

Leave of Absence

Friday, February 26, 1999

HOUSE OF REPRESENTATIVES

Friday, February 26, 1999

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I wish to advise that I have received communication from the hon. Member for Arouca South who has asked to be excused from today's sitting.

The leave of absence which she seeks is granted.

**PATENTS (VALIDATION OF INTERNATIONAL APPLICATIONS FILED
UNDER THE PATENT CO-OPERATION TREATY) (NO 2) BILL**

Bill to validate the effect of certain international applications under the Patent Co-operation Treaty designating Trinidad and Tobago, brought from the Senate [*The Minister of Legal Affairs*]; read the first time.

**VALIDATION OF THE THIRD REPORT OF THE ELECTIONS AND BOUNDARIES
COMMISSION (LOCAL GOVERNMENT) BILL**

Bill to validate the Third Report of the Elections and Boundaries Commission under the Municipal Corporations Act, 1990 and the Elections and Boundaries Commission (Local Government) Act, Chap. 25:50 for the purpose of Local Government Elections, brought from the Senate [*The Minister of Local Government*]; read the first time.

PAPERS LAID

- 1 Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Trinidad and Tobago Electricity Commission for the year ended December 31, 1991. [*The Attorney General (Hon. Ramesh Lawrence Maharaj)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Electricity Commission for the year ended December 31, 1992. [*Hon. R. L. Maharaj*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Trinidad and Tobago Electricity Commission for the year ended December 31, 1993. [*Hon. R. L. Maharaj*]

4. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Trinidad and Tobago Electricity Commission for the year ended December 31, 1994. [*Hon. R. L. Maharaj*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Trinidad and Tobago Electricity Commission for the year ended December 31, 1995. [*Hon. R. L. Maharaj*]
6. Report of the Auditor of the Republic of Trinidad and Tobago on the accounts of the Central Bank of Trinidad and Tobago for the nine months ended September 30, 1998. [*Hon. R. L. Maharaj*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Trinidad and Tobago Racing Authority for the year ended December 31, 1990. [*Hon. R. L. Maharaj*]
8. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Trinidad and Tobago Racing Authority for the year ended December 31, 1991. [*Hon. R. L. Maharaj*]
9. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Point Fortin Corporation for the year ended December 31, 1990. [*Hon. R. L. Maharaj*]
10. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts of the Point Fortin Corporation for the year ended December 31, 1991. [*Hon. R. L. Maharaj*]

Papers 1 to 10 to be referred to the Public Accounts Committee.

ORAL ANSWERS TO QUESTIONS

Piarco Airport (Contract Award to NYC)

14. **Dr. Keith Rowley** (*Diego Martin West*) asked the Minister of Works and Transport:
 - (a) With respect to the award of the contract to NYC for construction works at Piarco Airport, under what specific authority was this contract awarded?
 - (b) If NIPDEC was involved, could the Minister outline the entire process and state whether or not this agency complied with its statutory obligations by adhering to its own tender rules?

The Parliamentary Secretary in the Ministry of Works and Transport and Acting Minister of Works and Transport (Mr. Chandresh Sharma): Mr. Speaker, the award of contracts to NYC for construction works at the Piarco Airport was made under the authority of the National Insurance Property Development Company Limited.

NIPDEC was engaged to complete the Airport Development Project, and the entire process employed the implementation of its mandate, followed and adhered to rules as appropriate in the circumstances.

Dr. Rowley: Supplemental question, Mr. Speaker. Since we are advised that NIPDEC's tender rules were adhered to, could the Minister indicate whether or not public bids were invited and, if so, when, and who were the respondents?

Mr. C. Sharma: I shall provide that information at the next sitting.

Dr. Rowley: Mr. Speaker, I did not get the answer. Is the acting Minister saying that he cannot say whether, in fact, bids were invited?

Mr. C. Sharma: Mr. Speaker, the Member would appreciate that he has asked three parts of one question; and to remain accurate I prefer to provide it at the next sitting.

Dr. Rowley: Mr. Speaker, with your indulgence, I will just simplify it; I asked one very simple question.

In carrying out the mandate of the Cabinet to award the contract, were bids invited for the \$150 million NYC contract, or not?

Mr. C. Sharma: Mr. Speaker, as I indicated, the authority was given to NIPDEC, and they would have engaged all the rules that are required.

Dr. Rowley: Mr. Speaker, since the acting Minister is unable to say whether bids were invited, could I ask him: How does he know that NIPDEC's tender rules were followed and adhered to?

Mr. C. Sharma: Mr. Speaker, NIPDEC is a legal entity in Trinidad and Tobago and has rules and regulations, and at all times maintain same.

Dr. Rowley: Mr. Speaker, what I asked was whether, in fact, NIPDEC's tender rules were followed. The acting Minister is telling me what NIPDEC's status is.

I should like to ask the final question: Did NIPDEC invite tenders before it awarded this contract?

Mr. C. Sharma: Mr. Speaker, as I indicated, I shall provide any further information at the next sitting.

**Piarco Airport
(Performance Bond)**

18. Mr. Colm Imbert (*Diego Martin East*) asked the Minister of Works and Transport:

- (a) Would the Minister state whether any payments have been made for the performance bond provided by Maritime to Northern Construction for its terminal building contract on the Piarco Airport Development Project?
- (b) If the answer to part (a) is affirmative, would the Minister state the quantum of such payments, and the value of the bond?

The Acting Minister of Works and Transport (Mr. Chandresh. Sharma): Mr. Speaker, the answer to part (a) of question No. 18 is yes.

One of the conditions of the award of the contract to NYC Consortium was that a performance bond for the sum of \$32,038,732.75 be provided. The consortium of Northern Construction Limited, York Structures Limited and COOSAL's Construction Limited, instructed the underwriters and the insurance brokers to place the performance bond in the sum of \$32,038,732.75; and paid the sum of \$961,161.98 to have the same performance bond placed.

Priority Bus Passes

22. Dr. Keith Rowley on behalf of Mr. F. Hinds asked the Minister of Works and Transport:

- (a) Could the Minister outline his Government's policy on the issuance of Priority Bus Route passes?
- (b) In view of the number of accidents at intersections along the Priority Bus Route, does the Government have plans to establish over-passes and/or under-passes at any of these intersections?
- (c) Does the Government have any plan to place the appropriate road signs at the various intersections to advise road users that the Priority Bus Route is "off-limit" without the appropriate passes?

The Acting Minister of Works and Transport (Mr. Chandresh Sharma): Mr. Speaker, the policy on the issuance of the Priority Bus Route passes derives from Chapter 48:01, Part 1B of the Highways Act which states:

“The Priority Bus Route is to be used exclusively by public service vehicles of the Public Transport Service Corporation, Police Service vehicles marked as such, Fire Service vehicles and ambulances and vehicles used for the repair and maintenance or the priority bus route or of any service supplied by a public utility along the route as well as such other vehicles as are authorised with the approval of the Cabinet, by the Minister responsible for the administration of national transportation.”

Accordingly, the following categories of users are granted passes:

- (1) Public transport vehicles, e.g. Public Transport Service Corporation buses and maxi taxis;
 - emergency vehicles: police and fire service vehicles;
 - maintenance and administrative vehicles.

These vehicles belong to agencies which require access to facilitate locations along the Priority Bus Route in carrying out maintenance, administration or enforcement functions. Vehicles belonging to public officials, for example, the President, Members of Parliament, Judges of the High Court, Permanent Secretaries and Heads of Departments and other public officials are issued passes.

As part of the IABD funded National Highways Programme, a study was commissioned, and recommendations made, *inter alia*, for the introduction of safety measures on the Priority Bus Route. Recommendations in the report included the construction of over-passes and under-passes along the Priority Bus Route. These recommendations are currently being reviewed for implementation, where feasible.

In addition, the recently established National Road Safety Committee comprising members from both private and public sectors is currently considering measures to encourage safety on the nation's roads with particular reference to the Priority Bus Route.

With reference to part (c), the answer is, yes. These signs will initially be placed at Morvant First Crossing and Five Rivers Second Crossing, and Arima Old Road intersections, thereafter, all intersections along the Priority Bus Route will be signed.

1.40 p.m.

TRINIDAD AND TOBAGO POSTAL SERVICES

The Minister of Public Utilities (Hon. Ganga Singh): Mr. Speaker, on the authority of Cabinet, I wish to apprise this honourable House and the national

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community on the status of private sector participation in the Postal Services of Trinidad and Tobago.

On August 14, 1998, in a previous statement, I advised that New Zealand Post International Limited had been selected as the preferred proposer for the Delegated Management Arrangement for the proposed Trinidad and Tobago Postal Corporation. On that occasion, I highlighted the major aspects of the proposal submitted by New Zealand Post International Limited.

I also indicated that a special negotiating team had been appointed by Cabinet to negotiate mutually acceptable terms and conditions of a management contract with New Zealand Post International Limited, comprising of:

Mr. Ash Saigal

Mr. Harjinder Singh-Atwal

Mr. Osborne Ashby

Mr. Raymond Philip

Mr. Leroy Mayers

Ms. Margaret Edwards

Mr. John Mulligan

Mr. Mark Belcher

Mr. Richardson Franklin; and

Ms. Carol Balkaran.

Delegated Management Arrangement (DMA): Mr. Speaker, yesterday, February 25, 1999, the Delegated Management Arrangement was signed with New Zealand Post International Limited. The key features of the arrangement include: total management fees of US \$5.35 million for the five-year duration; provision of four core-skilled and qualified personnel:

Managing Director

General Manager, Sales and Marketing

General Manager, Human Resources

General Manager, Operations.

Additionally, New Zealand Post International Limited will provide a number of highly skilled personnel on short-term assignments in specialized areas including: security, transportation, mail operations, sales and marketing, delivery operations.

Achievement of operational turnaround for the Trinidad and Tobago Postal Corporation: that is, positive net profit after interest, in year two, of TT \$77,000, increasing to \$10.5 million in year three, 16.59 million in year four, and \$23.41 million in year five.

Achievement of the following six performance targets:

Year 1	Year 2	Year 3	Year 4	Year 5		
60%	69%	85%	90%	94%		
Universal Delivery Service (service to homes and businesses i.e. regular delivery)						
Transit Time (i.e. on time delivery within 24 hours, to all principal areas and within 48 hours, to all areas of the country)						
		80%	85%	93%	95%	96%
Customer Satisfaction (measured by an independent survey)						
		50%	55%	65%	75%	84%
Revenue Growth in New Business						
		0%	6%	10%	8%	6%
Total Revenue Growth						
		36%	16%	10%	11%	9%
Net Profit (\$)						
		(6.6mn)	Surplus	16.6mn	23.4mn	
		Deficit	774,000	10mn		

Mr. Speaker, the arrangement also provides for the withholding of up to 40 per cent of the total management fee for non-attainment of performance targets. The penalties are not only progressive, but vary depending on the importance of the target. New Zealand Post International Limited is also required to obtain a performance bond acceptable to the Government, in the event that there is failure to perform, on their part.

Mr. Speaker, over 46 per cent of the management operator fee is to be met solely from the generation of revenues of the Trinidad and Tobago Postal Corporation; the remaining 54 per cent is to be met from a World Bank loan. This loan has already been negotiated with the World Bank and I am pleased to state that it is the first to have been successfully negotiated since 1995.

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The Government of Trinidad and Tobago, in its discretion, is to retain/commission independent analyses, reviews, or audits of New Zealand Post International Limited's performance.

Implementation of the following project objectives:

Human resources and training plan incorporating on-going employee training programmes, refresher training, and new employee training, including training in New Zealand for postal employees as well as four scholarships at the university level. The scholarship scheme will be administered by the University of the West Indies.

