulated.

"A hospital based internship period can be included as a part, but the VT programmes will be supplemented by outreach programmes and attendance at Premier Dental Clinic practices.

Final DDS Exams

Examination questions will be set jointly with UWI and Bristol Dental School staff and our External Examiners will be appointed from Bristol Dental School. Comparative studies of the performance of both cohorts of students will be made."

Mr. Speaker, there are supposed to be 30 members of staff on the establishment. At present there are 21. The selection is now at the stage of the Board, and there are five. There are two applications from senior UK staff. The part-time staff is adequate and effective.

In terms of students, some one of the reports mentioned that there are less than 25 applications for the 25 positions at the dental school. At present, there are 33 applications received for the next academic year, and we expect this to be increased when the A-level results are announced.

“Patients

New patient registrations continue to increase.”

That is the present situation at the dental school.

Mr. Speaker, the call has been made for more consultations on a joint select committee but, as you have heard, all the speakers on this side have alluded that there have been several consultations, some of which were held even before we came into office; consultations between the dental school and the Dental Council, sponsored by the Ministry of Health and the Ministry of Planning and Development.

As I indicated earlier, several suggestions were made. One of the suggestions made by us when we came into office earlier in this term was that the Dental Council should get involved at the level of even assisting and drafting the curriculum for the students. We advised that another area they should explore was to be on committees established by the dental school. My information is that the dental school made vacant and available a position on all academic committees in the dental school for a member of the Council to attend and contribute. The Council appointed one member who attended just a few meetings and did not attend meetings subsequently.

Mr. Speaker, we also advised that the Dental Council should have an input into the training and the final examination which was administered by the dental school, so that the results of that examination would be acceptable to the Dental Council. All this failed. That is why, as I said, the Cabinet appointed a ministerial committee to review all the issues. We met with all the stakeholders and, as I said, this Bill is the result.

There has been the constant complaint that there is not enough communication and consultation between the dental school and the Dental Council. We have sought, in the amendment to the composition of the Board, to include members from the faculty on the Council of the Dental Board. We believe this is one way we can facilitate consultation and communication from the dental school to the Dental Council and vice versa.

Mr. K. Valley: I wondered whether we ought not say from the dental school rather than from the Faculty of Medicine. I agree with the Minister that we need persons from the dental school perhaps on the Council but, from the dental school. I do not think we want medical doctors there. I think if we restrict it to the dental school, that will be worthwhile.

Dr. The Hon. H. Rafeeq: I have no problem with the suggestion. Mr. Speaker, as the Member for Siparia mentioned, there are other boards on which there are other professionals besides those of that particular profession, like the Pharmacy Board, and she mentioned the Board of Surveyors.

The final thing I would like to mention is that the point was raised about continuing education. This is an extremely important point. Continuing education not only for dentists, but for all professionals and right now, we have in draft the Medical Board (Amdt.) Bill. One of the issues deals specifically with continuing medical education for doctors. I want to assure this Parliament that we are also reviewing the Dental Professions Act comprehensively. This deals only with one issue, but that Act will deal with the issue of continuing education.

I want to make one final point. The dental students who graduate from the UWI Dental School have four different examinations at four different times during the course of study. One is at the end of the first year, the second, the third and the fourth years. At each of those exams, they are examined by external examiners and the examiners from the dental school. It is not a one-off thing where they are only examined at the final exam by external examiners. They are examined throughout their course of study by external examiners, and the product that eventually comes out of that is a person who has passed all the exams at the various stages.

I would like to thank Members for their contribution. There are a few amendments to be moved at the committee stage. I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

5.55 p.m.

Mr. Speaker: Hon. Members, we have a new list of amendments, which are tabled and which will take the place of the first set.

Clauses 1 and 2 ordered to stand part of the Bill.

Clause 3

Question proposed, That clause 3 stand part of the Bill.

Dr. Rafeeq: Mr. Chairman, I propose that clause 3 be amended as follows:

3

Delete clause 3 and substitute the following:

“Section 2
amended

3. Section 2 of the Act is amended—

- (a) in the definition of “diploma” by deleting the words “and recognised by the Council as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of dentistry”; and
- (b) by inserting in appropriate alphabetical sequence the following definition:

“‘Minister’ means the Minister to whom responsibility for Health is assigned;”

Mr. Imbert: Now that you deleted "recognised by the Council as furnishing sufficient guarantee...", and you have taken that power away from the Council: how is the Schedule to be amended in the future? Who amends the Schedule? I am just asking.

Dr. Rafeeq: The Bill describes how the Schedule will be amended at clause 7.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4

Question proposed, That clause 4 stand part of the Bill.

Dr. Rafeeq: Mr. Chairman, I propose that clause 4 be amended as follows:

4

Delete clause 4 and substitute the following:

“Section 5
amended

4. Section 5 of the Act is amended—

- (a) in subsection (1) by deleting paragraph
 - (a) and substituting the following:
 - “(a) is the holder of a diploma from a University, College or other Institution referred to in the Schedule;”;

- (b) by inserting after subsection (1) the following subsection:
 - (1A) Notwithstanding subsection (1) —
 - (a) a person who is the holder of a diploma from the University of the West Indies Medical Faculty Dental School is entitled to temporary registration; and
 - (b) a person who has registered under paragraph (a) is entitled to full registration upon presentation of a certificate from the University of the West Indies Medical Faculty Dental School certifying that he has successfully completed a one year period of vocational training.”

Mr. Imbert: Mr. Chairman, this now gives the university the power to determine the successful completion of the period of vocational training. Why are you giving that power to the university, rather than an independent body, as is done in other professions?

Dr. Rafeeq: Mr. Chairman, in other professions, like the medical profession, the university certifies the internship. That is, when one is an intern, one is still under training and the university usually certifies.

Mr. Imbert: If there is a problem at present with the clinical aspect of the degree programme at the university, is it not compounding the problem by giving the university the power to determine the quality of clinical studies?

Dr. Rafeeq: The university is a training body, the Dental Council is not.

Mr. Valley: We come to the issue of compromise, really. If the Dental Council must set standards, it seems to me that this is an area in which the Dental Council ought to be involved, there must be some type of monitoring role by the Dental Council and the university. That is the whole concept of the professional body, and we have to find some way of dealing with that.

Mrs. Persad-Bissessar: Those matters can be dealt with in regulations, hon. Member, but what is important is that in every profession—I want to repeat the Minister's point—the training component is not for the Council to be dealing with.

As a lawyer, when one does one's internship, or in any profession where there is an internship period, it is handled by the training institution. Now, if it were that the Council makes a decision, the Council could, again, frustrate the students coming out there. The training issue is a different issue.

Mr. Valley: I do not have a problem with the university doing the training, but I am talking about monitoring the training. I take the point—

Dr. Rafeeq: May I? In clause 8 of the Bill before us it states:

“The Minister may in collaboration with the Council review the curriculum and training programme of the University of the West Indies Dental School and make recommendations thereon.”

Mr. Imbert: Minister, the thing is, do you recognize that what you are doing is giving the university the full authority now to determine the standard of the degree programme? That is what you are doing. Because, at present the person does his course of training at UWI, he comes out, the Dental Council is having difficulty in registering these people. You have now said, let there be a one-year period of vocational training, but the same institution which is under the microscope is the same one which is going to be saying the one-year period of vocational training is adequate. So you are not really doing anything except introducing another in-house, incestuous arrangement.

Mr. Sinanan: Mr. Chairman, if I may. Earlier on, Mr. Minister, I think the Member for Oropouche indicated that this one-year vocational training could be done at the hospital, a government institution or at a private dentist's practice. How is the University of the West Indies going to monitor somebody who is at a private dental surgery? How is the university going to monitor vocational training at a health institution?

Dr. Rafeeq: With regard to vocational training to ensure compatibility with the UK system; immediately following graduation, the University of the West Indies graduates will compulsorily pursue a one-year vocational training in hospitals, clinics and practices. A hospital-based internship period, will be included as a part, but the vocational training programmes will be supplemented by outreach programmes and attendances at premier dental clinics.

6.10 p.m.

Dr. Rafeeq: It is not that a person would be attached to a private dentist for an entire year and he would make his recommendations on that year. There would be a rotation.

Mr. Manning: We are looking for truth in this matter. What would happen, especially in an inefficient system like this, if somebody ends up at a private practice for one year?

Mr. Maharaj: Mr. Chairman, let us look at what happens in other professions. If one goes to the law school in Trinidad and Tobago the training programme is certified at the end of it by the law school, although the trainee lawyer has done his internship at the law school and at private and public institutions.

In the United Kingdom lawyers are certified by the lawyers who would be the person they were in chambers with, but then it has to be recertified by the law school. This system is one in which the person passes the exam, but the internship is done at the public institution, the university and also at private institutions. This university would then certify that it has been satisfactory.

Obviously, there would have to be regulations to give effect to that. This is the kind of philosophy that is underpinning it.

Mr. Valley: I have not seen that here.

Mr. Maharaj: It is in the parent Act.

Mr. Sinanan: Mr. Chairman, am I to understand the Attorney General as saying that in this one-year period if a person is at a hospital or private surgery, the hospital authority or the dentist in the private surgery, would certify to the University of West Indies and then the university will act on that certification?

Dr. Rafeeq: Even in the pharmacy profession at this point in time, there is a certain period spent in the private pharmacies. They monitor them from time to time and at the end of it, the pharmacist makes a recommendation as to the performance of that student over the period.

We are calling this internship period vocational training. It exists at present as an informal arrangement. Recently, the University of the West Indies Dental School refused to certify a student for the Dental Council exam because he had not successfully completed his internship.

Mr. Manning: Is the student allowed to do this internship only at private institutions that are certified for this purpose? In other words, must the university first satisfy itself that this is a proper place for an internship to be done? Give us the assurance.

Dr. Rafeeq: That is for the dental school.

Mr. Manning: But the regulations must deal with that.

Mrs. Persad-Bissessar: Remember you also mentioned the rotation, the possibility of one person ending up in a bad place.

Mr. Manning: We accept that, but—

Mr. Valley: At present, the students are required to do a one-year internship then they write the board examination. Is this the same one-year period you are talking about?

Dr. Rafeeq: After they have passed the DDS exam from the dental school, at present, they do a one-year internship. That is the one you were reading from the document there. It will be better structured. It is just like the internship for doctors. They do not write an exam at the end of it.

Mr. Valley: Given the difficulties at present, we are aware that there are certain problems at the university. While later on they may want to bring it down to one year, do you not think initially we should be looking at a two-year internship period? You want to build credibility in these young graduates.

Dr. Rafeeq: One year internship and training is a compromise situation because when that school was established there was no internship contemplated at all. This one year is a compromise situation. One year is a long period of internship.

Mr. Manning: The real solution to the problem is that the Government of Trinidad and Tobago needs to establish some kind of body that determines the level of acceptability, whether the degree coming out of the University of the West Indies dental school is acceptable or not, that is really what is needed. The Profession cannot do that, the state has to do it.

Mr. Williams: What steps do you contemplate to take to have the university become a school accredited by some international body?

Mr. Manning: The San Fernando General Hospital is certified by the University of the West Indies as an institution for training.

Mr. Maharaj: As part of the information I got in the consultation process, there has been instances where people have been refused here and went abroad and was able to practise.

Dr. Rafeeq: I will answer Mr. Williams' question about the steps being taken to have the school accredited. The letter I read from Prof. Thomson, the Director

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of the school spoke about the steps to be taken to have the school recognized by the British Dental Council.

Mr. Manning: We will not vote against the Bill on that score. We are not trying to stop it. In the interest of an acceptable system what is required is an independent certification authority. If you are saying that steps are being taken to have the British Dental Council do it, we accept that.

Mr. Sinanan: How did you arrive at the University of Bristol? Why not some other university in London? What criteria did you use? There are several other good universities.

Dr. Rafeeq: I do not know why they particularly chose the Bristol school, but I know that it is one of the prestigious dental schools in England.

Mr. Imbert: Since there would be regulations that will govern this period of vocational training, in the absence of these regulations how will the system operate until the regulations are brought to the House and passed?

Mrs. Persad-Bissessar: In my respectful view, those are administrative matters. There is a school of training, whether it is the dental or medical school, there are administrative matters in terms of how it would monitor. We cannot put that into legislation in terms of first, second or third steps.

Mr. Imbert: I am not saying that. There was a statement that there is provision in the Act for regulations and that this period of vocational training will be regulated. In the absence of those regulations, until they are brought to Parliament, whenever they do, how will the training be regulated?

Mrs. Persad-Bissessar: I am not sure anyone of us said that there would be regulations to regulate vocational training.

Hon. Members: Yes, you did.

Dr. Rafeeq: They are taking the curriculum from the Bristol Dental School and the vocational training would also be after that.

Mr. Imbert: So you would use that until legislation comes into force?

Dr. Rafeeq: Yes.

Question put and agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clause 5

Question proposed, That clause 5 stand part of the Bill.

Dr. Rafeeq: Mr. Chairman, I beg to move that clause 5 be amended as follows:

"Delete the proposed subsection (2), and substitute the following:

'(2) The members referred to in subsection 1(a) to (d) shall be elected by and from among members of the Board who are dentists.'"

Mr. Valley: Clause 5(f) should be restricted to the Dental School.

Mr. Maharaj: Are you saying the two or at least one? [*Cross talk*]

We can put "two members appointed from the University of the West Indies, Faculty of Medicine—Dental School".

Mr. Imbert: Mr. Chairman, how do they get to the board in the first place? You say the chairman, vice-chairman, secretary, treasurer are elected by and from members of the board who are dentists? How do they become members of the board?

Dr. Rafeeq: Mr. Chairman the parent Act provides for that in Section 4(1). It states:

"4(1) Dentists and dental auxiliaries are eligible to be members of the Board."

All doctors are members of the medical board.

Mr. Chairman, we will like it written the way it is in the Schedule:

"Two members appointed from the University of the West Indies, Faculty of Medicine—Dental School."

Clause 5, as amended, ordered to stand part of the Bill.

6.25 p.m.

Clause 6.

Question proposed, That clause 6 stand part of the Bill.

Dr. Rafeeq: Mr. Chairman, I wish to amend clause 6 as follows:

"6. Section 12 of the Act is amended—

- (a) in paragraph (a) by inserting after the word 'enrolment' the words 'except applicants entitled to registration under section 5(1)(a)';

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(b) by deleting paragraph (d)”

Mr. Maharaj: Mr. Chairman, this is to take into consideration one of the points made that there can be frustration of the Act without it being made expressly clear that in respect of the matters mentioned in the schedule the Dental Council would not be able to affect those persons who are entitled to practise. It is in that context that this section 12 of the Act is being amended in terms of clause 5 to make it specific to say, “Except applicants entitled to registration under subsection 5(1)(a).

Question put and agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clauses 7 to 9 ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Question put and agreed to, That the Bill, as amended, be reported to the House.

House resumed.

Bill reported, with amendments, read the third time and passed.

ARRANGEMENT OF BUSINESS

Hon. Ramesh Lawrence Maharaj: Mr. Speaker, I indicated to the Clerk of the House that the Government would proceed with the Tobago House of Assembly Bill.

Mr. Valley: Mr. Speaker, just a small protest. Again, on the last day you are aware that the Leader of the House indicated a particular order of debate and all we are requesting is that we live by the word of the Leader.

Mr. Speaker: Hon. Members, on the last occasion before the adjournment was taken the Attorney General did, in fact, indicate and I quote:

“Before you put the question may I indicate to hon. Members that on that day we shall be dealing with the Dental Bill, the Prisons Bill and the Tobago House of Assembly Bill.”

Therefore, he did, in fact, indicate three Bills that he intended to proceed with. I guess it is reasonable for one to assume that he wanted to do them in that order. He has decided, for reasons best known to the Government, that they will just change the order. I just want to draw to your notice that you are right in saying that the order in which those Bills were indicated to be proceeded with were, indeed, Dental Bill, Prisons Bill and Tobago House of Assembly Bill.

Mr. Valley: Part of what I was saying was that when one has power, because he knows he has the majority, he can ride roughshod and he can do these things.

Mr. Speaker: In all fairness I would prefer if one does not regard this as that. This is one in which one was being asked to prepare those three Bills to give attention to them. Yes, you have made your point that you would have preferred to see it in the other order but having made your point—much obliged.

Mr. R. L. Maharaj: Mr. Speaker, I indicated to the Opposition Chief Whip very early this morning the difficulties because the Minister of National Security has other engagements. He did indicate to me that he would like to do Bill No. 2 but I indicated to him that I had to proceed; although I tried I had to proceed with the Bill.

Mr. Speaker: I have absolutely no doubt that the two gentlemen who, every so often, get together behind the Chair will continue this beautiful practice and understand each other.

Agreed to.

TOBAGO HOUSE OF ASSEMBLY (AMDT.) BILL

Order for second reading read.

The Minister for Tobago Affairs (Dr. The Hon. Morgan Job): Mr. Speaker, I beg to move that a Bill to amend the Tobago House of Assembly Act, 1996 be now read a second time.

Mr. Speaker, the Tobago House of Assembly Act that is to be amended by this Bill was done in this House before I came here. All Members and the public would recognize that this piece of legislation has many important consequences to the nation state of Trinidad and Tobago and any unfolding scenario. This amendment will not leave us done with the Tobago House of Assembly Act; there is much more to come.

The purpose for my being here to propose this amendment has to do with some important issues that are confusing the operation of the bureaucracy in Tobago and its relationship to the central government and also in terms of getting work done in Tobago.

If I might give you a little background, Mr. Speaker. Immediately following the proclamation of the Tobago House of Assembly Act, No. 40 of 1996, Cabinet appointed a committee to consider the provisions made in the Act as they relate to the restructuring of the administration of the Tobago House of Assembly. That committee comprised representatives of the Ministry of Finance, Ministry of the

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Minister Extraordinaire and of Tobago Affairs, the Attorney General's office and the Ministry of Public Administration and Information and including the Tobago House of Assembly.

One of the main tasks of that committee was to scrutinize the provisions made in the Act and determine what further actions and/or clarifications were necessary to ensure the smooth and expeditious implementation of these revisions. Indeed, there were several matters which required further action and clarification by various parties of Government located in Trinidad, some of which called for an early amendment to the Act itself.

I might advise you, Mr. Speaker, there are people who were never satisfied with the Act. I remember when I was following the debate the Members on the opposite side had a great deal of problems with the presentation as this Government had offered it and they had to withdraw some substantial provisions which would have devolved more autonomy to Tobago. I would be very glad if I hear in the subsequent debate that the Members on the opposite side declare that some of their reservations concerning these amendments would not be a matter for fearfulness on the part of the Tobago people in particular. I am suggesting that, maybe, it might be a good idea for the people on that side to say that they would never, in terms of the intention of this amendment, seek to impose on the people of Tobago, public officials whom the people of Tobago do not want. *[Interruption]*

Mr. Speaker, I will continue to give you the background. Some of those matters that were viewed as urgent since they related to clarification of the status of the employees of the Tobago House of Assembly including the office of the Chief Administrator and Clerk of the Assembly are what we are dealing with here today. Those are the persons who would provide the much needed administrative support for the Tobago House of Assembly's executive and they must have it if the Tobago House of Assembly is to carry out its mandate.

I want to make it quite clear as I am standing here as the Minister of Tobago Affairs that there is a great deal of confusion both in Trinidad and Tobago with respect to the *locus standi* of the Cabinet and, indeed, the Minister of Tobago Affairs. They are always raising the issue of section 25 of the Tobago House of Assembly Act and I would read it. Section 25(1) says:

“Without prejudice to section 75(1) of the Constitution, the Assembly shall, in relation to Tobago, be responsible for the formulation and implementation of policy in respect of the matters set out in the Fifth Schedule.”

Section 75(1) of the Constitution reads as follows:

“There shall be a Cabinet for Trinidad and Tobago which shall have the general direction and control of the government of Trinidad and Tobago and shall be collectively responsible therefor to Parliament.”

Those two pieces of law do not leave any ambiguity in my mind. I am quoting them because I think in the context of why I am here the public of Trinidad and Tobago ought to be quite clear that section 75(1) of the Constitution does not impugn the integrity or the legal rights that are residing in the Tobago House of Assembly Act, No. 40 of 1996. I, as Minister of Tobago Affairs, have no intention to act in any manner which will prejudice or impugn the integrity of that legislation or its devolutionary intent.

We are here today to make a situation more lawful and more amenable to operation so that the public business of Trinidad and Tobago will be thereby encouraged. The critical sections in the Act which the committee felt required immediate amendment in order to remove any ambiguity and to improve clarity related to Part VII, “Staff and Related Matters”, in particular sections 71, 72 and 74 and also item No. 33 of the Fifth Schedule. In the case of staff and related matters the committee was of the view that there were some superfluous words which needed to be removed from sections 71 and 72. More importantly, it was noted that the Act was silent on the status of the Clerk of the Assembly and did not expressly state that the Chief Administrator and the employees of the Assembly were public officers. This needed to be rectified almost immediately.

Similarly, Mr. Speaker, the committee was of the view that the Act should expressly state that the government is the employer of the staff of the Tobago House of Assembly and that, consequently, the Chief Personal Officer is empowered to perform the same functions in relation to the staff of the Tobago House of Assembly as is performed for the rest of the Public Service.

Additionally, in keeping with the spirit of the Act the committee recommended that the procedure for the appointment of the office of the Chief Administrator should be altered thereby providing the opportunity for the Public Service Commission to consult with the Prime Minister and the Chief Secretary of the Tobago House of Assembly before making any appointment.