Change management strategy, consisting of:

- (i) Strategic change management, that is, cultural shift and the development of new capabilities to achieve long-term viability.
- (ii) Operational change management in realizing project objectives to achieve short-term profitability.

The capital investment plan to upgrade mail operations, training and systems, transport, delivery, retail and banking, and property and mail security.

Mr. Speaker, there is also the introduction of construction and the following:

modernization of the postal fleet and home delivery service, through the purchase of new vehicles and scooters—about \$6.9 million over a five-year period;

introduction of track and trace security system—about \$2.6 million;

introduction of management information systems, including new accounting systems, computerization of postal counters, *et cetera*;

construction and refurbishment of the postal network and twenty-four new post offices (postal shops) and refurbishment of postal agencies to the tune of about \$36 million; and

introduction of new products, including Fax-mail, E-mail, Inland Courier and Express Mail, Direct Mail, Business to Business Mail, Pick-up and Delivery Services, *et cetera*.

Mr. Speaker, in terms of the delegated management arrangement monitoring, I wish to take this opportunity to point out some fundamentals of the delegated management arrangement.

Selection and Recruitment of the Operator: the process for the selection and recruitment of the Management Operator commenced in July 1996, when a two-day forum was held to gauge the interest of the local and foreign postal administrations. Even at this inception stage, the Unions were represented. This was followed by numerous postal employee forums, both in Trinidad and Tobago.

There was then the pre-qualification stage. Based on strict criteria, four international postal administrations were short-listed. The Spanish Post failed to qualify at this stage. This was followed by a pre-bid conference and eventually a Request for Proposals was issued in March 1998.

In the selection of the Management Operator, a two-envelope system, that is, a Technical and a Financial Proposal, utilizing strict evaluation criteria approved by the World Bank, was used in the selection process. This led to the selection of the New Zealand Post International Limited in August 1998, and then entering into contract negotiations with New Zealand Post International Limited. Therefore, Mr. Speaker, the whole process has been totally open and competitive.

Targets/Penalties: In my mind, Mr. Speaker, the most critical factor in the success of a management contract—and the hon. Leader of the Opposition better listen so he will learn—is the imposition and monitoring of targets.

For a management contract to succeed, it must be performance based. It should specify targets. There must be incentives and specific penalties in the event there is failure to achieve the specified targets.

The Delegated Management Arrangement contract with New Zealand Post International Limited has very realistic and clear targets and is incentive based. It carries stiff penalties for non-achievement of the targets. As I indicated, the penalties can amount to 40 per cent of the management fees. The management fees are to be paid quarterly. In the event that New Zealand Post International Limited fails to achieve these specified targets, the Government will withhold payments.

Clearly, Mr. Speaker, output and financial targets have been properly defined and are capable of robust measurement. They are restricted to a minimum number of key performance measures that provide incentives for the operator. Therefore, there is a potential to achieve substantial gains in operating efficiency.

1.50 p.m.

Performance Bond and Security: Under the delegated management arrangement contract, New Zealand Post International Limited must obtain a

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performance bond issued in a form and surety acceptable to the Government of Trinidad and Tobago in an amount denominated in United States dollars equal to a percentage of the management operator fee as follows:

Year 1—90 per cent;

Year 2—80 per cent;

Year 3—60 per cent;

Year 4—40 per cent;

Year 5—40 per cent.

The performance bond is required to guarantee the operator's obligations under the contract, therefore, this bond protects the Government of Trinidad and Tobago in the event that there is a failure to perform on the part of New Zealand Post International Limited.

Incentive Payment/Profit Sharing Arrangement: As I indicated, it is generally accepted that successful management contracts are incentive-based, hence New Zealand Post International Limited is entitled to share in the profits of the Trinidad and Tobago Postal Corporation as a further incentive to ensure the success of the arrangement. New Zealand Post International Limited is to be paid an incentive payment by the Government of Trinidad and Tobago equal to 30 per cent of the net income of Trinidad and Tobago Post. In the event that New Zealand Post International Limited exceeds the projected net profits by a margin greater than 5 per cent, then New Zealand Post International Limited will be entitled to 35 per cent of the net income.

In a study undertaken by the World Bank on Management Contracts (MCs)—A Review of International Experience, May 1995, clearly suggests that incentive-based management contracts were more successful than management contracts with no incentives, or where the incentives were effectively redundant.

Monitoring of the Contract: In order to effectively monitor the delegated management arrangement, the Ministry of Public Utilities has established regular and formal review and reporting arrangements. On-line facility would be provided to the World Bank on the financial and other information on contract performance. The delegated management arrangement also clearly makes provision for the Government of Trinidad and Tobago to retain or to commission independent analyses, reviews or audits of New Zealand Post International Limited's performance.

Legislative/Institutional Framework: Mr. Speaker, you will recall that recently legislation was passed to establish the Trinidad and Tobago Postal Corporation Act. This Act is grounded in modern business practices. The functions of the Board and the Managing Director are clearly defined to avoid any confusion between the roles of the different parties and it will help to set clear guidelines as to the responsibilities and accountability.

Long-Term Arrangement: Mr. Speaker, under the delegated management arrangement, no preferential right exists for New Zealand Post International Limited to negotiate the long-term arrangement for Trinidad and Tobago Post. The Government of Trinidad and Tobago has the sole right to award the long-term arrangement through competitive international tender.

I wish to take this opportunity to reiterate my Government's commitment to providing efficient and effective postal services in Trinidad and Tobago. The delegated management arrangement provides this country with the opportunity to harness the ability of an international postal operator to bring urgent changes to the postal sector of Trinidad and Tobago. It is the first of its kind in the postal world and may well serve as an example to the international community of how governments can work with the private sector to improve vital public services such as the post.

The Postal Services of Trinidad and Tobago, in its current form, is an archaic, inefficient and ineffective entity, totally out of touch with its customers and ill-equipped to meet their needs. Technological change, competition from private courier companies and telecommunication-based services, globalization of economies and businesses, the need for time sensitivity and product differentiation threaten its very existence. It is clear that if the postal sector is to survive in the new millennium, it must be market-driven and customer-sensitive.

This Government recognizes that both human and technological resources are necessary to bring about the urgently needed changes at the post office. This underlying principle is embodied at the heart of the delegated management arrangement.

Mr. Speaker, we feel that the changes envisioned for the post office will generate major benefits for the nation. It will also increase our international competitiveness. It will provide consumers with a reliable, low-cost, high quality and market-responsive portfolio of postal services. In particular, the major beneficiaries are those who do not have communication alternatives and do not

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now receive home delivery, for example, the rural and low-income communities. The elderly and other residents who depend on remittances from family members abroad will greatly benefit from the improved services, since the greater security and speed of the new system will make these transfers far more dependable. The consumers will also benefit from the provision of a variety of non-traditional postal services including faxes.

By providing mass mailers, for example, Trinidad and Tobago Electricity Commission, Water and Sewerage Authority, banks and cable companies with a reliable, low-cost communications medium, the improved service will reduce the amount of working capital tied up in the mail system, thus bringing significant benefits to local businesses. Internationally oriented firms—hotels, exporters and importers—will particularly benefit from a more secure and rapid means of communication.

The Trinidad and Tobago Postal Corporation Act makes provision for current employees of the Post Office to opt for a Voluntary Separation Employment Package, to transfer to the new Trinidad and Tobago Postal Corporation, or remain in the public service provided that suitable vacancies exist. The Chief Personnel Officer is currently engaged in negotiations with the Public Services Association and the Trinidad and Tobago Postal Workers' Union for the Voluntary Separation Employment Package.

Employees who choose to remain with the Trinidad and Tobago Postal Corporation will greatly benefit through increased training, improved working environment and practices, and the introduction of performance linked rewards. Therefore, Mr. Speaker, we see benefits for everyone.

Finally, Mr. Speaker, in keeping with my Government's commitment to openness, a copy of the main contract will be placed in the parliamentary library. This is consistent with our approach which was taken in the case of the partial divestment of T&TEC's generation capacity between PowerGen and the Trinidad and Tobago Electricity Commission. This agreement was signed on December 23, 1994 and it was laid in this honourable House on June 17, 1996. Further, the Private Sector Participation Agreement (IOA), signed on November 1, 1995 between the Water and Sewerage Authority and Trinidad and Tobago Water Services was laid in this honourable House on April 23, 1996.

Mr. Speaker, I thank you.

FORENSIC PATHOLOGISTS

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I beg to move the following Motion standing in my name:

Whereas the evidence of the state's forensic pathologists is a critical component of the criminal justice system; and

Whereas any failure on the part of the state to provide suitably qualified pathologists could have devastating consequences for the operation of the criminal justice system in Trinidad and Tobago; and

Whereas in recent times serious concerns have been publicly expressed about the qualification and suitability of persons currently providing these services to the state:

Be It Resolved that the Minister of Public Administration provide the necessary assurances and guarantees to the public that all persons currently engaged for the purpose of providing these professional services to the state are properly qualified and can satisfactorily demonstrate the necessary certification required for the specific purpose; and

Be It Further Resolved that the Minister of Public Administration take all necessary steps to ensure that all forensic pathology scholars who were trained, at state expense, function immediately within the specialty discipline for which they were trained.

Mr. Speaker, I had to think long and hard before I filed this Motion, but at the end of my thought, I came to the conclusion that in keeping with the recent exhortations of our Attorney General, the Parliament is responsible for the state of affairs in the country and, therefore, I think it is absolutely crucial that the matter I am going to raise today, be brought to the attention of every elected Member of Parliament in this country and every citizen of Trinidad and Tobago.

I filed this Motion many weeks ago. The response of the Government of Trinidad and Tobago to this Motion was to send the Minister responsible to the furthest point on planet earth, to China. So today, the first thing I want to say is that I take serious objection to the Minister responsible for Public Administration absenting himself from the Parliament and from the country when this matter is coming up for debate, after many weeks of notice.

When I say that this thing could have serious consequences, what am I talking about? *[Interruption]* Mr. Speaker, I am not talking to the Government Members, I am talking to you. What is the role of a forensic pathologist? Whenever a person dies in this country, especially under circumstances of misadventure, especially where there is suspicion of criminal activity, the forensic pathologist, whose role

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it is to determine the cause of death, is probably the most important witness in that matter. When the forensic pathologist goes to the court and he, as the expert, tells the court the cause of death, then the person who is charged for the crime can then be made to answer for that cause as described by the pathologist.

Therefore, if there is no pathologist, we have a problem; but if there is a pathologist who gives his verdict to the court and then the court has a problem with the qualification of the pathologist to determine the cause of death, then, as we have seen in recent times, the court can easily throw out the matter. This is why I was concerned about the supply of this service to the state and the question arose about qualification. Who is providing this to the state?

I want to back up a bit because in 1992, the state faced a crisis. One morning the Attorney General of Trinidad and Tobago came to the Cabinet, almost in a panic, to report that we did not have any forensic pathologist available to us and, in fact, the officer who was conducting those services for a number of years, could not be found. Mr. Speaker, could you imagine what this meant for the criminal justice system?

It meant that all the murder cases which were before the court in which that officer had to feature, those cases—and I said murder; manslaughter as well—were now in serious jeopardy because the guilt or innocence of the arrested persons could not have been easily proven without the pathologist and there was a good chance that we could have ended up, not with one case being thrown out, but with a whole series of cases being thrown out and persons who had committed acts of murder, could have been made to walk the streets of Trinidad and Tobago because their cases would not have been tried.

So, what did the Cabinet do? In the face of this calamity, the Cabinet took steps to ensure that such a situation never arose again. So, the Government of Trinidad and Tobago awarded two scholarships to two nationals to be trained as quickly as possible, at recognized institutions. Two citizens of Trinidad and Tobago and, incidentally, they came from Tobago, but that did not have anything to do with it. The Minister told us how the process worked and how they were selected.

On September 24, the Minister of Public Administration who is absent today told us and I quote, that: “two forensic scholarships at approved institutions in the United States of America and Canada were effected and that the recipients of those scholarships successfully completed their training”.

2.05 p.m.

Mr. Speaker, when it was queried as to why at least one of those persons, having returned to the country last year March, was not by September of last year functioning in the Department of Forensic Pathology, in the post for which the person was specifically trained, the Minister, who is absent today and for good reason, told us that within one month of the September date, it would have been rectified, the negotiation for the officer would have been completed, and such an officer would have been stationed at the Forensic Pathology Department.

That officer, we were told, had returned to her previous job in Tobago and was serving with the Tobago House of Assembly, as acting County Medical Officer. Mr. Speaker, I beg to tell you, that when the Minister of Public Administration told us on September 29, that Dr. Burris was in Tobago functioning as acting County Medical Officer, the Minister was being less than truthful. Because he was telling us that the Director of Public Administration had already promoted and returned Dr. Burris to the post of County Medical Officer, on May 11.

Mr. Speaker, a document signed by the Director of Public Administration, shows that as far back as May 11, Dr. Burris was promoted in Tobago to the post of County Medical Officer of Health. The Minister of Public Administration, in response to a question filed in the Parliament, must have known that. If he did not know that, then he is guilty of negligence and dereliction of duty. But he must have known that, because there was a matter in the court where the Public Service Association had sued the Government over this particular matter, and the said Director of Public Administration was in the court putting up a defence as to why this officer should be in that post in Tobago. So I fail to see how on September 29, the Minister of Public Administration, could have come to this Parliament and tell the Parliament that Dr. Burris, after having been trained at a cost of over \$700,000.00, was in Tobago acting as County Medical Officer. That was only one part of the curious development.

The other part of the curious development was that, Dr. Hughvon Des Vignes, the other national scholar, was employed at the Forensic Pathology Department; his contract was due to end in December of last year. The Government took absolutely no effective steps to ensure that at January 1, they would still have the services of Dr. Des Vignes at the Forensic Pathology Department. And this is after an enquiry in September, when I asked in this House, of the Minister of National Security, how many Forensic Pathologists he needed to effectively discharge the

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services in that department, he said he needed two of those persons. As at December 31, the Government of Trinidad and Tobago ended up with one person in there. Because as of the end of December, and as of now, as far as I know, Dr. Burris who returned to Trinidad and Tobago since last year March, has up to this point not been made to function in the Forensic Pathology Department.

Dr. Des. Vignes—the other national—his contract was allowed to lapse last year December, and as of now he is not functioning there. That means the same situation that the state tried to avert in 1992, by training these two officers at a cost of almost \$1,000,000, as a result of the negligence of this Government, the two nationals are outside of the department and the department is left in the hands of a contract officer, who is a foreigner to Trinidad and Tobago.

I have no problem with a foreigner working here, but the bottom line is that we took steps so that the state would not end up in a situation that when this contract officer is the sole person in there, he could dictate to the state what happens and what does not happen, or he could absent himself and put our criminal justice system at risk.

We saw recently where there was a dead body found in Tobago, and that body was allowed to lie in Tobago for almost two weeks. Because at that precise period, the two state scholars were not employed and functioning at the department. The contract officer, Dr. Chandu Lal, was in the country in Trinidad, was not made to go to Tobago, and the family of that person who died in Tobago, was left to face the trauma of having the body lie there for almost two weeks without a pathology intervention. All because the Government which was alerted since last year, that this problem was arising, took no effective steps to prevent this from developing.

We also have a situation, Mr. Speaker, where a most curious thing happened in this country, and I want to raise it here today; while not interfering in the judicial arm of the state. The question arose that Dr. Des Vignes, the state's officer, a state's scholar, whom the Minister of Public Administration told the Parliament was highly qualified at approved institutions abroad, appeared for the state in a matter and his qualification came under question. As a result of that, another public officer, this time the foreign contract officer, was invited to the court and made comments about the qualification of the state's scholar. Those comments were accepted by the court and the evidence of the state's scholar was thrown out and the case was dismissed.

Interestingly enough, I have no quarrel with that, Mr. Speaker, if that is how it ought to be. But then the question arose immediately, what is to happen to the provision of services from this officer in other matters? And a very curious thing has been happening, and is happening, and I want the Minister to explain to me why it is happening like that? How is it, that in one court in this land the qualification of a state's scholar, a public officer, is found to be unacceptable because his qualification was not satisfactory, but later on, the same officer can appear in other courts and give evidence in other matters?

I raise this for a simple reason, Mr. Speaker, that I do not want to get up any morning in this country and hear on the news or read in the newspapers, as I am sure is going to happen; as sure as night follows day because of this development, we are going to get up in this country one of these days and hear that some of the people who are on Death Row, who we are moving heaven and earth to hang, will introduce into the debate and into their defence, the fact about the contribution of particular forensic services to the court during their trial; that is going to happen.

2.15 p.m.

Or, you are going to hear persons who have not yet been convicted, their defence lawyers are going to begin to raise in the court the qualification of the state's forensic pathologists, and the state would be duty-bound to determine and prove that those persons have the qualification to adjudicate effectively on the cause of death and that is quite all right. The trouble arises if and when the state is unable to prove that, and therein lies my problem with what is happening today in the Forensic Pathology Department.

Mr. Speaker, when Dr. Chandu Lal went to the court as a public official and adjudicated on the qualification of Dr. Des Vignes, another public official in the Forensic Pathology Department, I cast my mind back to the public newspapers of Trinidad and Tobago and I draw your attention to the *Sunday Guardian* of August 11, 1996. That is the page where our nationals and residents who are moving up in the community in their job places are seen. So you will get a report of who is doing what. You would see Dr. Demming has moved up at Guardian Life, Miss Look Loy has moved up in banking at Chaguanas and so forth. At the bottom of that, with a picture, you will see Doctor of Philosophy, Ph.D. for Chandu Lal. And I said, "well done." Because our pathologist has a doctor of philosophy, he has made an announcement. When I read further, it says:

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“Forensic pathologist Dr. Ramnath Chandu Lal has obtained a degree in Doctor of Philosophy Ph.D. (with a major in Forensic Pathology) from the Pacific Western University, California, USA.

This makes the Indian born pathologist the first person to hold the combination title of M.B.B.S, M.D (Doctor of Medicine, in forensic medicine, F.A.F.S.C (Fellow of the Academy of Forensic Sciences), Ph.D...”

Mr. Speaker, that caused me serious concern. This came out in August and I filed the question to the Minister of Public Administration in September and we are here debating this Motion in February.

What exactly is a Ph.D from Pacific Western University? Remember this is the man who is addressed by the court of our land as Prof. Chandu Lal, and based on the eminence of the title, Professor, I am led to believe that title somehow might have swayed the judge into accepting that if you are a professor and you say Dr. Des Vignes is not qualified, then maybe I can take your word for it. But when I look at Pacific Western University, I decided to conduct my own investigation and what I have found frightens me because I looked at the other qualifications, the M.A.C.F and that frightened me even more.

Mr. Speaker, let me explain to you what I am saying. If you go on the Internet, as I did, and dial up Pacific Western University, you will find it is a University at 600 N. Sepulveda Blvd., Los Angeles, CA 90049. I was driving along that road a few years ago and I saw a little board sign at the side of the road with an arrow pointing to Pacific Coast University and I asked my cousin what goes on there, and he told me it is a place where they sell degrees, that is Pacific Coast University. In my investigation, I found out that Pacific Coast University, Pacific Western University and similar types of institutions are where any person with a few dollars can buy a degree.

When I looked at Pacific Western University on the Internet, on page 1, I see this is a university that offers credit for the form one fills out to apply to the university. It says:

“...Credit is awarded for the proper completion of the form.”

If you go to page 1 of 4, you will see the price of the degrees. The Bachelor’s degree for an American student is US \$2,295.00; if you are foreign it is US \$4,500.00. The Master’s degree is US \$2,395.00; if you are foreign, US \$5,000.00. If you want a Doctorate, it is US \$2,595.00; if you are foreign it is US \$5,400.00 and it says:

- “1. A second degree may be applied for within nine months after completion of the first degree for the additional cost of: \$1200.00 for the Master’s

After you buy the first degree, if you want a Ph.D. nine months later you can pay US \$1,200 and get that.

Mr. Speaker, that is the degree that the public official who is providing us with forensic pathologist services has, that is causing the court to adjudicate and accept or throw out cases, that is advertized by the *Sunday Guardian* for noting by the public. What exactly does this mean? What does it mean? It means if this is the only qualification he has, then God help us when the defence lawyers come to court.

I looked at the other qualifications. I must tell you something else before I go on to the other qualifications. This university which sells this degree is operating in the United States of America and this is a country where you can run scams like this but you have to cover yourself, and the University covered itself very well. On page 4 of 4 on the Internet, it puts in bold letters, block letters for all to see—those who would buy the degrees—they want the person to sign on page 4, that the person understands that Pacific Western University is not accredited by a recognized accrediting agency or association recognized by the United States of America Commissioner of Education.

So it tells you that very clearly to understand what you are doing, “you are buying a degree from a university”, that is not accredited. Buyer beware! You are told that. So I said if that is the only qualification he has then we are in trouble, let me look at the other qualifications. The other qualification is a M.A.C.F, Member of the Associate of the College of Forensic Examiners.

Mr. Speaker, I happen to procure one of those certificates which is this—*[Member holds up a paper]*. I then searched to find out what kind of university gives the degree M.A.C.F, or the qualification M.A.C.F. What I have discovered is that it is not a qualification, it is membership in a professional society; something for which you apply and you pay \$150 and you are given this. And they tell you how it can be useful in case you do not know how to use it.

Let me tell you how it can be used. They tell you it can be used to add credibility with prospective patients and clients. In this case, he is dealing with the dead so they are not going to notice. They also tell you it promotes professional visibility which is precisely what happened in the *Sunday Guardian* of August 11,

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1996. All that being so, the bottom line is, this is the same degree that is going to be used in our court to determine whether the judge accepts cause of death from a qualified expert or not.

Mr. Speaker, I raise this as a very serious matter and I spoke privately with Members of the Government asking them to go and find out what the situation is, because if what I am saying to you is all that there is, then the criminal justice system in this country is on a jagged knife edge and can fall over in the morning. Can you imagine all the cases in which this gentleman has been involved and defence lawyers raising this kind of matter in this way in the court? I need not paint the scenario for you. You can be confronting the murderers on Death Row anytime in the future because of new evidence coming to court.

Recently we had the Privy Council taking up a position which was curious and saying that grounds for taking a position have to do with a matter which is way outside of something even as grave as this. So how come we are sitting back as if nothing is threatening us? We want to talk about hanging every 24 hours in the day, but nothing is wrong with hanging criminals, I am for that. But what I am saying here might prevent us from even getting a conviction. So while we are all rightly concerned about hanging, we are risking the conviction of those who are to be tried and overturning the cases of those who have been convicted unless, of course, as the Motion says, "The Government can demonstrate to us and give the assurance that there are qualifications in this matter which can stand the relevant scrutiny."

Dr. Khan: The two degrees you just named, are they the only degrees which Dr. Chandu Lal has?

Dr. K. Rowley: Let me finish. I am saying that like every other doctor, he has the MBBS, which is the Bachelor of Medicine, Bachelor of Science. Every doctor has that. *[Interruption]* I am not querying that. Wait a minute, you will have your chance.