6.40 p.m.

Mr. Speaker, in the context of that section that deals with appointment, section 71, there are people in Tobago and, indeed, people in Trinidad, who have a

problem in the sense that they do believe, fearfully and perhaps quite rightly, that a government in Trinidad might seek to, in a partisan way, impose public officials on the Tobago House of Assembly who are not in keeping with, or not recommended by, or not consistent with, the wishes of the Tobago House of Assembly, which is a legally elected body representing the wishes and desires of the people of Tobago.

My own view is that given the history of Tobago, given the history of Trinidad, given the turbulent relationships that have evolved over the years that culminated in the setting up of the House of Assembly and, indeed, the epic struggles of my illustrious and honourable predecessor in this position, I do not know that any Prime Minister in Trinidad and Tobago would triflingly, petulantly, peevishly, or maybe I would even say with a bit of sin in us, dare to impose on the people of Tobago without consultation, or contrary to consultation with the Tobago House of Assembly, public officials who are in their design more efficacious to their purposes and ignoring the will and wishes of the people of Tobago.

I am saying this because it is important that the debate, as it would evolve from the other side, my judgment, when I was discussing this before in Tobago and in Trinidad, suggests that there is a great deal of uneasiness concerning the possibility or potential that this section 71 of the Tobago House of Assembly Act, even with the amendment, would not clarify that position and, therefore, would leave the Tobagonians vulnerable to the caprices and the machiavellian strategies that may seem to serve Trinidad's purposes and not Tobago's. This is not a trivial thing. Many people in Trinidad are saying Tobago, Mr. Charles and the Tobago House of Assembly are problems.

I want to remind them of what I have said before. In Tobago, the people there think they have a Trinidad problem and I do not know that that is a trivial comment. It is important that people understand that, as I said in my opening remarks, if we look at the history of the relationship that culminated in the Tobago House of Assembly Act, any politician in Trinidad, from Prime Minister down who would trivially and triflingly fool around with something like the Tobago House of Assembly Act, the better to serve Trinidad's partisan interest without considering the interest of the people of Tobago, would only do themselves ill. The probability that they would harm themselves more than the people of Tobago is great.

In that context, I refer to section 121 of the Constitution of Trinidad and Tobago and I do not know that reasonable people in Tobago would say that the Tobago House of Assembly Act, or amendments to that Act, ought to abrogate or

act against the highest document in the land, which is the Constitution of Trinidad and Tobago and, indeed, section 121 of the Constitution says:

“Subject to the provisions of this Constitution, power to appoint persons to hold or act in offices to which this section applies including the power to make appointments on promotion and to confirm appointments, and to remove and exercise disciplinary control over persons holding or acting in such offices shall vest in the Public Service Commission.”

It goes on to say at subsection (2):

“The Public Service Commission shall not remove, or inflict any punishment on, a public officer on the grounds of any act done or omitted to be done by that officer in the exercise of a judicial function conferred upon him unless the Judicial and Legal Service Commission concurs therein.”

Subsection (3) says:

“Before the Public Service Commission makes any appointment to an office to which this subsection applies, it shall consult the Prime Minister.”

If there is difficulty with that section, when I have to reply, I will return to it but, substantially, what I am saying is section 121 of the Constitution is clear and the Bill I am presenting today is clear.

Clause 3 of the Bill reads as follows:

“Section 71 of the Act is amended—

- (a) in subsection (2), by deleting the words ‘without any break in service’ occurring immediately after the word ‘Administrator’; and
- (b) by repealing subsection 4 and substituting the following subsections—”

If I return to the Tobago House of Assembly Act to which I am referring, Part VII of the Bill dealing with staff on related matters, section 71(1) says:

“There shall be assigned to the Assembly, a Chief Administrator who shall be a public officer for the purposes of section 121 of the Constitution.”

This is what I just read, so that clearly the intention never was to have these two things consistent and reconciled, so there ought not to be a problem there. Section 71(2) says:

“Upon the coming into force of this Act, all the rights, privileges and conditions of service incidental to the office of Clerk of the former Assembly

shall be transferred to the office of Chief Administrator without any break in service.”

This is what we are referring to here in the Bill before us today, where it says:

“(a) in subsection (2), by deleting the words ‘without any break in service’ occurring immediately after the word ‘Administrator’;”

It goes on to say:

(b) by repealing subsection 4...”

Subsection (4) of the Tobago House of Assembly Act which we are trying to repeal, reads as follows:

“Prior to consultation with the Public Service Commission on the appointment of the Chief Administrator the Prime Minister shall consult with the Chief Secretary.”

What we are proposing and which is the bone of great contention, is the following:

“by repealing subsection 4 and substituting the following subsections—”

We are repealing this and introducing new subsections (4) and (5) and I read them.

“(4) Before the Public Service Commission makes any appointment to the office of Chief Administrator, the Public Service Commission shall consult with the Prime Minister and the Chief Secretary.

(5) A person shall not be appointed to the office to which subsection (4) applies, unless the Prime Minister signifies to the Public Service Commission and the Chief Secretary that he does not object to the appointment of that person to that office.”

The intention is clear in my mind. I am not a lawyer myself. I do not claim titles that I do not possess, I am guided by wiser judgments and if they reside over there, I will also be so guided. I do not see an intention here to subvert the purpose of permitting the intentions of the Tobago House of Assembly Act which came into being as a sincere, honest and dedicated cry on the part of Tobagonians to be served by an elected body consistent with the Constitution and being part of the nation state of Trinidad and Tobago to pursue their interests. I do not see that this amendment here has a demonic purpose subversive of that intention. [*Mr. Manning rises*] The Member will have his time to speak.

Mr. Manning: Mr. Speaker, I thank the hon. Member for giving way because something is not clear to me. Is the Act saying that the Public Service Commission

must now consult with the Prime Minister in accordance with section 121, which gives the Prime Minister a veto power and must also consult with the Chief Secretary of the Tobago House of Assembly? If it is saying that, does the Act now seek to give to the Chief Secretary of the Tobago House of Assembly a veto power also similar to that of the Prime Minister? How is it expected to happen? Would the Member be kind enough to explain?

Dr. The Hon. M. Job: Before I was sincerely interrupted, I thought I was trying to make it clear that we have a thing called the Constitution of Trinidad and Tobago. I did not write it. I had nothing to do with this. I went into the President's House and swore to uphold this. Section 121, which I just read, is quite clear to me. It is also clear to me that the Tobago House of Assembly Act, as it was originally written, sought to make itself consistent with this. It says so. I read the relevant part. Section 71(1) says:

“There shall be assigned to the Assembly, a Chief Administrator who shall be a public officer for the purposes of section 121 of the Constitution.”

I am not a lawyer. I am standing here claiming common sense as my guide and hoping that better legal brains over there will instruct my rude wisdom if it is deficient in the task of reconciling these things.

So, Mr. Speaker, I do not see that the pre-eminent position of the Prime Minister as it resides in the Constitution is subverted. I quoted section 75(1) of the Constitution which says in part that:

“There shall be a Cabinet...”

And the Prime Minister is *primus inter pares*. Somebody told me he is not *inter pares* at all; he is just *primus*. There is no *pares* in it.

Mr. Manning: I am sure that was your experience. [*Laughter*]

Dr. The Hon. M. Job: The Member probably knows better. He was there.

Therefore, all this debate about who has veto power and who does not have veto power, I do not know. I honestly believe that we ought to be clear in this House, if not outside, that this question of the Tobago House of Assembly is not going to go away and that I took up a mandate when I came in here to pursue the interests of the Tobagonians. I am the representative for Tobago East. I came in here and the Prime Minister offered me a Cabinet position, but I am quite clear in my mind that I am in the Cabinet of Trinidad and Tobago. That is an institution that is designed in the Constitution. It is different from the Tobago House of

Assembly, so when I am here, I am speaking as a Cabinet member and I did not see anywhere in this Act—

Mr. Valley: When you reach Tobago, you will get blast!

Dr. The Hon. M. Job: —any form of words that would focus my mind on the Minister of Tobago Affairs. I am talking about the Tobago House of Assembly Act. There is no mention here. So, I am speaking here as a member of the Cabinet and the Government of Trinidad and Tobago.

Therefore, as I said, just to refresh the memory of the Member opposite, I swore to uphold the Constitution so that I cannot stand here to propose amendments to laws that are subversive of the Constitution. That is not my purpose. I do not operate in that kind of way. It is quite clear in my mind that what we are dealing with has to do those things that would make the situation workable.

I was on the point of saying that this Tobago House of Assembly Act is not going to go away and the Members opposite and the country must understand what I have been at pains to say in this House. The press does not report me. I do not know what is its purpose. They say they have freedom. Of course, that freedom must be the freedom to ignore what Job said, but maybe I have to find a way to get people to understand that the nation state that we inherited, the idea of the state that informed the Constitution of Trinidad and Tobago did not have to deal with the Tobago House of Assembly Act. That idea is an obsolete and obscurantist idea.

We have many problems in the world today precisely because people have an idea of the state that is corrosive of the idea of liberty, freedom and individual rights. That is what we are here about, so that the on-going discussion about the Tobago House of Assembly Act is not about hegemony and the right of the Prime Minister, or the right of Cabinet to order the lives of the people in Tobago, it is about how we, as a community of people, can sympathetically and intelligently articulate and, to do those things, to make those kinds of arrangements, that kind of consensus, that we would have a workable and amicable relationship between Trinidad and Tobago.

6.55 p.m.

Some idiot reporter said that some 61 per cent in Nevis voted against secession so that is the end of that and, or course, Hochoy Charles and the people in Tobago must now shut up. Nothing is further from the truth. The referendum in St. Kitts does not deflect us from the purpose of those kinds of collaborations that the

Member for San Fernando East is pointing to, which is the way, step by step, with the wisdom of our ancestors and those who went before us trying to do what is best for Tobago. One cannot write a law to greet every contingency, there has to be a way to get these things done.

Mr. Speaker, I read the amended clause 4 of the Bill which says:

“Section 72 of the Act is amended—

- (a) in subsection (1), by inserting immediately after the word ‘who’ the words ‘shall be a public officer’,
- (b) in subsection (2), by deleting the words ‘without any break in

Clause 5 says:

“Section 74 of the Act is amended by inserting—

- (a) immediately before the word ‘Except’, the word ‘(1),’
- (b) immediately after the word ‘Assembly’ in line seven, the words ‘and shall continue to be in the Public Service as defined by section 2 of the Constitution’, and
- (c) the following new subsection:

“(2) The Civil Service Act shall apply to the public officers employed with the Tobago House of Assembly, in the manner as it applies to other public officers who fall within the purview of that Act.”