Mr. Speaker, let me clarify this point. To be able to provide professional pathological services for pathology, your first medical degree is not the one that is under consideration. I am not questioning that. He may or may not have that first degree. Since the Attorney General has said that he has a degree in forensic medicine, I would like the Government to demonstrate that to the Parliament because, I who have been able to—*[Interruption]* I am not arguing that, I am not arguing who employed him. I am arguing if, in fact, it turns out that the qualification is not right then we have problems.

I have not been able to find the four qualifications which he called up to now and the Attorney General is telling me he has that. I want to read into the record a letter from Dr. Hubert Daisley, senior lecturer in anatomical pathology which was written to Prof. Telang at the University of the West Indies. Because whereas Dr. Des Vignes has been accepted by the university and had been a lecturer there before he got involved in the Government's pathology business, when Dr. Chandu Lal applied to the university for a job, the university sought to verify his qualification. This was in November 1996 and Dr. Daisley who was asked to check into his qualification did so and replied in this way to the university. He said:

“...I obtained from them...” Pacific Western—“their prospectus a copy of which is attached for your perusal. On the basis of its contents I am of the view that his Ph.D is not in keeping with the academic standards recognised and adhered to by our University.”

I have just demonstrated why. He goes on to say:

“I still await correspondence from Osmania University.”

Mr. Speaker, I am telling you that after that point, the university investigating officer could not verify even the first degree, and I hope today the Government would determine that the first degree exists from Osmania University and since my friend from San Juan/Barataria who holds the post of Vice-President of the Medical Board knows that he has a doctorate in medicine, for my peace, comfort and well-being of all the citizens, I want him to demonstrate that because the other two degrees which I have just shown you are absolutely worthless. So unless the Member who says he has a medical degree in pathology, the Motion is asking the Government to give us that assurance.

Mr. Speaker, a very curious thing has happened and I am glad my friend appears to want to get into the debate because the Medical Board Act of Trinidad and Tobago says:

“‘diploma’ means any diploma, degree, fellowship, membership, licence, certificate or other status or form of recognition granted by a University, college or duly licensed body conferring authority to practise medicine in the country or place where granted;”

2.30 p.m.

So this Pacific Western degree that was published in the *Guardian*, I am reliably informed has been listed on the Medical Board record here in Trinidad,

Mr. Speaker: Order.

Dr. K. Rowley: I went there at 11.20, the young lady then asked me to sit in a room as she called for the register. I sat there until 11.40, whereupon I returned to her office which I had just left 20 minutes before to find the door locked, *[Interruption]*. She locked the door. *[Interruption]*—No, you see, you all could laugh—you all could laugh, you know—but when the criminals start to walk the

Mr. Speaker: Honourable Members, this is still serious business: we are proceeding with a motion and it cannot continue like this. It is a wise man who said: you may not agree with what another has to say, but you must defend to the end his right to say it. It is certainly one exhortation that all Members of this Parliament should support. I ask you please, let us hear him. I promise you that there is nobody who will be denied an opportunity to talk.

Dr. K. Rowley: Mr. Speaker, as I said to you before, I am not talking to them, but you see their behaviour demonstrates what is serious to them, and what is not. Because you see, if this thing goes to its logical conclusion and my worse fears are realized, when you bounce up one of the released murderers at the back of your yard one of these days you will laugh on the other side of your “croc”, because you see, Mr. Speaker *[Desk thumping]* what I am saying here is that, something clearly is not right. When a Member of Parliament goes to the Medical Board, under provision of law, to look at the register and experience what I experienced yesterday, I find that no laughing matter; and I hope my colleague from Barataria/San Juan would enter the debate and explain to me what happened there yesterday.

You see, Mr. Speaker, when the young lady locked herself in the room, I banged on the door. After a period of banging on the door she appeared through a side door, and that time I was informed. And I said to the lady, “I do not understand, there is no need to fear, this is not your problem. Clearly, the authorities of the Medical Board have put you in this position.”

The bottom line is, Mr. Speaker, that the Medical Board has denied me access to look at the register, and it brings me back to last year September, when the qualification of Dr. Des Vignes was on the national front burner. I thought that there was some role there for the Medical Board to, at least, enlighten the public on the situation, because you see, Mr. Speaker, the way the thing developed, the public was led to believe that Dr. Des Vignes’s qualification was substandard, and

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if the Medical Board wanted to be helpful, maybe it could have informed the country that Dr. Des Vignes has a qualification as a pathologist which he received in 1992. But the laws of Trinidad and Tobago are such, and even modified I am told, that once you have listed your first degree and you are allowed to practise medicine, there is no legal requirement for you to go and place on the register future qualifications; additional specialization.

What the law says, is that you are entitled to have it shown on the register, so if you want to have it shown, you can go there and they must show it on the register once it is an accredited degree, but if you do not show it there, it does not mean that you are not qualified. But the way it was put across to the public from the court and in the media it was as though because Dr. Des Vignes's post graduate degree was not listed at the time, he was not qualified. So subsequently, to clarify that, he asked to have it listed and I can tell you, Mr. Speaker, as of December 10 the Medical Board wrote to him confirming that his pathology degree of 1992 had been accepted and put on the register.

So there was never any problem with his pathology degree, but strangely enough, Mr. Speaker, while that is so, the Government's behaviour has been strange. Because here was the Government Pathologist who was saying in the court—and there is this public disquiet and not a person in authority said anything to clarify or to defend this public officer who was held up to public ridicule in this way. But worse, worse, even after the Medical Board wrote to him confirming that his degree was not put on the register, a Minister of Government goes on the radio in Tobago and tells the country that the Medical Board has a problem with Dr. Des Vignes's qualification and that is causing some delay with respect to his definition, or something like that. What is interesting is that this Minister from time to time acts as Minister of National Security with responsibility for the Forensic Pathology Department in which Dr. Des Vignes work.

So I ask myself, what is the Government of Trinidad and Tobago trying to do? Is it trying to reinforce a point of view that Dr. Des Vignes' qualification is not acceptable and, therefore, creating a scenario for defence lawyers to go to the court and question his involvement in felony cases? What is the Government trying to do? Does this Government understand the seriousness of this situation? Because first, it allows Dr. Burris to stay in Tobago after she has been substantially trained. It does not bring her to work with the department to provide the services. It does

not renew Dr. Des Vignes' contract before it expires—which is a normal thing in governance. And now, a Minister goes on the radio and gives the impression that there are question marks with respect to the officer's degree and that the Medical Board has some problem with it.

2.40 p.m.

I ask the Government today to explain to the country exactly what is its agenda in this matter, because the outcome of its behaviour could be absolutely disastrous. Even if one person takes up where the Government leaves off and begins to use this in his defence in the court, one will find that these statements are being subpoenaed. Recently, we had some criminal somewhere asking the Parliament to lift the restrictions to allow words of the Attorney General to go to the court to be used in his defence to help him escape his just due. Yet, we have the Member for Tobago East going on the radio in Tobago, even after his colleague stood up here in the Parliament and told the country that Dr. Des Vignes has successfully been trained in Canada. I do not know where he got the information from, and maybe he can tell us today. Where did he get the information from that the Medical Board has some problem with Dr. Des Vignes' degree? Unless they can answer these questions, I am accusing elements of this Government of deliberately seeking to undermine the criminal justice system. [*Desk thumping*]

Mr. Speaker, we are not the only people who are faced with this, because interestingly enough, I spoke about Pacific Western University, and on Sunday February 13, while all of this was in our parliamentary pipeline, an article appeared in the *Daily Express*, “Focus USA”, and it said:

“California ‘diploma mill’ ordered shut.”

So even the American government in the United States recognizes that within its borders is something called a “diploma mill”. That is what this Pacific Western thing is. That is what this diplomate is. Let me quote what the article says:

“California authorities have ordered the immediate closure of Columbia

Not Pacific Western; this is another one.

“calling it a ‘diploma mill’ which awards worthless mail-order degrees to students around the world.

“We want to send a message to anyone considering opening a diploma mill in California, or running one now—we’re going to put you out of business.”

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So it is a business!

Mr. Speaker, I read this to let you know that it does not stand on its own. Because I have not been able to confirm the doctor of medicine, I cannot now say that the public officer, Dr. Chandu Lal, does not have it. What I can say, though, is that serious questions have to be raised about a situation where a person can accept and put forward to a Government in a serious way, a degree from a diploma mill like Pacific Western.

Then, I come back to the Medical Board. The only response from the Medical Board on this matter was an article on September 26, 1998 entitled “The Board set for High Court on Des Vignes”. So, when the Board does act, it is not to let me see the register as per the law, but is setting to go to the High Court on Des Vignes. What has Dr. Des Vignes done? What has he done? One of our outstanding sons, responded to a crisis in 1992, agreeing to give up his job as a trained pathologist to go to train further to do a fellowship in Canada to become a forensic pathologist to pull us out of the hole we had found ourselves in, because we were literally being blackmailed by a contract officer who had absented himself from the country, leaving us to the mercy of the murderers who were seeking to walk free in his absence. We had to pay him because he had us to ransom. He had us by our short and curlies. *[Laughter]* But we said that must not happen again.

Mr. Assam: Why not hire someone else?

Mr. Manning: Who? You?

Dr. K. Rowley: We are now in the same position today, and until the Government hires the two locally trained people and put them to work in the area in which they were very well trained, we are going to remain in this position.

I want to ask whether, in fact, there is some effort to prevent this from happening, because, if the Minister of National Security says to the Parliament—as he did last year—that we need two of these people in the department for it to function properly, yet the Government allows it to return to a position where we have one contract officer; if the Minister of Public Administration said to us last September that within a week to a month, the Director of Personnel Administration has confirmed that Dr. Burris will be appointed and will be functioning in forensic pathology, it is now February 26 and nothing has happened; Mr. Speaker, will you blame me if I come to the conclusion that there are forces at work to prevent the two local pathologists from being made to function where they have to function, so as to ensure that who is there remains there? *[Desk*

thumping] I do not mind that. We can have three or four. It is more work. We can afford the cost. But what I am absolutely scared about is that we end up with Dr. Chandu Lal there alone, and I am saying that I have concerns about his qualifications. [*Desk thumping*] [*Interruption*]

Mr. Assam: You were the ones who hired him! The PNM!

Dr. K. Rowley: Mr. Speaker, do you understand why I cannot talk to this Government? If it would help those on the other side, it is not so, but I will take full blame for hiring him. I do not know who hired him.

Mr. Assam: The PNM.

Dr. K. Rowley: Mr. Speaker, could I be protected from that gentleman, please? It does not matter who hired him. What matters is if there is something wrong and something of this magnitude, it has to be addressed as a matter of urgency! [*Desk thumping*] That is the point I am making. [*Interruption*]

Mr. Speaker: Order. It is not correct that the hon. Member for St. Joseph should be engaging in crosstalk with the Member while he is on his feet. It is not right.

Dr. K. Rowley: Mr. Speaker, I tried to explain how this matter came before us. Clearly, Dr. Chandu Lal has been there for quite some time. When this matter came on the national agenda last year when we had the Brad Boyce case, we were made to focus on the issue. Arising out of that focus is the information I have shared with my colleagues today. If the Government wants to sit and say it is quite all right for Dr. Chandu Lal to place on the register a degree from Western Pacific University, I am saying it is not all right; it is downright dangerous and even illegal, because the Medical Board Act says that it has to be accredited in the country of origin, and when I go to confirm that the register at Mount Hope contains such a degree, I am denied access in the way I have described, and if that does not bother them, it bothers me!

So, they could make as much joke as they like about it. Wait until the defence lawyers begin to use it against the country in the interest of the criminals and they will have something to laugh about. Wait until they begin to set them free by the dozens and they begin to turn their noses at us and their guns are in our faces, and then they will have something to laugh about. Because that is what we are facing here if my fears are confirmed. That is why the Motion has been brought to the Parliament to ask the Government to give the assurance that people who are

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providing these services are, in fact, properly qualified and can so demonstrate with degrees that are acceptable under the laws of Trinidad and Tobago. [*Desk thumping*]

A Minister of Government says to me that what I am saying makes no sense. I would take my seat now, because it is a waste of time talking to this Government about anything for the interest of the people of Trinidad and Tobago. Waste of time! I think I have said enough to bring to your attention, Mr. Speaker, that we have a serious problem with this matter. But before I take my seat, on behalf of all right-thinking citizens, I want to put on the parliamentary record an apology to Dr. Hughvon Des Vignes, who has been wronged in more ways than one. And just today I heard on the radio that this son of the soil who came forward in a time of crisis, got himself trained at great hardship to himself, comes back here and is willing to work and serve the state, he is now being driven by forces strange and unknown—including the Medical Board of Trinidad and Tobago—to the furthest corner of country. He has gone to Tobago now, where, hopefully, the Tobago House of Assembly is considering hiring him. I am saying that is an injustice that must not be allowed to stand!

Dr. Des Vignes is available to serve Trinidad and Tobago and he must not be pushed in a corner in the Tobago House of Assembly. We trained him. I was a member of the Cabinet that put public funds to train him to function in the Forensic Pathology Department to serve our 1.3 million citizens. To have strange forces act and force him to Tobago to serve only 6,000 people and deny the other million people in the country his services is an injustice that must not be allowed to stand. This Government must tell us now why Dr. Des Vignes is unemployed today. Tell us that! [*Desk thumping*]

They are signing contracts with every Tom, Dick and Harry for \$75,000 per month. Kenneth Soodhoo is down at National Petroleum getting \$26,000 per month, but they are refusing to conclude a contract with a critical officer in a critical area which threatens to undermine the criminal justice system. The Government must tell us how it intends to handle this matter and it must tell us why these peculiar things are happening. It must also tell us what is going on with the Medical Board, why the public is being denied access to the register. When they explain all of this, then we will have an idea of the depth of the difficulty we are facing under the UNC Government in Trinidad and Tobago.

Mr. Speaker, I await the response from the Government of Trinidad and Tobago. Thank you. [*Desk thumping*]

2.55 p.m.

Question proposed.

Mr. Hinds: Mr. Speaker, I beg to second the Motion moved by the hon. Member for Diego Martin West, and reserve my right to speak later in this debate.

Mr. Speaker: The Minister of National Security.

The Minister of National Security (Sen. Brig. The Hon. Joseph Theodore): Mr. Speaker, I welcome this opportunity to make a contribution to this debate on this Motion. I have noted that the Member for Diego Martin West said he brought this Motion to the House in order to bring the situation to the attention of parliamentarians and citizens of the country. This will also give me an opportunity to indicate what has been done over the few months and what action is contemplated. So I welcome this opportunity to, perhaps, clear the air.

The Member is quite correct with his concerns, and I am sure that in my contribution I will be able to satisfy most of the concerns that have been expressed; and trust that the matter will be put to rest, once and for all.

Perhaps I should start with the selection of scholars to pursue training abroad in the field of forensic pathology. The Cabinet Note referred to by the hon. Member was, in fact, Cabinet Minute dated February 22, 1990, out of which came a decision:

- “(a) to the grant of a total of four (4) training awards over a period of five (5) years, commencing in 1990, to nationals of the Republic of Trinidad and Tobago, to enable the recipients to pursue studies in the field of Forensic Pathology;
- (b) that the four (4) training awards referred to at (a) above should be spread over a period of five (5) years, that is 1990—1994 commencing with two (2) awards in 1990 to be followed by one (1) award in 1992 and the final award in 1994, the candidates for all such training awards being selected, as far as possible, from among Pathologists already qualified in Morbid Anatomy.

The point I want to make here is that the recipients were selected to pursue studies in the field of Forensic Pathology. In 1993, Cabinet agreed to the grant of awards to Dr. Hughvon Des Vignes and Dr. Eastlyn McDonald. Both parties proceeded abroad. Dr. Des Vignes went to Edmonton, Canada from September

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1994—August 1995, and when he returned to Trinidad and Tobago he took up an appointment with the Forensic Science Centre; that was on a three-year contract which ended December 31, 1998. Up to that time, dealing with the question I answered about two forensic pathologists being at the Forensic Science Centre, since the establishment in 1983 of the Forensic Science Centre, there was only one pathologist at the centre up to this time when Dr. Des Vignes filled the second position and from then on, I assumed that the intention was to have the staff of the centre comprise, at least, two pathologists. My ministry, and this Government stand by that position and we recognize that the last administration made efforts to provide training for, at least, two nationals to qualify in the field. Dr. Des Vignes proceeded on leave at the end of his contract, as is normal with the contract, up to December 26, 1998.

On the matter of why Dr. Des Vignes had not yet been given a contract, the answer is fairly simple. In all these contracts, Mr. Speaker, there is a requirement for one party or the other to indicate if they wish to stay on or whether they wish to be kept on. A reply was received from Dr. Des Vignes in writing, in a letter dated December 07, 1998, indicating his willingness to renew his contract with the Government of Trinidad and Tobago. The contract was not terminated, the contract came to an end and a new contract had to be negotiated. It was the intention that such negotiations should take place to look at the terms and conditions because this is a matter that is taken care of by the Chief Personnel Officer. Having indicated his desire to stay on, negotiations commenced in January 1999 and I can say now that these negotiations have been concluded. With respect to the qualifications—I will speak generally on qualifications because we are aware that when the courses were selected, it was for the specific purpose of having these two scholars take up employment at the Forensic Science Centre. And I am confident that the efforts or that the courses selected were adequate and were the ones to fulfil the need. This is a matter that has been confirmed with the Medical Board.

3.05 p.m.

Another point that came up that created some confusion last year, which the Member mentioned, was that the Medical BSoard is not obliged to record all additional qualifications that people have. This, I understand, has been rectified on request that the qualifications acquired by both Dr. Burris and Dr. Des Vignes be

recorded. We did not know at the time whether or not it was an automatic thing. The Member for Diego Martin West is quite correct that it is something that has to be requested and can be done. So this may have led to some of the confusion that occurred last year during the Brad Boyce issue.

Now, I am not sure that the problem with that matter which was raised had anything to do with qualifications, Mr. Speaker. The matter of qualifications I do not believe came into it because the same—

Dr. Rowley: Could I ask you a question? Is the Minister saying that he acknowledges that the judge was misinformed in that matter?

Sen. Brig. The Hon. J. Theodore: No.

Dr. Rowley: Okay, is the Minister saying that the confusion resulted in that mistrial we saw last year?

Sen. Brig. The Hon. J. Theodore: Mr. Speaker, I was about to say something and maybe when I say it, it will be clearer. What I was about to say is that I do not believe that the matter of qualifications was the problem. I do not believe that came into issue. I am not in a position to decide what—

Dr. Rowley: That was the issue.

Sen. Brig. The Hon. J. Theodore: Could it have been the matter of giving evidence? I do not know, but quite frankly as the Member said, I, like him, do not wish to enter into that area of the justice department, but whatever it was, the matter is—

Dr. Rowley: Thank you very much. Is the Minister aware that Dr. Chandu Lal was not a participant in that case and appeared in the court simply to assist and adjudicate on Dr. Des Vignes' qualification and based on Dr. Chandu Lal's intervention that case ended?

Sen. Brig. The Hon. J. Theodore: That being the case, perhaps I should go back to the Motion, Mr. Speaker:

“WHEREAS the evidence of the State's forensic pathologists is a critical component of the criminal justice system.”

We fully agree that it does create, it is an essential component.

“Whereas any failure on the part of the State to provide suitably qualified pathologists could have devastating consequences for the operation of the criminal justice system in Trinidad and Tobago,”

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Yes, and we are very glad that the last administration made efforts to provide these courses for these people and we are proceeding to ensure that these two doctors are employed in the Forensic Science Centre. As I said, the matter of negotiations came into it and the timing with Dr. Des Vignes was a matter that was between himself and the Chief Personnel Officer. We did not presume to say to the doctor that, "We will give you a contract" or, "We will extend your contract on the same terms and conditions." I am aware that he did indicate that he wished to renegotiate his terms and conditions. That matter, I am pleased to say, has been resolved, the matter of the negotiations; that was the last stage prior to a contract being awarded.

Similarly, as far as the other doctor is concerned, the Member for Diego Martin West suggested that the doctor returned to Trinidad last year March and has not been employed since.

Dr. Rowley: At the Forensic Pathology Centre?

Sen. Brig. The Hon. J. Theodore: At the Forensic Pathology Centre. What I wish to say is that the talks with respect to a contract being awarded to Dr. Burris began in March 1998, not this—

Dr. Rowley: This year March?

Sen. Brig. The Hon. J. Theodore: March 1998.

Dr. Rowley: A year ago?

Sen. Brig. The Hon. J. Theodore: Yes a year ago next month. Again my information, Mr. Speaker, is that these talks are still going on. There are one or two issues to be resolved but I am glad to say that the majority of the matters raised have been resolved, so we seem to be heading towards reaching an agreement between the Chief Personnel Officer and the good doctor.

So in dealing with the motion, the matter of engaging the two doctors has been receiving attention, Mr. Speaker, and in the case of Dr. Des Vignes, the issue of the negotiation has been completed with the Chief Personnel Officer and in the case of Dr. Burris I believe there may be one or two matters that are still to be ironed out. But we are proceeding and we have stuck steadfastly to the intent that such persons take up employment on contract with the Forensic Science Centre for which they have been trained.

Dr. Rowley: I thank the Minister very much for giving way. Since last September we were given the assurance that, with respect to Dr. Burris, that would have been completed within a month of last year September. You are now saying that you are close to that completion. Could the Minister give us some kind of time-frame within which Dr. Burris would be made to function as a pathologist at the Centre?

Sen. Brig. The Hon. J. Theodore: Thank you. Mr. Speaker, I feel only the Chief Personnel Officer can judge this but I took the liberty to suggest that we are towards the end of the negotiation. This is my information, but to put a time on it I will end up maybe giving a date which may not be fulfilled as you mention happened with the other Minister.

Dr. Rowley: A month, six months, a year?

Sen. Brig. The Hon. J. Theodore: I would rather not guess. I think even the Attorney General is aware that setting dates could not always be met. We have no guarantee.

On the subject of the Motion, Mr. Speaker, the matter of proper qualifications, as I said, we in the Ministry are satisfied and we have had this confirmed by the Medical Board that the courses done by the doctors in question qualify them to function as specialist officers in the Forensic Science Centre.

Dr. Rowley: Des Vignes and Burris?

Sen. Brig. The Hon. J. Theodore: Both of them. Let me call the names. The two doctors, Dr. Des Vignes and Dr. Burris, that the qualifications they hold, for which they have been trained, they meet the requirements as per the Medical Board.

Now I would like to just touch on what basically in brief, Mr. Speaker, a pathologist is required to do and why this training is necessary. They are required to perform post mortem examinations, both external examinations and autopsies, in cases submitted to the Forensic Science Centre by official and private clients. They are to prepare and issue reports to the coroner and to the police on examinations performed including observations made and opinions as to cause of death. They are to submit samples taken in the course of post mortem examinations to various laboratories for specific analysis.

They are to perform microscopic examinations of specimens prepared by the histologic technicians. They are to complete medical certificates of cause of death as required for the registration of death. They are to complete proof of death

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certificates for submission to insurance companies by persons claiming life insurance benefits. They are to testify in criminal and civil courts and at coroners' inquests in relation to professional findings and opinions. They also lecture to medical practitioners, law enforcement officers, legal officers, students and other groups on various aspects of forensic pathology. They also visit the scenes of suspected homicide where such visits would be of assistance to investigators.