Clause 6 says:

“Item 33 of the Fifth Schedule to the Act is amended by deleting the word ‘Such’ and substituting the words ‘Consumer Affairs, Labour, Gender Affairs, Quarries, Mining, Water Resources and such.’”

I remind the House that the original Item 33 in the Fifth Schedule just says, “Such other matters as the President may by order assign to the Assembly.”

We are making quite clear what these other matters are, and I presume that the President is still free to add other matters to that Schedule.

Mr. Speaker, what we are here to do today is just to amend those sections which I have outlined and I hope that the wisdom which resides with the

Opposition would see us speedily through this late evening session so we would not have much of a debate.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Roger Boynes (*Toco/Manzanilla*): Mr. Speaker, every time I listen to the Member for Tobago East speak in this Parliament, and I see him often on the *Morning Edition* also, he says more or less the same thing time and time again.

I realize that the Member for Tobago East does not understand his function as the Member of Parliament for Tobago East and as the Minister of Tobago Affairs when he made his presentation a short while ago. While I understand one has to be a team player and I respect that, one has to use one's office and power as a Minister to ensure that one gets what is best for the people of Tobago. One cannot tell this Parliament that there is a Tobago House of Assembly Act and nowhere in the Act are we seeing the Minister of Tobago Affairs.

Mr. Speaker, I listened to the Minister on *Morning Edition* saying he is going from school to school. I want him to take a page out of the Member for Tobago West's book and understand how she goes from village to village in Tobago listening to the cries of the people and addressing those problems. Do not come here and say that you are part of a Cabinet and on some other occasion, some other pop-in business. I do not subscribe to that. Yes, you are part of a team, but once you get inside this room you have to lobby, and lobby, and lobby for the best interest of the people of Tobago.

I understand the regulations by which we are guided and we are all here to uphold the Constitution and he understands that too, but yet the Member for Tobago East must be sensitive to the fears of the people of Tobago. If, for instance, there is a situation where the Member for Couva North decides only to put persons whom he wants to put in the Tobago House of Assembly to give the Chief Secretary pressure, what about that? What would the Member for Tobago East then do? One has to be sensitive.

Mr. Speaker, I remember one woman calling in on the *Morning Edition* and indicating that sometimes it is not what the Member for Tobago East says, but how he says it. The Member has to be very sensitive to the people, and understand that they do have fears. Tobago is different from Sangre Grande, it is bounded by the sea on all sides. From a geographic perspective, Tobago is different from Trinidad, so what would obtain in Toco or in Sangre Grande may not obtain in Tobago.

When we negotiated and made submissions on the Tobago House of Assembly Act, it was such a glorious day in Port of Spain when we all made our submissions towards giving Tobago a certain sense of autonomy. We on this side were trying to even give them more autonomy, but we were stopped.

The people of Toco and Tobago—as the Member for Tobago West knows—are inextricably linked. For every two Toconians, you would find one Tobagonian in the region of St. David, from Matura right up to Matelot. For those of you who do not know the reason the two areas are so close and share similar cultures, is simply because in the olden days the form of transportation was by sea and when we had the coastal steamers coming from Port of Spain to Toco and then to Tobago, a young man or woman would leave Toco and go to Tobago to trade, sometimes he would bring back more than just groceries or fish, sometimes he brought back a wife and family.

The Anglican Priest in Cumana is Father London and his son is the distinguished London who is a Member of this party. The reason I take the opportunity to indicate that we are so linked, is when I hear the voice of the people in Toco and Tobago, they are brothers and sisters.

I am talking on behalf of my people of Toco/Manzanilla who are also of Tobago heritage and they tell me Tobago is, in fact, a unique place. If, for instance, as the Member for Tobago East mentioned that the Government of the day does not have the two seats in Tobago, or does not control the Tobago House of Assembly, and that government comes into office and wants to treat Tobago in a certain manner, what are the checks and balances the people of Tobago would have? It is a concern of the people which I am just voicing. They feel that the Tobago House of Assembly Act has provided for them and has given Tobago a sense of autonomy and when one looks at section 71(4) which deals with the selection of the Chief Administrator, it states:

“Prior to consultation with the Public Service Commission on the appointment of the Chief Administrator, the Prime Minister shall consult with the Chief Secretary.”

What is being proposed here is a vetoing power. Without a shadow of a doubt, the Prime Minister will definitely have the total say as to who would be the Chief Administrator. I am suggesting, whereas, I am one who would uphold the Constitution, I am saying that we have to be sensitive to the fears of the people of Tobago. They want to know what safeguards would be put in place if a

Government in Trinidad is against them in Tobago. These are some of the concerns which the people have.

7.10 p.m.

Mr. Speaker, the Chief Personnel Officer is currently involved in the process of having certain human resource sectors throughout the country decentralized. In other words, that whole structure is going through a phase of decentralization and devolution. I am simply indicating to the Hon. Member that care must be taken that while we gave the Chief Personnel Officer's authority, the THA must be structured and staffed to facilitate the type of decentralization and devolution that is ongoing right now in this country.

In closing, I want the hon. Member and Members of this House to understand that we on this side do, in fact, appreciate the amendments. We understand the amendments and the Constitution. We are all here to uphold the Constitution. All I am asking for is sensitivity on the part of the people of Tobago. They have certain fears and we have to understand that.

Thank you.

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker, I rise to make a very brief intervention in this debate which centres around amendments to the Tobago House of Assembly Act. I listened very carefully to the hon. Member for Tobago East and the Minister of Tobago Affairs when he presented this Bill a few minutes ago to this honourable House. Not only his presentation, but my own association with Tobago—which, as you know, has now taken place over a significant period of parliamentary time—has drawn me, as indeed it has brought all of us, to the conclusion that the people of Tobago have a great desire, a legitimate desire to be masters of their own destiny.

That is a principle which we have accepted a long time ago. That is not in question. We demonstrated that tangentially in the discussion and negotiations that took place in 1995 between the then government—which I had the pleasure and honour to lead—and the Tobago House of Assembly, which culminated in draft legislation and a constitutional amendment which, if I may say so myself, was far more incisive and much more far-reaching in its intent than the legislation we are seeking to amend today.

Mr. Speaker, it is an understanding of this desire of the people of Tobago that one now seeks to superimpose on the amendments that are before us. I draw your attention to clause 3(b) which reads as follows:

“(b) by repealing subsection (4) and substituting the following subsections—

Before the Public Service Commission makes any appointment to the office of Chief Administrator, the Public Service Commission shall consult with the Prime Minister and the Chief Secretary.”

What is the intent in the Public Service Commission consulting with the Chief Secretary?

The question does not arise in the case of the Public Service Commission consulting with the hon. Prime Minister. It was the distinguished Member for Tobago East, himself, who made reference to section 121 of the Constitution, which talks about the veto power that the Prime Minister would have in the appointment of a Chief Secretary which, effectively, in the appointment of a Chief Administrator, is a head of department. As everybody knows, the Prime Minister has a veto authority in that regard, but the Constitution says no such thing in respect of the Chief Secretary and, therefore, the question that arises is: What is intended, and what is the status of consultation between the Chief Secretary and the Public Service Commission? Does it mean that the Public Service Commission now has a responsibility to accept or not accept the views of the Chief Secretary of the THA?

Indeed, in our constitutional arrangements, what does consultation mean? I want to be certain that the hon. Member for Tobago East, and Tobagonians on the whole, are not led to believe that they have something in terms of that consultative machinery that will give them a greater say in the appointment of a Chief Administrative Officer. I speak from experience.

Elsewhere in the Constitution, the Prime Minister and the Leader of the Opposition must be consulted on certain appointments that the President of the Republic has to make. While I have no desire to bring the President or the office of the President into any disrepute, I think that the way our system operates is something that is worthy of the attention of this Parliament. It has happened on more than one occasion that the President of the Republic consulted the Prime Minister of the day on an appointment in the public sector and the fact that the Prime Minister did not agree with the appointment at the time did not prevent His Excellency from making the appointment that he contemplated in the first place.

This raises some very significant constitutional arrangements because you see—I am not talking about any individual, I am talking about the presidency—there are those who argue that the Prime Minister occupies that position as a

consequence of a general election in the country. Certainly, he derives it as a result of an expression of the will of the people of Trinidad and Tobago, but the presidency does that only very indirectly. A president has authority and is appointed as a result of the deliberations of the Electoral College; Members of both Houses of Parliament meeting in the Electoral College.

We now have a Constitution that gives to His Excellency a considerable amount of power. The President in the country is no longer ceremonial, but it gives to the President a significant amount of power, while the Constitution itself retains the provision that the actions of the President in the discharge of constitutional functions cannot be challenged in a court of law. I am dealing with the issue of consultation. It is a very important issue.

In circumstances where the President and the Prime Minister—as indeed the Public Service Commission is now being asked to consult with the Chief Secretary—are asked to consult under the Constitution, the stark reality of the situation is that he is not bound to accept the advice of either the Prime Minister or the President, or any of them. In other words, if we found ourselves in this country with a President who is so minded, he is in a position to go through the motions of consultation and then do exactly what he wished if it was that His Excellency was so minded. That is the experience.

The question I now ask is, are we putting a provision in a law that puts the Tobago House of Assembly in the same position as certain parts of the Constitution now puts the Prime Minister and the Leader of the Opposition? If there is no way of taking into account, in a legal constitutional way, the view of the Chief Secretary of the Tobago House of Assembly, then with respect, I am suggesting that this provision in the law has absolutely no meaning. It raises a number of serious constitutional questions, one of which is—and I express no view on it at this time—should this country have a President with executive authority because, indeed, under the Constitution, the President has executive authority. He makes a number of appointments in his own deliberate judgement.

Should that be the case, in circumstances where the power of the President is not derived directly from the electorate, and should it be allowed to continue—a circumstance in which the Constitution is written in such a way that, in fact, if a President was so minded, a third force with executive authority operates in the constitutional arrangement by which Trinidad and Tobago is governed; worse than that, a force that is accountable to no one. That is the important thing. I am talking about the office of the President; I am not talking about any individual.

It raises another question: Whether the legislative fathers of this nation—I was one in 1976 and you were one, Mr. Speaker, that is prior to your very famous statement to Parliament, but we will deal with that at another time. Is it, Mr. Speaker, that the Parliament of the day was correct or that the Parliament may have erred in setting up a President with executive authority? Or, concerning the interests of Trinidad and Tobago, plural as we are in terms of race, class, religious conviction and geography *et al*, would it have been more in the interest of Trinidad and Tobago to retain a ceremonial President? Somebody appointed in such a manner that the person is seen by the national community as somebody around whom all shades of opinion and persuasion can revolve. It is an important question, and I raise it here because there are legislators on that side who may not be as familiar with those difficulties of the Constitution as some of us on this side.

Therefore, it brings us back to consultation. What does consultation mean in this amendment before us? What is the significance of subsection b(5) which says:

“A person shall not be appointed to the office to which subsection (4) applies, unless the Prime Minister signifies to the Public Service Commission and the Chief Secretary that he does not object to the appointment of that person to that office.”

In other words, I can understand the Prime Minister signifying that to the Public Service Commission, because that having been done, the Public Service Commission now proceeds to make the appointment. What, in fact the Public Service Commission does is ask the Prime Minister, “We would like to make this appointment. Do you agree or not?” If the Prime Minister agrees, then the appointment is made by the Public Service Commission. If the Prime Minister does not agree, that serves as veto, and the Public Service Commission has to make another appointment. Just for the record, the Prime Minister is not obliged to give any reason if he vetoes such an appointment.

7.25 p.m.

If, therefore, an appointment has to be made of a chief administrator in Tobago and the Prime Minister objects, he is under no obligation to say why. Most important. I understand that, therefore, the Prime Minister signifying to the Public Service Commission—what is the significance of the Prime Minister indicating to the Chief Secretary whether he vetoes it or not. Suppose the Chief Secretary does not like it; what can the Chief Secretary do? You understand the point? In other words, is it that the legislation which is before us is seeking to give an impression to the citizens of Trinidad and Tobago resident in Tobago that some new power,

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some new authority is being devolved on them when, in fact, that is not so. That is the question. [*Desk thumping*] What are they seeking to do?

The reality is that with regard to consultation with the Chief Secretary, and the Prime Minister notifying the Chief Secretary of his view, one could easily have left that out of this legislation and it would make absolutely no difference to the outcome of the process of the appointment of a Chief Administrator. I do not understand it.

Mr. Speaker, therefore, it is our respectful view on this side, and we are dealing with the wider issue now, that perhaps the time has come to define in the Constitution of Trinidad and Tobago the meaning of the word "consultation". If we do not do that, and if we do not define it in a manner that meets some of the very serious requirements which arise out of the consultative process, then what may then be required would be for the Government and the people of Trinidad and Tobago to reconsider the existing arrangements in the country by which the country has a President of the Republic. That is what it boils down to. It starts with the President and then it will continue.

I could have gone into much more detail on it. There are some who say that the appointment of a president or that the constitutional changes that led to a system that elects a president by the Electoral College, was merely an interim step on our way to an executive president; there are some who say that. Really, what the country has to consider is whether one wants a ceremonial president or an executive president. This Bill that is before us raises all these issues.

And so, while I sympathize with the hon. Member for Tobago East, and he knows we have no divergence with him on this, I sympathize with the people of Tobago as they make it clear in every possible way that they wish to have a greater say in their affairs, they have to have their two eyes open lest they are presented with proposals such as these which appear to give them that, when, in fact, it does not.

Mr. Speaker, I humbly submit that these are issues that the Government of Trinidad and Tobago needs to consider very carefully. When the hon. Minister replies in this debate, I would like him to explain to us, why it is and what is the significance of the Public Service Commission having to consult the Chief Secretary and the Prime Minister having to notify the Public Service Commission and the Chief Secretary of his decision.

Thank you very much. [*Desk thumping*]

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I did not intend to make a contribution on this matter, but having regard to the matters which have been raised by the Opposition and, in particular, the hon. Member for San Fernando East, it would be important for the Government to put the record straight and accurate.

Mr. Speaker, when one listens to the hon. Member for San Fernando East and he gives all sorts of reasons of consultation, whether it should be a monarchical form of a constitution, whether there should be a Republic Constitution with the president having executive powers, whether there should be constitutional reforms; we all know that the PNM has been in power for years and if it wanted to do that it would have, but those were used as dressings to hide the objection. The objection of the PNM is that the Chief Secretary should not be recognized. That is the objection. The objection is that the Chief Secretary should not be recognized in the consultation process. That is it! He is saying it has no meaning and the consultation process is of no significance.

Now we heard earlier today that, according to the Opposition, it is important to have consultation. As a matter of fact, when the Republican Constitution was negotiated, it was a PNM government and the population had asked for "consultation" to be defined, but it was not defined. When the PNM remained in office and when they got back into office in 1991, there were representations made in this Parliament by the Opposition that "consultation" should be defined. The PNM government of the day opposed it! So there can be no—

Mr. Manning: Mr. Speaker I am grateful to hon. Attorney General for giving way. I hope he realizes that the issues we have raised today have not been raised in the cut-and-thrust of politics, but we are examining the system of government. I am able to speak the way I have spoken today because of our experiences in Government between 1992—95. Prior to then, I would not have been able to speak in that way.

Hon. R. L. Maharaj: Mr. Speaker, I have no difficulty with that and I am dealing with it, both on a philosophical basis and also on a practical basis in relation to the Bill we have before us. On a philosophical basis, when the 1962 Constitution was discussed at Marlborough House, the question arose as to whether "consultation" should be defined. It was thought at that time it should not be defined. When it was discussed in 1976 it also arose. The fact of the matter is, if it is something we have to examine we will examine it. I have no difficulties because the law and the Constitution do not remain stagnant, they have to move

with the times but, we would not stall or amend this Bill, we would not delete the Chief Secretary because we want to consider those proposals. What I want the Opposition to say clearly is that this Tobago House of Assembly Act which is being amended today has a history.

Before the last elections there were statements made by the then government that the people of Tobago would get greater autonomy in their affairs. That Bill, when it was disclosed after the elections and the then government lost, it turned out that it was a watered-down Bill, it was a Bill which did not give genuine autonomy to the people of Tobago. Mr. Speaker, there was a joint select committee appointed and the joint select committee considered a report in relation to greater devolution of powers to the people of Tobago. At those joint select committee sessions the hon. Member for San Fernando East was absent most of the time.

Mr. Manning: That is not true!

Hon. R. L. Maharaj: When the report came out, it analyzed what was in the then Government Bill, what was in the new proposal, and then the Government came with a Bill. It is a matter of record that the Government had to amend the Bill because the Opposition was not prepared to support it as the Bill needed a specified majority. The Government of the day did all that it could have done within the constitutional prohibitions to give to the people of Tobago greater autonomy. Let us examine what the hon. Member for San Fernando East is objecting to.

Mr. Manning: Mr. Speaker, I have laid no objection in this House. I have asked for explanations: what is the significance of this and what is the effect of that. That is what I have done. We have objected to nothing, Mr. Speaker.

Hon. R. L. Maharaj: Mr. Speaker, one can object expressly and one can object impliedly. The contribution made by the hon. Member for San Fernando East amounted to an objection of including the Chief Secretary as a person to consult.

Mrs. Robinson-Regis: You are objectionable.

Hon. R. L. Maharaj: That is what he is objecting to. He clouded that objection by talking about a lot of constitutional reform consultation, but Mr. Speaker, putting the Chief Secretary in the Bill and to have consultation with him is in keeping with the principles of the Constitution.

Mr. Speaker, under the existing law, let us talk about the Public Service Commission. Under section 121(3) and (4) it says:

- "(3) Before the Public Service Commission makes any appointment to an office to which this subsection applies, it shall consult the Prime Minister.
- (4) A person shall not be appointed to an office to which subsection (3) applies if the Prime Minister signifies to the Public Service Commission his objection to the appointment of that person to that office."

So under the constitutional arrangement which we have, the Public Service Commission, in respect of any appointment which it has to make in relation to that section, consults the Prime Minister. So we have as an elementary principle and a substantive part of our Constitution that, in respect of certain appointments, the Public Service Commission, as an independent commission, is entitled to consult with the Prime Minister before an appointment is made.

Also, we have as a substantive law and as a principle, that if the Prime Minister in relation to those posts, signifies his objection to the person being appointed, the person is not appointed.

We have a situation in Trinidad and Tobago where, in respect of heads of departments and Permanent Secretaries, the Public Service Commission consults the Prime Minister before the appointment is made.

The Tobago House of Assembly is a special arrangement in which the Chief Secretary is the political head of the Tobago House of Assembly—put it that way—and therefore, in order to give the Tobago House of Assembly recognition as part of the constitutional arrangement for the Republic of Trinidad and Tobago, before the appointment is made to the office of Chief Administrator, the Public Service Commission would consult with the Prime Minister and the Chief Secretary. The reason for that is that one cannot, in practice, ask for the Public Service Commission to consult with the Permanent Secretary in Tobago or with the Chief Administrator. Are they suggesting that we amend it to put that?

Mr. Manning: What I am suggesting is this, that you clarify, for the benefit of this honourable House, the state of consultation with the Chief Secretary.

Hon. R. L. Maharaj: Mr. Speaker, consultation in law has a particular meaning. If we want to express that, we can express it in the Constitution and we can, in respect of a lot of other measures, we can consider that. But the point of the matter now is, under the existing arrangement, consultation has a certain principle in law, it has not been defined.

So that coming back to my point, if we are really genuine about listening to the views of the people of Tobago and we really want to give them a say in the administration of Trinidad and Tobago and for them to have greater autonomy, it must be a requirement that, if the Constitution provides for the Public Service Commission to consult with the Prime Minister in Trinidad and Tobago in relation to some of these appointments in the public service and if the Tobago House of Assembly is going to have some constitutional status, it is only fair, it is only just that the people of Tobago have that input with the consultation.

7.40 p.m.

It is because we want to give to the people of Tobago this justice in order to show that we mean business, we have decided to put it in this way. I know that maybe the Leader of the Opposition, the Member for San Fernando East, probably does not want the Chief Secretary to be equated with his position because the Prime Minister now consults the Leader of the Opposition on certain matters.

It may be that there is objection to having a consultation process with the political head of the person in Tobago. We have tried to avoid the issue for too long. The Opposition PNM has fiddled with the rights of the people of Tobago. The people of Tobago over the years have been demanding greater autonomy and here we see the objection again, dressed up, cloaked up, but it comes out. Why is it they do not want to give the people of Tobago constitutional recognition? Maybe we have to look at the meaning of consultation and define it, but in respect of this matter—

Mr. Manning: Mr. Speaker, I am very pleased that the hon. Attorney General has given way.

If they wanted to make this thing meaningful, the way to do it is for the Prime Minister to consult with the Chief Secretary, since it is the Prime Minister who makes the recommendation to the Public Service Commission. I will remind the hon. Attorney General that is exactly what the current law now says. It now mandates the Prime Minister to consult with the Chief Secretary and that is what the Government is seeking to change at this time. That is the best answer; the question is why.

Hon. R. L. Maharaj: Mr. Speaker, in this Bill we are talking about consultation by the Public Service Commission in the appointment of these officers. This Bill is an attempt to give greater security of tenure to these persons and to public officers. It is an attempt to have them so secured that they would not

be subjected to political manipulation and would insulate them from political interference. That is why they are being made public officers to be governed by the rules related to public officers and for the Public Service Commission to have jurisdiction. It is in relation to these appointments that the Public Service Commission will consult with the Prime Minister and the Chief Secretary.