So these forensic pathologists, of whom we have had two only since 1995, are the ones that are very critical to our justice system and, as we all know, the matter of DNA testing is another stage that the Forensic Science Centre is moving to and, again I think the incident that occurred last year in the courts did make us all sit up and take notice and we did inquire of the Medical Board what was the position with Dr. Des Vignes as to his qualifications. That answer has since been received and I have full confidence that the doctor is capable. As a matter of fact, in 1998 a total of 342 autopsies were conducted while for this year there have been 51. And with the two forensic pathologists there you will find that these autopsies, depending on when and how many were done, were virtually shared between the two doctors.

So where it is to be:

“Further Resolved that the Minister of Public Administration take the necessary steps to ensure that all forensic pathology scholars who are trained at State expense, function immediately within the specialty discipline for which they were trained,”

I cannot stand by the term "immediately" but steps are being taken to have them join the Centre in the shortest possible time.

The Member for Diego Martin West did raise an issue about qualifications for the other forensic pathologist, and this is Dr. Chandu Lal. I am not in a position to determine that or to engage in any dialogue on that but I would like to assure this House that if there is concern I will certainly make it my business to approach the Medical Board so that they can either verify or confirm the issue.

Mr. Valley: We will show you.

Sen. Brig. The Hon. J. Theodore: Well maybe I should depend on the Member for Diego Martin West, having already gotten to the door and you know where you are going, maybe you could go back and help me out.

Dr. Rowley: Mr. Speaker, I thank the Minister for giving way. I am a little disturbed at the response, Mr. Minister, because I raised this particular question with this Minister in this House months ago.

Sen. Brig. The Hon. J. Theodore: About what?

Dr. Rowley: I raised the question about the qualification of Dr. Chandu Lal in this House months ago and the Government had ample time to investigate and to be able to say here today whether, in fact, my fears are founded. So if you are saying now that you have to go and check, I am afraid that you still have not answered the question.

Sen. Brig. The Hon. J. Theodore: Well maybe, Mr. Speaker, it is somewhat foolish to depend on what people who go before you do. Now, if a responsible government who hired this Dr. Chandu Lal failed to check his credentials and people are coming now to say to me that we have an obligation to do it, I will assume that the necessary checks would have been carried out to ensure that this person who—

Dr. Rowley: But the issue did not arise then. It arises now. The issue arises now.

Sen. Brig. The Hon. J. Theodore: That is why. Well it seems strange that the issue of checking credentials did not arise then because whenever you are hiring somebody, I assume, Mr. Speaker, one would check their *bona fides* to find out just who you are hiring.

Dr. Rowley: And you would have been misled then but you find out now.

Sen. Brig. The Hon. J. Theodore: Right, because he was appointed, Mr. Speaker, to the post of Specialist Medical Officer, Forensic Pathology at the Forensic Science Centre on a three-year contract commencing October 1, 1986 and his contract has been renewed.

Dr. Rowley: That is not the point, you know.

Sen. Brig. The Hon. J. Theodore: But again I say to the hon. Member that if he is overly concerned about further checks being carried out I will undertake to do so.

Dr. Rowley: But that is the problem.

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Sen. Brig. The Hon. J. Theodore: Exactly and maybe I could enlist the help of the hon. Member to show me where this office is where we are to go to find the register. I would welcome your assistance.

Dr. Rowley: The register does not qualify people. You would know that.

Mr. Speaker. Order please, order please.

Sen. Brig. The Hon. J. Theodore: So again, I welcome the opportunity, Mr. Speaker, to air this concern because I am somewhat concerned now that the public will be made somewhat—fears would be raised in the minds of the public after the hon. Member had it to say that the criminal element, using their lawyers, go to court now and next thing you will have criminals walking the streets. But my understanding—

Miss Nicholson: That is what was done with Chandu Lal and Des Vignes.

Sen. Brig. The Hon. J. Theodore: But my understanding is these people who have been convicted got there through the rule of law. They were subject to due process.

So maybe, since we all belong to the same country, we ought not to try to panic people. If we are discussing things here in this honourable House in a dignified and sensible manner, of course it does not appeal to all the people on the other side, but if that is the case, I will certainly—

3.20 p.m.

Dr. Rowley: Is the Minister saying or implying that if we find out that there are questions about qualifications of public officials of the kind that I have raised here that we should keep quiet about it?

Sen. Brig. The Hon. J. Theodore: Mr. Speaker, what I am saying is that if one finds out that there is something sinister or incorrect about people's qualifications one should come forward with it, but we have not yet found that out. Do not forget, we are dealing with qualifications to perform forensic pathology, not to be a psychologist or whatever it is the Member mentioned. The qualifications we are dealing with is to function in the Forensic Science Centre. So this is where we are going. The Member himself pointed out that he did not reach that far to question those qualifications. *[Interruption]* Well, we will both look for it.

Dr. Rowley: You are not looking! That is the problem.

Sen. Brig. The Hon. J. Theodore: We have started. This is the present and we are going forward and if something has been found that needs to be done, I think it is only responsible that one should do something about it.

So again, before our citizens become overly concerned and since the point raised in the Motion is that we take steps to ensure that the necessary scholars are employed, I want to assure this honourable House that positive steps are being taken and we are approaching finalization. I confirm that we wish to have the Forensic Science Centre operated with two pathologists, as was the intention. Again, the whole need of the centre must be looked at again because what is there now may not be applicable in the years to come.

Basically, I trust that I have been able to clear the air on the steps being taken by Government to have these two specialist officers employed with the Forensic Science Centre on contract. With regard to the matters that pertain to the Medical Board, I feel this is their responsibility, but again, as far as my position permits me I will make the necessary enquiries.

I take this opportunity to indicate that I trust that the purpose of this Motion was not just to suggest that nothing was being done to deal with these scholars, because nothing could be further from the truth. I should like to assure the Members of this honourable House that positive steps are being taken to ensure that the Forensic Science Centre is suitably and adequately staffed and the persons so employed are adequately and properly qualified.

Thank you, Mr. Speaker.

Miss Pamela Nicholson (*Tobago West*): Mr. Speaker, I read an article in the *Trinidad Guardian* of Saturday, September 26, 1998, written by Donna Pierre, and I quote:

“The Medical Board is prepared to take the matter relating to the qualifications of forensic pathologist Dr. Hughvon Des Vignes to the High Court. A source who spoke under conditions of anonymity said if the board was prevented from questioning Dr. Des Vignes during its enquiry then the matter would go to the court.”

I also was privileged to watch on the television and to read in another newspaper when High Court Judge Volney used another forensic pathologist, Dr.

Chandu Lal, to tarnish the medical character of Dr. Des Vignes. This is what was quoted by the judge from the Medical Board Act, page 13.

- “(5) Without restricting the generality of subsections (1) and (2), every medical practitioner shall be deemed guilty of infamous or disgraceful conduct who—
- (h) directly or indirectly holds himself out to the public as a specialist or as being specially qualified in any particular branch of medicine and who has not taken a special course in such branch and received a certificate of specialty therein which is recognised by the Council;”

This was referred to Dr. Chandu Lal in the court and he was asked if he was satisfied that Dr. Des Vignes is a forensic pathologist and stands up to that qualification or if he is a party to what I just read here. He said that the man was not qualified and the matter was thrown out of court.

So, Mr. Speaker, when I heard that, and it came in the newspapers and then we had—as I just read from Saturday, September 26, 1998—Dr. Des Vignes being chastised, it is a grievous situation to have a young, bright, intellectual sacrificing himself to his country, taking up a scholarship—because he already had his Ph.D. in Pathology when the Government gave the scholarship and he accepted—to go forward to be trained in forensic pathology to come back to assist Trinidad and Tobago. When one is exposed to that kind of situation and one is a national of Trinidad and Tobago, something must be done to clear the air.

What the Minister just did here this afternoon is totally unsatisfactory. [*Desk thumping*] The man's character has been tarnished. This is what was said of him: you are not a forensic pathologist! And this was said by his colleague! That is what I just read here, “guilty of infamous conduct”. The Medical Board did not come forward and clear the air and say that is improper and incorrect, that Dr. Des Vignes is trained in forensic pathology. Because this is what the Minister is now saying here this afternoon. Minister Joseph Theodore just said, that the two scholars who went out in 1993, Dr. Hughvon Des Vignes and Dr. Eastlyn McDonald Burris, were trained in the area and he said that the Medical Board was satisfied that their training met the standards, they were adequate and fit to fill the need of forensic pathology and the needs of the Forensic Science Centre of Trinidad and Tobago.

So Mr. Speaker, when I saw that and when I also saw on Friday, January 29, 1999, in the very area that I live a young lady died, and almost two weeks after, and I quote from the *Tobago News*:

“Was 39 year old Lynette Belfast, whose partly decomposed body was found in bushes at the back of her Lowlands home, murdered? Did she die as a result of an accident? Or was her death due to natural causes? There was no answer to these questions more than a week after the body was found since, up to Wednesday, a post mortem examination was not performed because the pathologist had not come from Trinidad to do the autopsy.”

This is in a situation when the Medical Board is stating that there are two qualified doctors in forensic pathology in this country.

Brig. Theodore: Thank you for giving way. I think I omitted to say when I got that information. You are quite correct. At the time, one was enquiring. I was told, and I cannot set a date on it, but within the last few days—I will tell you why. I had a note prepared to go to Cabinet for Dr. Des Vignes and I felt obliged to ensure that this note reflected the acceptance of his qualifications; so we questioned the board. It may be that at the time the board did not acknowledge that, but it was acknowledged to me at a later stage.

Miss P. Nicholson: Thanks for that information.

I also have a document from the Medical Board telling Dr. Des Vignes that they were pleased to register him as a doctor in pathology . Anyhow, I do not want to go into that area, I do not want to get mixed up there as yet.

The point I am making is that we have these two qualified young people. Dr. Eastlyn McDonald Burris, she came back in March, and a number of questions were asked in the House by the Member for Diego Martin West—I must congratulate him for this piece of work. [*Desk thumping*] These were the questions: Could the Minister indicate whether in the 1990s the Government of Trinidad and Tobago offered any scholarships in the field of forensic pathology?

Before that, I want to say that Dr. Chandu Lal was noted for unscrupulous behaviour since in the 1986—1991 term of government, he was found to be behaving in that way, that after he had nearly concluded his three-year contract, he would disappear off the scene and the Government must seek him out. The problem was that one had a number of criminal matters in the country with only one pathologist. If one looks at the document that was read by the hon. Minister,

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that action started since in 1990 to correct the problem with respect to forensic pathology in the country. It was because of Dr. Chandu Lal's behavioural pattern, more than once he left the country, disappeared off the scene, one had to go and get him so that he can dictate, in a monopolistic way, the salaries that he can be paid.

Mr. Speaker, it is a serious question. Any country being confronted with that kind of behavioural pattern by their forensic pathologist must take action to correct it. It was against that background that the NAR government started the action in 1990 and, in 1992 when the new government, which was the PNM Government, was confronted with the problem again, the action was implemented and the scholarships were advertised to everybody in the country, everybody who were doctors and interested in becoming forensic pathologists had the opportunity to apply. Coming out of the interviews, two young people, and I am pleased, two Tobagonians were granted the scholarships. I do not know if this is why they have to feel all this trauma, Tobagonians always have to feel trauma, even though we made them become Government, we have to feel trauma. [*Desk thumping*] I do not know if that is the problem.

They received the scholarships after advertisements. As the Minister of Public Administration said, the scholarships were granted to successful applicants in 1994. The scholarships were advertised in the daily newspapers. Circular memoranda were issued to all Permanent Secretaries and heads of departments as well as the Trinidad and Tobago diplomatic missions. Interviews were conducted by the Scholarship Selection Committee and recommendations of the committee were submitted to Cabinet which agreed to the award of Trinidad and Tobago Government scholarships to the successful applicants for training in forensic pathology at an approved institution of study in the United States of America or the United Kingdom or Canada.