Is that not what it is all about? We came to this House and debated the parent Act. The other side said they were committed to the principle but objected to the way we were doing it. They argued that we were not giving them greater autonomy and that they would have given them greater autonomy. We have had opportunities to see that this Act has been in operation. I do not have to go through the different ways in which the Tobago House of Assembly has gotten greater autonomy. We have seen it in everyday life.

But we have come again to continue that progress for greater autonomy and possibly even later, depending on what happens, self-determination. People are entitled to fight for that. We have an example in the Caribbean. The fact that these people have suffered all these years we have to understand that one day we will have to give up some of the powers we have over Tobago. We have to get accustomed to that kind of constitutional arrangement.

The philosophy of this Government is to try to bring people together, consult with them, put in legislation consultation processes and unite people. Therefore, we believe that by having this kind of legislation it would promote that kind of unity and would not promote division.

Thus, for the hon. Member for San Fernando East to say that this Bill has no meaning is purely to make confusion between the Tobago House of Assembly (THA) and the Government. When the hon. Member for Toco/Manzanilla got up to speak today we saw that the tone was set for trying to make confusion between one of the representatives of Tobago and the other. But these two representatives work in harmony. They service their constituency and work toward the development of Trinidad and Tobago. I would have thought that the Member for Toco/Manzanilla would have praised them for being able to make that contribution for the development of all the people of Trinidad and Tobago.

When the hon. Member tried to make that division and then the hon. Member for San Fernando East tries to dress this up, let us be practical. Are we saying that for the first time the Opposition believes that consultation should be defined is when we have a Tobago House of Assembly (Amdt.) Bill? Is this the first time? If

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it is the first time they would have raised it, would it not take time for us to consider it? If this is such an important aspect of the PNM's philosophy, of the new PNM's philosophy or of the new, new PNM's philosophy, or whatever division of the PNM's philosophy, give us time to consider it.

This Bill has meaning because it gives security of tenure where there could be a situation with changes of Government or even with an existing government. There could be people complaining that they were not secure, that their jobs were liable to be taken away from them. In order to bring that kind of justice to the system we have brought this Bill. We want to give constitutional recognition to the Chief Secretary of Tobago, whoever he or she is. But the fact of the matter is, that office represents the political head for the people of Tobago as far as that level is concerned.

There is no need for the Member for Tobago East's name to be mentioned in the Bill. One of the suggestions is his name to be inserted in the Bill. The Member for Tobago East is a Member of Cabinet, he is here determining the policies for Trinidad and Tobago. He is here to lobby for the people of Tobago.

Why do you think the people of Tobago have gotten this Bill and will get more to come? It is because both of them have been lobbying for the interests of the people of Tobago. They are doing so for a Government and a Cabinet committed to giving the people of Tobago greater autonomy. [*Desk thumping*]

Mr. Bereaux: Mr. Speaker, I thank the hon. Attorney General for giving way. In the part of the Bill where it states:

"Before the Public Service Commission makes any appointment to the office of Chief Administrator he shall consult with the Prime Minister and the Chief Secretary."

Is it anticipated that the consultation would be with the Prime Minister first and then with the Chief Secretary separately, or would it be done with them together?

Hon. R. L. Maharaj: Mr. Speaker, that could be worked out however they want it. We have a Prime Minister who is not prepared to stand on all these protocols. He is interested in getting to the root of the matter serving the justice of the people. Whether the Public Service Commission meets with him and the Chief Secretary, this Prime Minister would have no objection to that.

As a matter of fact, he may ask them to meet jointly. But I would have thought that the hon. Member for La Brea knows that where "and" is used—and there is the Interpretation Act—it gives the exercise of power to operate in different ways.

PROCEDURAL MOTION

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House continues to sit until the completion of the debate on this Bill.

Mr. Speaker: There are also two incorporations: the incorporation of the Abundant Life Ministries and the Unity of Trinidad and Tobago which are very simple.

Hon. R. L. Maharaj: Mr. Speaker, I am always prepared to defer to the judgment of the Speaker of this House. Therefore, I would amend my Motion accordingly.

Question put and agreed to.

TOBAGO HOUSE OF ASSEMBLY (AMDT.) BILL

Hon. R. L. Maharaj: Mr. Speaker, before I close, to show the real spirit of this legislation let us look at clause 6 which states:

"Item 33 of the Fifth Schedule to the Act is amended by deleting the word 'Such' and substituting the words 'Consumer Affairs, Labour, Gender Affairs, Quarries, Mining, Water Resources and such.'"

That shows a matter in which the Tobago House of Assembly can have some form of responsibility. One sees the spirit of the legislation. The spirit of legislation is not determined by looking at one word, "consultation". One looks at the spirit.

Consultation in constitutional law has a meaning. It has been developed by the courts to mean, wherever constitutions are used—. As a matter of fact, the word "consultation" had to be decided by the Canadian Supreme Court, the British House of Lords and the Indian Supreme Court. It means that "there must be give and take in order to show consideration". At the end of the day, as long as one genuinely considers all the matters and it appears that there was genuine consultation, then the person who exercises the power has to make a decision.

Where there is the feeling that the consultation was not proper, not right or was a sham, the courts have struck it down, for example, quite recently in Guyana there was a piece of legislation passed without any consultation or very little, and the people who were affected were able to show in court that the consultation was a sham. The Guyanese Court of Appeal struck down the legislation. There are cases in India and all over the Commonwealth. Consultation in law has a meaning.

I know the Member for San Fernando East is very interested in constitutional motions. If he would like, in order to get some edification, I could arrange for the

Ministry of the Attorney General to send him some reading material on consultation.

Mr. Speaker, I am happy to support this Bill.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, I am amazed from time to time in this Parliament, when there are some persons who decide they would try to pull some wool over our eyes, for whatever reason.

I would look at the legislation before this House to determine what is happening. I am concentrating on one basic clause, that is clause 3(b) which repeals subsection 4 of the parent Act and makes the substitution.

When we look at the parent Act in section 71 we see that it says:

"71(a) There shall be assigned to the Assembly a Chief Administrator who shall be a public officer for the purposes of Section 121 of the Constitution."

That is a relevant section. At section 71(4) it says:

"Prior to consultation with the Public Service Commission on the appointment of the Chief Administrator, the Prime Minister shall consult with the Chief Secretary."

7.55 p.m.

Section 71(1), first of all, puts the post of Chief Administrator squarely under section 121 of the Constitution. Section 121(1) of the Constitution says:

"Subject to the provisions of this Constitution, power to appoint persons to hold or act in offices to which this section applies, including power to make appointments on promotion and transfer and to confirm appointments, and to remove and exercise disciplinary controls over persons holding or acting in such offices shall vest in the Public Service Commission."

Therefore, they are under the Public Service Commission.

It says at subsection (3):

"Before the Public Service Commission makes any appointment to an office to which this subsection applies, it shall consult the Prime Minister."

Subsection (4) says:

"A person shall not be appointed to an office to which subsection (3) applies if the Prime Minister signifies to the Public Service Commission his objection to the appointment of that person to that office."

Mr. Speaker, the parent Act under subsection 4 said clearly that:

“Prior to consultation with the Public Service Commission on the appointment of the Chief Administrator, the Prime Minister shall consult with the Chief Secretary.”

There was consultation with the Chief Secretary, he is the person to make the appointment under section 121. Section 121(4) says further that if he signifies his objection the appointment cannot be made. In view of that existing condition, I am amazed that the Attorney General of Trinidad and Tobago can come to this House and say that there is some ground-breaking amendment that is being made by the inclusion of this subsection. Let us read what it says. It repeals subsection (4) of the parent Act and replaces it by saying:

“3(4) Before the Public Service Commission makes any appointment to the office of Chief Administrator, the Public Service Commission shall consult with the Prime Minister and the Chief Secretary.”

The change there is rather than the Prime Minister consult with the Chief Secretary, now the Public Service Commission is to consult with the Chief Secretary and also the Prime Minister.

The next proposed subsection says:

“(5) A person shall not be appointed to the office to which subsection (4) applies, unless the Prime Minister signifies to the Public Service Commission and the Chief Secretary that he does not object to the appointment of that person to that office.”

Mr. Speaker, this is a distinction without a difference. It means nothing. The whole intent is to attempt to fool the people of Tobago. I was confirmed in that view after listening to the Attorney General this evening. His whole pitch was to attempt to fool the people of Trinidad and Tobago. There is no change whatsoever; the *status quo* remains because the Prime Minister still has the veto whether he talks to the Chief Secretary or whether he allows the Public Service Commission. As a matter of fact, it is worse because in the original provision the fact that he was committed to talk with the Chief Secretary gave the Chief Secretary some more leverage. The Chief Secretary obviously would have been able to have more influence on a one-on-one, eyeball-to-eyeball, with the Prime Minister.

The Prime Minister has now circumvented that. He said, “Friend, I am not getting into that.” You see, the nice marriage they had seemed to be getting on the

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rocks. Therefore, what he did is say, “Friend, you go talk to the Public Service Commission. Do not talk to me. I will talk to the Public Service Commission. You tell them one thing and I will say I do not want that. I do not want Guy. I want Noor.” Do you understand? Then he writes the Chief Secretary—he does not talk to him—and says, “I object to that appointment.” Therefore, Tobago is now worse off than with the parent Act.

The Attorney General is now coming here to try to pull wool over our eyes. I lived in Tobago for some time and I can tell you that Tobago people are not stupid. You cannot fool them. They are standing up here trying to pull wool over people’s eyes by bringing this amendment. The Member for Tobago East is sitting there and taking everything. He comes to the Parliament in Trinidad; he is the Member of Cabinet in Trinidad and Tobago, sits here as though he was sleeping when we were doing this squatting Bill, says nothing, runs to Tobago, makes his noise and comes back and tells the world, “I am Panday’s puppy dog.”

One wonders whether—as my colleague said—he understands why the people of Tobago East—a place where I lived for some two and a half years—sent him here to represent their interests. He is sitting here and allowing this sham to pass over his head, saying nothing and accepting it. Understand that this compromises the ability of the Chief Secretary to have consultation eyeball-to-eyeball with the Prime Minister and to exercise some more influence than his talking to a Public Service Commission.

Mr. Speaker, I thank you.

Hon. Pamela Nicholson (Minister of Sport and Youth Affairs): Mr. Speaker, I rise to make a brief intervention to give support to the Bill from the perspective of correcting the problems that we have with the Tobago House of Assembly Act, 1996 as far as the Chief Secretary is concerned and the Clerk of the Tobago House of Assembly.

The position as exists is that the Chief Secretary who was legally the top public servant in Tobago is now in an acting position and is in a position with problems and does not know under whose purview he is functioning. The purpose of this Bill is to correct that scenario so that the whole problem of appointing the Chief Administrator can be addressed immediately in that the Public Service Commission can address that matter. Also, the Clerk of the Tobago House of Assembly will be functioning now in the Tobago House of Assembly as the Clerk functions in the Parliament. Therefore, it is to correct those two problems.