The two people who got the scholarships were Dr. Des Vignes and Dr. McDonald Burris. Dr. Des Vignes already had his Ph.D. in Pathology and that is why his situation could have been fast-tracked and therefore, he was given a fellowship in forensic pathology; just forensic fellowship he had to address. That is what he was given, his was a one-year course. Dr. McDonald Burris was given a scholarship to pursue a course in forensic pathology at the University of Glasgow, Scotland, United Kingdom for a four-year period. So when Dr. Des Vignes returned, what happened? He was employed by the Ministry of National Security at the Forensic Science Centre.

I want to ask the Minister this question; you know he said something here a while ago. I want to ask: Why was Dr. Des Vignes exposed to this? When you return, you must be interviewed again, you must show your accreditation, your certificates and so on to the ministry before you are sent on the job? Was that done, Mr. Minister? If that was done, why was he exposed to that ugly situation in the court?

Brig. Hon. Theodore: My understanding is that it was not a matter of qualifications, it all stemmed about this registering the qualification with the Medical Board—which the Member for Diego Martin West cleared up quite nicely—that it is something that is done on request.

Dr. Rowley: The judge must know that.

Brig. Theodore: I beg your pardon, we are not talking about the judge, I am simply answering the question.

Miss P. Nicholson: That is not compulsory as far as the Medical Board Act is concerned. If the accreditation is given in that country one can come and practise here. He was already registered as a medical practitioner, he had his Ph.D. in Pathology and so forth. So it was just a continuation. But, why I am raising this point to the hon. Minister, when the matter came up in the court, we heard nothing from the public prosecutors. I do not know anything about the courthouse; I never went there, but I am just using my intelligence to question. Why was this youngster exposed to this after he had the adequate qualification as the Medical Board is saying? Why? When the judge asked that question, what was the role of the state prosecutors to get information to straighten out this thing? [*Desk thumping*] That is my question. Why was the Medical Board itself not questioned? Why was it Chandu Lal? Why was he the person used to undermine his colleague? I am very concerned.

Dr. Khan: Thank you Member for giving way. Just to clear up a small misconception. I am just clearing up something. The Medical Board at the time of the case in question did not have Dr. Des Vignes' qualifications; none of it. No postgrad qualifications, except the normal ones which all doctors have. It was after the case, and when the judge questioned, then Dr. Des Vignes brought in his qualifications for registration at the Medical Board. So as far as the Medical Board is concerned—when that issue came into public being—Dr. Des Vignes was a MBBS and not a registered specialist at that time, registered with the Medical Board.

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Miss P. Nicholson: Why did the judge not call in the Medical Board? Why did the judge call in Dr. Chandu Lal? Dr. Chandu Lal should have known that, because he was in the forensic—*[Desk thumping]* I am asking why the Board was not invited, instead of Dr. Chandu Lal who was working with Dr. Des Vignes—and he should have known because when Dr. Des Vignes returned, Dr. Chandu Lal was here and, of course, when the Minister of National Security interviewed him, he would have brought his documents and so forth—Chandu Lal would have known. But Chandu Lal went to the court to undermine Dr. Des Vignes. *[Desk thumping]* I feel peeved about that. The citizens of this country cannot entertain foreigners whose qualifications are questionable, to come and undermine our brilliant scholars here. *[Desk thumping]*

When the Minister of Public Administration was questioned in the House, he said, “The scholars successfully completed their training”. But the Government did not even make a clear statement to say that Dr. Des Vignes is properly qualified and so forth. Nobody did anything.

I was in Tobago a few weeks ago when I heard my honourable colleague being interviewed on Radio Tambrin. At that time I think he was acting as the Minister of National Security. He was asked if the doctor was qualified and so forth. What he said was that the Board seemed to be questioning the qualifications of the forensic scholars. If I remember correctly, I do not think he mentioned Dr. Des Vignes only; he can clarify that for me. He said that the Board seemed to be questioning the qualifications and so forth, and that he had communicated with the Minister of Public Administration asking him to follow-up the matter to have it clarified and so forth. I was surprised because that was after the Minister said in this House that the scholars successfully completed their training. I thought that he could have either said, “I have no comment to make on that” or, “ Well, in the House, on September 24, 1998, the Minister of Public Administration said that the scholars successfully completed their training”, and that was all he knew about the matter. I thought he would have taken that line; I was a bit disappointed that he took the other line. That is unimportant in this scenario.

My concern is the treatment that was meted out to Dr. Des Vignes, and that nobody has come out to clear the air to tell the country that this man has his qualifications. I am also very concerned with what happened in the court. I support the Member for Diego Martin West very strenuously. *[Desk thumping]* Because when Justice Volney uses Dr. Chandu Lal to undermine his colleague—throw out

the case—I feel that other people who are in the same situation can go to the court and make the same demands. [*Desk thumping*] To me, that is one of the frightening things.

Another frightening situation to me is that Dr. Des Vignes is still functioning in a number of courts. What are they going to do? Are they going to use the same argument postulated in the case by Justice Volney and Dr. Chandu Lal? Can other criminals and people who are charged for manslaughter use that same argument to have their cases thrown out? I am very concerned about that. I feel that we have a very messy situation here, and people like the Attorney General and people who are talking about transparency and corruption should be doing something because his prosecutors did not say a word: they did not look for any information, they did not make a statement; nobody did anything; so you have this youngster tarnished.

Then he was forced to work out the period of time—if he had three years, nobody encouraged him as they encouraged Dr. Chandu Lal. He was forced into a corner and then put under pressure. Then he might have written and asked again. They knew that he was coming to the end of his three-year period and they know that the country is in need of more than one forensic pathologist. What should be happening is that the locals should be put on the job and allow the other person to finish his term; and when the foreigner's term is finished he could go home and you have two trained local forensic pathologists to deal with our business in Trinidad and Tobago.

I am supportive of this Motion today because I have another problem which is, the length of time that is being taken to employ the female doctor. I do not know if it is because she is a woman that they are having so many problems. Mr. Speaker, this man is getting over \$60,000 a month; it may be something like \$66,000 to \$70,000 a month. Why are they having difficulty to give Dr. Eastlyn McDonald-Burris a proper salary? She can be put in a suite in the Hilton Hotel until you have prepared a proper home for her, so that she can practise in the area for which she has special qualification. [*Interruption*] I do not know about that side. I am very concerned and I feel that it is important that this matter be aired properly, and that a public apology be given to Dr. Des Vignes. [*Desk thumping*] A public enquiry should be held into this whole matter—this is an emergency situation—to find out if this man's qualification is good and so forth, and then a report should come before this House as soon as possible

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Mr. Speaker, in answer to part (c) “Arrangements”, they are saying six months ago or more arrangements were being finalized for her employment in the Ministry of National Security, Forensic Science Centre and action was being taken with a view to her serving as a forensic pathologist there, when her special training would be put to full use. After the Government has spent nearly a million dollars in this specialist area to train this young lady—and I am sure she likes it and is very excited to come to Trinidad to function—yet it is taking six to nine months for the Chief Personnel Officer to finalize her salary and to find a home for the lady. [Interruption]

The problem is your problem. If you give the lady proper salary, Mr. Speaker, as Chandu Lal is given, she would have been here a long time.

3.50 p.m.

So, Mr. Speaker, I wish—[Interruption] I am not here on any racism basis; I am here to clean up Dr. Des Vignes’ character. [Desk thumping] These are wicked people. As soon as you come here to clear up any issue, it is racist. I am not concerned with that, because I would not have made them the Government if I was interested in racism. [Desk thumping] I do not want to go into that, I am not here for that, but when he raises that, he must get me a little upset. I am not here to discuss that. My business here is to find out why these people are not employed as yet. Why have they allowed Dr. Des Vignes’ contract to expire and then he was not given another contract? Why must Dr. Des Vignes be sold to the population as if he does not have his qualifications, and that he is—let me read what the Medical Board is saying. I do not remember these things, so I have to read it:

“...and without restricting the generality of subsections (i) and (ii), every Medical Practitioner shall be deemed guilty of infamous and disgraceful conduct...”

He is guilty of infamous and disgraceful conduct. The judge said that in the courthouse, you know, Mr. Speaker, to the whole country of Trinidad and Tobago. And they are saying that it is wrong and improper to come to the House to clear it; it is racist to clear it. Well, Dr. Des Vignes’ father died immediately, he got a heart attack immediately, and died. He could not take it. So that is why I am here. I am just here to give support.

Look at what Minister Mark is saying:

“Dr. Burris said she is willing to work, and we are confident that in the next two or four weeks, we would be able to negotiate and conclude a reasonable settlement with her and she would be able to take up her assignment”.

That was in September—the 9th of September.

So I am appealing, Sir, I am appealing to the Government to:

- (1) clear the character of Dr. Des Vignes immediately;
- (2) straighten out the contract for Dr. Mc Donald-Burris.

So that the whole country—because in Tobago there might just be one or two cases for the year, and they are not employed over there for that. It is because of their love for the area that they took up the scholarships to go into that area. It was because Dr. Des Vignes had his Doctorate in Pathology already that the Government sent him for a fellowship in the forensic area.

Dr. Mc Donald-Burris took the four-year course. The people at the Glasgow University are saying, “If you do not want her, we will take her now” investigations too, Mr. Speaker—they are anxious for her. They are anxious to employ her. But she is back here because of her love for her country, and so on.

So, Mr. Speaker, in recent times serious concerns have been publicly expressed about the qualifications and suitability of Dr. Des Vignes, and we would like that to be cleared. So be it resolved that the Minister of Public Administration provide the necessary assurances—not only the Minister of Public Administration, but the Minister of National Security; I would like him to clear up and give assurances and guarantees to the public that all persons currently engaged for the purpose of providing these professional services to the state, are properly qualified. He said so, but I think he should do more than that. He should prepare a statement and put it out to the public. [*Desk thumping*]

I believe, Mr. Speaker, that based on other information which we have—like the one we have from the University of the West Indies, where when Dr. Chandu Lal applied to be a professor at the university and his qualifications were investigated, it was found that his Ph.D. was obtained from Pacific Western University. The enquirer, Dr. Daisley, said he obtained from them their prospectus,

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“a copy of which is attached for your perusal”. He sent it to the Professor at the University of the West Indies. He said:

“On the basis of the contents, I am of the view that his Ph.D. is not in keeping with the academic standards recognized and adhered to by our University”.

So I believe, Mr. Speaker, because of statements like these, an urgent public enquiry is necessary to look into this matter.

I thank you, Sir.

The Minister of Tobago Affairs (Dr. The Hon. Morgan Job): Mr. Speaker, the Motion we are debating is indeed of public interest, but, I think some of the comments I have heard are rather invidious and tendentious. [*Desk thumping*] I do believe that, without so saying, cases were being made out to point the public’s mind to issues which are really not contained in the Motion. May I remind the public, Mr. Speaker, by reading the Motion?

“*Whereas* the evidence of the State’s forensic pathologists is a critical component of the criminal justice system; and

Whereas any failure on the part of the State to provide suitably qualified pathologists could have devastating consequences for the operation of the criminal justice system in Trinidad and Tobago; and

Whereas in recent times serious concerns have been publicly expressed about the qualification and suitability of persons currently providing these services to the State:

Be It Resolved that the Minister of Public Administration provide the necessary assurances and guarantees to the public that all persons currently engaged for the purpose of providing these professional services to the State are properly qualified and can satisfactorily demonstrate the necessary certification required for the specific purpose; and

Be It Further Resolved that the Minister of Public Administration take all necessary steps to ensure that all forensic pathology scholars who were trained, at State expense, function, immediately within the speciality discipline for which they were trained.”