I believe very strongly that the consultation with the Chief Secretary can also be addressed with section 31 of the Act which says:

“The Prime Minister and the Chief Secretary shall hold regular discussions with a view to formulating administrative and legislative mechanisms...”

Even within the confines of that they can consult and correct certain problems. I believe that the Prime Minister must have the veto power because if he does not, certain Chief Secretaries can abuse the Tobago House of Assembly Act. That is something that we do not want in Tobago even though we want devolution of power. I rise to state that here today. Another time I will be getting up to say much more which I am not going to say here this evening.

I am one who struggled from the beginning for the Tobago House of Assembly, for a devolution of power for Tobago. I am one who Speaker Thomasas nearly locked up, sitting right here talking to the Joint Select Committee of the national Parliament in 1977. I really got up to remind the population of Trinidad and Tobago about the role that I have been playing as Member for Tobago West in the development of Tobago and in the struggle that the Tobagonians have been pursuing.

We do have a bureaucratic problem right now where the acting Chief Administrator does not know where he is.

Mr. Manning: Mr. Speaker, I thank the hon. Member for giving way.

Permit me to make a suggestion that will truly advance the cause of the people of Tobago that we leave section 3(b) as is and add into it. In other words, leave the provision for the Public Service Commission to consult with the Chief Secretary, but that we also put into it an obligation of the Prime Minister to consult and hold discussions with the Chief Secretary in that appointment.

Hon. P. Nicholson: It is there.

Mr. Manning: No, no. It is not there. My lady, take some advice from someone who has passed that way. It is not there and I am suggesting to you that we amend it to include the Prime Minister consulting and holding discussions with the Chief Secretary. What this does is place an obligation on the Prime Minister to talk with the Chief Secretary in the appointment of a Chief Administrator. If you do not put it in what can happen is the Prime Minister will write the Chief Secretary a letter and the Chief Secretary will write back to him. That does not advance Tobago's cause. I speak as one who has passed that way.

Hon. P. Nicholson: Presently, Mr. Speaker, the Prime Minister consults with the Chief Secretary of the Tobago House of Assembly. I am saying that section 31 deals with that.

Mr. Valley: Mr. Speaker, if the Member would give way. Section 31 is extremely specific. It talks about holding discussions with a view to formulating administrative and legislative mechanisms for the promotion of harmony in the affairs of Trinidad and Tobago. We are saying that to us it is critical for the Prime Minister to talk eyeball-to-eyeball with the Chief Secretary on the appointment of a Chief Administrator. If that is not so, understand that if the person who is there does not have the confidence of the Chief Administrator we are putting in place a recipe for disaster in Tobago. That is our simple point.

Hon. P. Nicholson: Mr. Speaker, section 31 says: "The Prime Minister and the Chief Secretary shall hold regular discussions..." At all times the Chief Secretary can demand to have these discussions. I am very concerned about that.

But the question that one is trying to address here is that of the public servants who are under stress right now. This Act seeks to correct that and to regularize the position of the Chief Administrator and the Clerk of the Tobago House of Assembly.

8.10 p.m.

I rose here this evening to say that I do support the regularization of this, but I believe that there are many other areas that need amendment and we should be back soon to amend them.

Thank you very much, Mr. Speaker.

Mr. Hedwige Bereaux (*La Brea*): Mr. Speaker, on the taunting of the Member for Arima, I make a very short contribution.

For the first time, in the speech of the hon. Member for Tobago East who is normally very eloquent, I noted some fumbling. I could well understand why that was so. Mr. Speaker, I want to point out that he said no Prime Minister would impose on the people of Tobago, public officials which the people of Tobago did not want.

Now, in one breath he was protesting and making protestations of his being a Member of the Cabinet and of his doing the bidding of the Cabinet and so forth. But, still, in that portion of his speech, there was that little warning, that no Prime Minister would impose officials on the people of Tobago that the people did not want.

The hon. Attorney General also tried to lead us to believe that there was a recognition of the Chief Secretary. To be quite honest, I believe that the real

intention of this portion of this legislation is to remind the Chief Secretary about section 121 of the Constitution.

Now, I understand quite clearly the question of the desire of the Member for Tobago West to be able to have the public servants, the Clerk of the House of Assembly and the Chief Administrator, get their status corrected. They are the permanent officials and administrators of the Tobago House of Assembly in Tobago and they need to be comfortable and to have security of tenure. But I am definitely extremely uncomfortable with this amendment.

It goes on to say quite clearly. This is what it says as part of clause 3 of the Bill:

“A person shall not be appointed to the office to which subsection (4) applies, unless the Prime Minister signifies to the Public Service Commission and the Chief Secretary that he does not object to the appointment of that person to that office.”

We all know that is an unnecessary repetition because section 121 of the Constitution already deals with it. What is the purpose of putting it here? I will tell you.

The purpose, as I see it, is to remind the Chief Secretary, who has been doing a number of things. I listen to him and, although sometimes I do not agree with some of the positions he takes, I empathize with the statements he makes. I may not agree with him. I may feel that he is going too far, but I empathize with the statements. Once he tried to have the Tobago House of Assembly joined into the Commonwealth Parliamentary Association and it was scuttled.

When we had the matter of Nevis trying to secede, he made certain statements. He did not say Tobago wanted to secede, but he pointed out that the relationship at times could cause a people to take certain actions and, time and again, we have heard him complain about budgetary allocations. I read that to mean that he was trying to get more. It is like each area of the country—Tobago, being an island, is just another area but it has certain peculiarities. They tried to get more. I do not have a problem with that. Every time I come to this House, I try to get more for the constituents of La Brea. There are people who live in my area who believe that we have more affinity to the people of Venezuela than some parts of Trinidad and Tobago. In each different area, we have these little problems.

But, I see it here and when I asked the hon. Attorney General if he perceived of the Chief Secretary and the Prime Minister meeting together with the Public Service Commission, he gave me some political talk about the Prime Minister

meeting with anybody anytime and he tried to bluff me on that. But I asked that question for a specific reason.

It is different if we say, he shall consult with the Prime Minister and the Chief Secretary and it is intended that the Public Service Commission will meet both gentlemen to find out what they think about it. If not, he could choose to consult with the Chief Secretary separately and then with the Prime Minister, but the Prime Minister has the veto, so whatever the Chief Secretary says need not have significance because the Prime Minister is entitled to veto the position. Whereas in the previous situation, where it was open to the Prime Minister, where the Prime Minister had to consult, and I want to just get it clearly. I quote:

“Prior to consultation with the Public Service Commission on the appointment of the Chief Administrator the Prime Minister shall consult with the Chief Secretary.”

So, prior to that, he had to consult, the Chief Secretary had the opportunity to know the way in which the Prime Minister was thinking and whether or not he was moving in the direction which he felt would be contrary to what the political directorate in Tobago at that time would need. But, in this case, there is no opportunity like that.

I want to remind the Members for Tobago East and Tobago West—forget about where we stand as the PNM; you would say you do not like us and you would say we do not like you; that is all right—that a revered and very intelligent Tobagonian was in this House calling for more when this document was written. He was one of the architects assisting in the drafting of this document and he took no objection to that. It is known and it may not be on record, but I could tell you, we knew, that a number of the things the present President of the Republic of Trinidad and Tobago and the former Member for Tobago East wanted and had put in this document, the Attorney General of Trinidad and Tobago did not want in it.

I just say *tineo danaos et dona ferentes*. Watch him in respect of all he says he is giving to Tobago. Anything you get, it is because you take it, because your two votes put him in government. What you are receiving here is less than what you now have.

Thank you, Mr. Speaker.

The Minister of Tobago Affairs (Dr. The Hon. Morgan Job): Mr. Speaker, the discussion of the debate seemed to focus on the meaning of consultation and

whether or not the Chief Secretary of the Tobago House of Assembly is in any way helped or perhaps more hindered by the amendments we are recommending.

Much of the discussion followed the lines I outlined when I was presenting the Bill. It talked about section 121 and the reconciliation of these amendments, all issues which I raised, but none of them over there—some of them having had histories of obstructing Tobago—sufficiently focused on the politics of it. This is a House of Parliament; there is a party over there and one over here—or many parties over here, as well as independents. We are dealing with politics and I want to re-emphasize for the benefit of the public, if not for those over there who cannot understand me, that—

Mr. Manning: Oh, come on. We are trying to help you.

Dr. The Hon. M. Job: Will the Member allow me? I did not disturb him.

The question we are dealing with here, as I said in my introduction, the Tobago House of Assembly Act would be an on-going thing. I also said that the conception of the state that informed the Constitution of Trinidad and Tobago is, in a sense obsolete and, in a sense irrelevant to our needs at the present time. This is why when the Constitution of 1976 was done, we did not have a Tobago House of Assembly Act as we have now. The world has moved on and we are dealing with developments that seem to suggest to many who did not think otherwise, that the questions of autonomy and devolution are essential to the politics of the 21st Century. This is the issue with which we are dealing—politics.

I am saying that it would be a foolish Prime Minister, in the context of the politics of Trinidad and Tobago, who would venture haphazardly to impose on the Tobago people a Chief Administrator they did not want. I mean, it is silly to do that.

Mr. Maharaj: It is the spirit of the law.

Dr. The Hon. M. Job: So that we are talking about consultation.

Mr. Speaker, I have before me a document which is the Tobago House of Assembly Act and the public and Members of the Opposition need to understand that the Chief Secretary of the Tobago House of Assembly is a new creation. It was not created by the PNM. Section 16 of the Tobago House of Assembly Act says:

“The salary, allowances and other conditions of service of the Chief Secretary shall be equal to that of a Cabinet Minister, except that the State shall provide the Chief Secretary with the following:”

I am a Minister in the Cabinet and I do not have an official car—the Chief Secretary has to get that. I do not have police walking about with me—the Chief Secretary has to get that. It is written in the Act here.

Mr. Manning: You might need it.

Dr. The Hon. M. Job: The only reason I would need police, Mr. Speaker, is because of the propaganda of people like Mr. Manning, [*Desk thumping*] who is telling lies on me, going about the place saying I said things which I have never said, whipping up hysteria and canalizing ignorance to a destructive purpose. Do not provoke me. [*Laughter*] I am going along merrily and peacefully; just keep quiet or else you would regret it.

8.25 p.m.

It goes on to talk about consultation, for example section 21(1) says:

“Where the President is notified that the seat of an Assemblyman has become vacant, the President shall, subject to subsections (2) and (3), issue a writ addressed to the Returning Officer of the corresponding electoral area...”

Section 21(2) says:

“The President shall, after consultation with the Prime Minister and the Chief Secretary, fix the date of a bye-election.”

After consultation. What does consultation mean? Does it mean that the Prime Minister is going to impose a date for the election on the Chief Secretary? The Prime Minister is in Port of Spain, he is not running Tobago, the Chief Secretary is. The Prime Minister has to consult with him to know when is an appropriate date, that is what it means. One does not have to be a legal scholar, nor in the Privy Council to understand that.

Consultation means the Prime Minister has to ask the Chief Secretary: In terms of your priority and what has to be done in Tobago, when shall we have an election? And the Chief Secretary would tell him and they would set a date. That is what consultation means.

The Member is saying consultation has to be defined and the Constitution has to be written over. It is quite clear. The Chief Secretary is a new creature in a new institution who has certain rights and certain kinds of authority and the word “consultation” as it is defined, ought to leave no question in the mind of a reasonable person that the Prime Minister cannot sit in Port of Spain and decide, because he wants some UNC member to be the chief administrator, he would do so.

Mr. Speaker, we have had experiences in this country. In Tobago, the country people's memories do not falter very much, they understand the questions of the relationship between the PNM government and Tobago. They have an opportunity—and I have said before and I want to say it loudly and clearly again that I have no mandate from anybody to come in here and oppose Hochoy Charles and the Tobago House of Assembly.

I did not agree to fight an election to be in a conspiracy with anybody to undermine the Tobago House of Assembly Act or Hochoy Charles. Many Members over there thought that Charles and me were going to get into a big fight, but there is nothing of the sort. Mr. Charles and I get along exceedingly well. After 15 months there is no hint in the air that there is going to be any conflict between Hochoy Charles and me, we go about the business of seeking the interest of the people of Tobago. That is what they put me here for—to seek after their interest. I do that consistent with the legislative and constitutional arrangements which separate the institution called the Tobago House of Assembly from the institution called the Cabinet of Trinidad and Tobago.

When those people over there are coming to raise this ruckus as though I am here as an instrument of some demonic purpose to undermine the Tobago House of Assembly Act and to subvert: that is not the truth. The Tobago House of Assembly Act gives the Chief Secretary certain rights and privileges. He is the political author of the day-to-day running of the Tobago House of Assembly. If one goes to section 121(5) of the Constitution, it says:

“Subject to subsections (6) and (7), subsection (3) applies to the offices of Permanent Secretary, Chief Technical Officer, Director of Personnel Administration, to a head of a department of government, to the chief professional adviser in a Ministry of government and to the office of Deputy to any of these offices.”

The Chief Administrator is clearly in this. Even a third form student who did not go through the process of becoming illiterate in this free secondary education programme would understand that it means the Chief Administrator is one of those persons covered by this section.

Unless the Member is ready to write over the Constitution how are we going to deal with that? I do not know what they mean when they talk about the meaning of the word “consultation”. It is quite clear, this is the Constitution of Trinidad and Tobago until Tobago becomes independent. If that bridge is to be crossed and the Tobagonians and Trinidadians amicably decide it is in their best interest to be an

independent country, until such time as the Constitution is revised, any law that is written in this country must be consistent with the Constitution. One does not have to be a genius to understand that. That is quite clear to read and anybody with a reasonable modicum of common sense must understand that.

This is the Constitution, this is the Tobago House of Assembly Act and the Tobago House of Assembly Act has to be consistent with this.

Mr. Valley: I thank the Member for giving way. Having said that section 121(5) applies, I wonder whether the Minister could simply address his mind to the current provision in section 71(4) of the Tobago House of Assembly Act and inform the House whether he believes that the proposed provision is superior to what exists here. Section 121 is already there and the Chief Administrator falls under this section, therefore, section 71(4) would apply, that is, that the Prime Minister must consult with the Chief Secretary. That is now to be deleted to be replaced by exactly what section 121 says. I am asking, are you better off?

Dr. The Hon. M. Job: There used to be a set of people in a word in the English language called “sophistry”, the sophists were a set of philosophers who used to walk around confusing people. Whenever one thought one had a nice argument, the sophist would make one look stupid. Do you know when Plato wrote those dialogues with Socrates, he was trying to ridicule the sophists? What we have here is a set of sophistry. Clearly, those people over there are not interested in anything but confusing persons who do not understand.

Let me go over this matter about better off and worse off. There is a Constitution which says certain things, and there is a Tobago House of Assembly Act which must be consistent with this. I do not understand why the word “consultation” as it is here should create so much confusion that people cannot understand that the Prime Minister of Trinidad and Tobago cannot, ought not to, and in the context of the politics of Trinidad and Tobago, will not. If there is a problem of consultation and the arbitrary imposition of a Chief Administrator in Tobago that is not to the liking of Mr. Hochoy Charles and the Tobago House of Assembly, it cannot come from this Prime Minister, given the real politics with which we are dealing and the sense of consultation which is written into this amendment and about which we are talking.

I am saying that we are involved in fishing in waters that have no fish. We are wasting time. One has to understand that the Prime Minister of Trinidad and Tobago, in the context of the amendment this Government is proposing, strengthens the position of the Chief Secretary and gives recognition to his new

political stature in the context of the galaxy of opportunities for political grandstanding which we have in Trinidad and Tobago, some of them meaningful, others very doubtful. This is what we are doing here and I do not understand why we should be wasting time at 8.30 p.m. in the night when it is so straightforward, as the Member for Tobago West has said. Certain positions have to be regularized.

It is quite clear that the Chief Secretary in the Tobago House of Assembly is like a Minister. It says so. He is a Minister, so the person who is the Chief Administrator is like a permanent secretary and that relationship has to be made consistent with all the other relationships. In the context of the politics of Tobago, the Member for Toco/Manzanilla and the Member for La Brea conceded—I do not know if the Member for San Fernando East clearly stated it—that Tobagonians are not cut from the kind of cloth which would allow them to submit meekly to the chicaneries and capricious gerrymandering and manoeuvres that come out of Prime Ministers in Port of Spain. The Member for San Fernando East has experience of that and in the context of the ongoing relationship which we have between the Tobago House of Assembly and the central government as I said in my introduction, the Tobago House of Assembly Act is unfinished business. Everybody knows that, because this is a new relationship which is developing and ongoing.

When one talks about national unity government and a plural society, I said in my preamble—and the Members were not listening to me—that the idea of the state that informs the 1976 Constitution is irrelevant to our current purposes. So the question of how we give Tobago those legal necessities to allow the more efficacious management of Tobago's business is an ongoing question. If it was not so late, and I was not so tired, I would give you all a lecture on it.

Mr. Speaker, I say that the comments from the other side do not substantially alter the fact why we are here, which is to make sure that the position of the Chief Administrator and all those other offices which are affected by the current legislation are adjusted so we can get on with Tobago's business and I advise that more would be coming. There are about three or four committees working on this and there are more amendments to come for the Tobago House of Assembly Act.

I want to say to the Member for Diego Martin East that I did not come into this Parliament to do any one thing, any two things, anything at all to undermine or subvert the devolutionary intent of the Tobago House of Assembly Act. Therefore, and I want him to hear me clearly—not how President Clinton says hear me, because I am not like that. I speak the truth. I am the only politician in Trinidad

Tobago House of Assembly (Amdt.) Bill
[DR. THE HON. M. JOB]

Wednesday, August 19, 1998

and Tobago who speaks the truth. *[Laughter]* I think you all understand what I mean. I am not impugning the character of anybody in this House, Mr. Speaker, but I think they understand what I mean. There is a consensus in the House that everybody speaks the truth, so that is okay.

Mr. Speaker, I have no difficulty with the amendments that I am bringing before the House and I do not believe anything the people over there said has substantially altered the intention so—

Mr. Bereaux: Mr. Speaker, I take objection to the continued reference by the Member for Tobago East to Members on this side as “those people over there.” It is discourteous.

Mr. Speaker: If you stand on a point of order, you know the acknowledged way in which we raise points of order here. Suffice it to say we have heard what you said.

Please continue.

Dr. The Hon. M. Job: Mr. Speaker, I was on the point of saying that there is not much we can do to improve the contributions of the Members on that side in respect of this Bill.

Mr. Speaker, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 and 2 ordered to stand part of the Bill.

8.40 p.m.

Clause 3

Question proposed, That clause 3 stand part of the Bill.

Mr. Manning: Mr. Chairman, since I am not a draftsman I have not been able to draft any provision. I just want to suggest that we amend the proposed clause 3 to include in it the necessity for the Prime Minister to consult and hold discussions with the Chief Secretary.

Mr. Maharaj: Mr. Chairman, that has been covered in this amendment and also, more specifically, on a greater administrative basis in relation to the parent Act. So, it does not take this amendment any further.

Mr. Valley: To be sure, put it in here.

Question put.

House divided: Ayes 15 Noes 1

AYES

Maharaj, Hon. R. L.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Sudama, Hon. T.

Nicholson, Hon. P.

Rafeeq, Dr. The Hon. H.

Job, Dr. The Hon. M.

Singh, Hon. G.

Nanan, Dr. The Hon. A.

Partap, Hon. H.

Singh, Hon. D.

Ramsaran, Hon. M.

Sharma, C.

Ali, R.

NOES

Sinanan, B.

The following Members abstained: K. Valley, P. Manning, J. Narine, E. James, H. Bereaux, E. Williams, R. Boynes, C. Imbert.

Question agreed to.

Clause 3 ordered to stand part of the Bill.

Clauses 4 to 6 ordered to stand part of the Bill.

Question put and agreed to, That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

Abundant Life Ministries (Inc'n) Bill

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ABUNDANT LIFE MINISTRIES (INC'N) BILL

Question put and agreed to, That a bill to provide for the incorporation of the Abundant Life Ministries and for matters incidental thereto, be now read a second time.

Bill accordingly read a second time.

Bill referred to a special select committee of the House appointed by the Speaker as follows: Mr. R. Ali (Chairman); Dr. F. Khan; Mr. C. Sharma; Mr. J. Narine; Mr. M. Joseph.

UNITY OF TRINIDAD AND TOBAGO (INC'N) BILL

Question put and agreed to, That a bill to provide for the incorporation of the Unity of Trinidad of Trinidad and for matters incidental thereto, be now read a second time.

Bill accordingly read a second time.

Bill referred to a special select committee of the House appointed by the Speaker as follows: Mr. C. Sharma (Chairman); Mr. R. Ali; Dr. F. Khan; Mr. E. Hart; Mrs. E. James.

ADJOURNMENT

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that the House now adjourn to Friday, August 21, 1998 at 10.30 a.m.

On that date, as we got notification, will be the report of the Finance Committee, taken through all the stages of the consequential Supplementary Appropriation Bill. We have also the Prisons Bill and the Indictable Offences Bill. May I make it clear that although I have mentioned these matters in that order, there is no binding obligation on the Government, according to convention, to deal with them in that order, but I can say that we will first deal with the Report of the Finance Committee and the Supplementary Appropriation Bill.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.50 p.m.