Mr. Speaker, I sat here and listened to the Member for Diego Martin West and the Member for Tobago West, and I am hearing about the Brad Boyce case, I am hearing about apology, I am hearing demands for the Cabinet of this country to

intervene in judicial processes, I am hearing demands to enquire into the Medical Board, I am hearing all kinds of wildness that—

Mr. Hart: What do you want to hear about?

4.00 p.m.

Dr. The Hon. M. Job: I want to hear something about this and this has not been debated. Why do you not keep quiet, and shut up?

Why do they not learn something and have some discipline? Sorry, Mr. Speaker. I sat here all afternoon and I did not interfere with anybody. Why do they not all keep quiet? That is the problem, Mr. Speaker. Leadership by mis-example. *[Laughter]*

So, I am saying that the contributions I am coming after pose some very, very serious questions to this country. What is the role of the state? Who is to apologize to Dr. Des Vignes? Is it the Prime Minister? Is it the Attorney General? How was the Attorney General to apologize to Dr. Des Vignes for something which Justice Volney said in his court? That is Justice Volney's court. It is an independent arena. *[Desk thumping]* Who gives anybody over there or here, the right to intervene to go to apologize to anybody for anything that Justice Volney said? What kind of madness is that?

Miss Nicholson: He is mad like you.

Dr. The Hon. M. Job: What kind of craziness is that? I thought that a justice in this country had a domain that was entirely his.

Mr. Valley: Tell that to the Attorney General.

Dr. The Hon. M. Job: I thought so.

Miss Nicholson: I was asking the Attorney General.

Dr. The Hon. M. Job: So, a public apology to Dr. Des Vignes. I am asking: By whom? If Justice Volney did say, with reference to the matters of facts before him, something about infamous conduct—and somebody is claiming that killed Des Vignes' father—I do not know that the Attorney General has the right to intervene to say Justice Volney should not say that.

Mr. Maharaj: That is not a commission.

Dr. The Hon. M. Job: I do not understand that. How does that have any relationship to this Motion? This is why I say that the contributions were invidious and egregiously tendentious and they had nothing to do with this.

Mr. Speaker, the Brad Boyce case. Again, you see the tendentious nature of the thing. You know, Singing Sandra sang a calypso, maybe last year, I think, about the country divided in two. Well, this country, as far as I know, is divided into many, not two. That, notwithstanding, about the Brad Boyce case, how he got away because he is white and something like that. They brought up this Brad Boyce case. What does this Brad Boyce case have to do with the Motion? That has nothing to do with forensic pathology and qualification.

As I stand here, I sit in a Cabinet and I have certain responsibilities. They are accusing me of peddling propaganda or falsehoods, therefore, on the basis of my statements, I am unqualified to act as Minister of National Security. I thought I was doing my job. The Chief Secretary from Tobago, Mr. Hochoy Charles, called me on the telephone to ask me whether I could find out what was the problem in Tobago with no pathologist over there and there were these two people.

I am not the Minister of Health nor am I the Minister of National Security. I spoke to both my colleagues. One told me that there was a problem with the Medical Board, so I spoke with the Minister of Health and the Minister of Health, at the time, informed me that there was some problem with Miss Burris' qualifications and the Medical Board was dealing with the matter.

I am not one to interfere with the jurisdiction of the Minister of Health or the jurisdiction of the Minister of National Security. I sit in a Cabinet with them and I thought I did the best thing, I asked questions. Then, I went to Tobago where my constituents are and told them what I understood and what I knew. As I stand here, I do not plead guilty for having done anything wrong or said anything wrong. I thought I was serving my constituents, only to come in here to find all these aspersions, dedicated to the purpose of denigrating my good and sincere efforts on the part of my constituents.

They come here to bring it in a Motion that has nothing to do with what they are talking about. The public must understand the way this Parliament is used as a clearing house for propaganda. That is what is going on, propaganda against individuals, against collectivities and against Cabinet. Maybe that is the legitimate part of politics, but I am going to defend myself against all that kind of nastiness once I stand here. The truth must prevail.

I remember once in the past saying something to the effect that when I stand up here, I speak the truth and somebody interpreted it to mean that I said they are all lying. I did not say that; I did not mean that; I only meant that as far as I know, when I stand, I stand to speak the truth. So, I am telling this to the public.

Let us get into some of the substance. I am hearing that Chandu Lal is monopolistic, an unscrupulous monopolist. What does that have to do with the Motion? Perhaps Chandu Lal is, but what does that have to do with hiring Dr. Des Vignes and Dr. Burris? This is what the Motion is about. We come here and start talking about assassinating character and what Chandu Lal said: Chandu Lal wants to keep his work; he is an unscrupulous monopolist and all kinds of nonsense.

I remember when I had to go up in Tobago—if you want to know what monopoly is—somebody got up and said they could not be in the party with me. Do you want more monopolistic behaviour than that? Then, they could not work with me because I was this wild human being. I sat in a Cabinet for nearly two years and we were working together. Do you want more indication of monopolistic attitudes, of dictatorial attitudes, of tendencies that have nothing to do with co-operation, collaboration and compromise, dedicated to the purpose of imposing their uniform will on people? But, coming here to talk about monopolistic behaviour. Forget that. Singlemindedly unscrupulous, that is what I would say. That turdlike kind of thing, I do not deal with that.

So that, I am saying, especially at this time where we have all this, I have blamed this Government and I think I should share this with the national community. I think this Government has done an awful job with this bill—

Mr. Hinds: Ah! Awful! [*Desk thumping*]

Dr. The Hon. M. Job: Why do they not have some manners? This Government has done an awful job in terms of its propaganda and in terms of its information and its public relations concerning the bill about which they are making so much nonsense, the Constitution (Amdt.) Bill. They have missed the point because these people are here committing mischief. They are, in fact, saying that the Government must control service commissions, the Government must investigate judges, all these kinds of things they are saying today in this Parliament.

Mr. D. Singh: Yes. That is what they are saying. [*Desk thumping*]

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Dr. The Hon. M. Job: They are implying all these things in what they are saying. Let me repeat. Who is to apologize on behalf of statements made in Justice Volney's court?

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Hinds: Somebody!

Dr. The Hon. M. Job: And if the Attorney General took it upon himself to apologize, would that not be an interference in the affairs of the Judiciary?

Mr. Maharaj: That is why he is such a poor lawyer. He says somebody has to do it.

Dr. The Hon. M. Job: The public in this country have brains in their heads. Do they not? They must understand that. I have a book here by Eric Williams. Eric Williams is one of the men whom I have always read with great interest. People do not understand that we are living in 1999. Everybody is talking about the year 2000 and that it was 2000 years ago that Christ was walking on the earth and the new millennium and all that. We live in a time where the idea of Government and the state must change. No Constitution is set in stone.

Somewhere in this book, I read where Eric Williams said that his purpose, about which he was very proud, was that he wanted to mash up the Constitution. He said so, he wanted to mash up that Constitution, the one on which he became Premier. The man said so. [*Crosstalk*] "I do not want to be rude, but I say that I am particularly happy with the present duty which falls on me to help to destroy the present Constitution." That was Eric Williams. He said it. These are his words. But, these people are talking as though a constitution is something that Moses came down from Mount Sinai with and it cannot be changed. What are you telling me? What kind of bankruptcy and intellectual backwardness is that?

Mr. Assam: Because they do not know their history.

Dr. The Hon. M. Job: It is stupidity. You cannot run this country with a Constitution that says you cannot hang anybody. In the newspaper this morning, they injected somebody in Kentucky and killed him. Every day they are hanging somebody somewhere in the world. You cannot hang anybody here because of the Constitution; you must leave it so. Something is wrong with that. You bring a bill here, a Constitution (Amdt.) Bill, so you can get to hang people, they vote against it, because they want to maintain the *status quo*. [*Desk thumping*] These people

are antiquarians; they are obsolete; they are dinosaurs; they are not ready for the 20th Century.

So, we have things called service commissions. From what they are saying here this afternoon, they really do not believe in service commissions. They do not believe in the independence of the Judiciary.

Mr. Assam: Because you must question Justice Volney.

Dr. The Hon. M. Job: Yes. You must go and argue with Justice Volney and embarrass him in public. The judge makes a decision in court; they want you to embarrass the judge. Who is to respect any court in this country after that? Who would want to be a judge when they know that the Cabinet member, the Attorney General or the Prime Minister could say the judge is a damned fool?

Mr. Assam: They debate with forked tongues.

Dr. The Hon. M. Job: Who will want to study law to come on the Bench when they become targets of public ridicule by politicians?

Mr. Assam: One thing Wednesday, a different thing Friday.

Dr. The Hon. M. Job: That is what they are asking for.

Mr. Assam: Double speak.

Dr. The Hon. M. Job: Anytime you are demanding that some apology must be made on behalf of Dr. Des Vignes on account of what Justice Volney said, you do not believe in the freedom of the judge and in the independence of the Judiciary. You are a tyrant; you are a monopolist. That is what you are. They do not understand what they are talking about.

This is Eric Williams in *Inward Hunger* at page 378. But, before I get into that, Mr. Deputy Speaker, nobody alive in this country can deny that the service commissions are part of the problem in this country. Nobody. This is why Mr. Manning wanted to fire the Commissioner of Police because he presumed the Police Service Commission was not doing what he wanted done.

There is this bundle of illiterates running wild, marauding in the country. They say the PNM gave them free education and freedom to become bandits; freedom to take up a gun and kill each other; freedom to go to school for 10 years and they cannot read "A" from bull foot; freedom. There are service commissions; there are teachers and all that; so you cannot say that the system is working properly. I am

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saying all this in the context—[*Interruption*] Yes. Because this is what you all were talking about. [*Interruption*] You move a Motion and then stray from the Motion and talk about everything else except on the Motion, so I have to deal with that.

I am saying that much of what they said and much of what they were demanding—

Mr. Deputy Speaker: Hon. Members, I am sitting here presiding. The Member for Tobago East is on his feet and I am hearing shouts from the Member for Laventille East/Morvant about irrelevance, *et cetera*. I just say to the Members of the House that if anyone feels a Member is irrelevant and he is contravening the Standing Orders, it would be wise to get up, catch the eye of the Speaker and say that so that the Speaker could rule. The Deputy Speaker cannot rule on a point of irrelevance unless he is asked to do so.

Mr. Valley: Mr. Deputy Speaker, will you now rule?

Mr. Deputy Speaker: Well, nobody has asked.

Mr. Valley: Mr. Deputy Speaker, I now ask most kindly.

Dr. The Hon. M. Job: Mr. Deputy Speaker, I noted there were two points in the summary of the last speaker—an appeal to the Government, one, to clear Des Vignes' character; and that was in clear reference to a statement which she quoted Justice Volney said in his court. I did not write her speech, nor did I tell her what to say. She is the one who said so. All that “*gallerying*” she spent her time doing, her two points were: One, clear Des Vignes' character; and two, straighten out the contract.

Miss Nicholson: What I read in the newspaper.

Dr. The Hon. M. Job: So, I am dealing with that. I am dealing with matters of substance relevant to the debate as it has gone on so far. That is what I am doing. I am saying, Mr. Deputy Speaker, that much of what was said has nothing to do with the Motion and more to do with issues that they wanted to manufacture in order to focus the minds of the public on issues that are of an emotive nature. That is the thing.

I started off by saying that the Motion was hardly dealt with and that the debate from that side was merely tendentious and unfocussed. That is what I was saying, I had this book in my hand and I was on the point, when they were

distracting me, to say that, indeed, in the modern world, there must be constitutions appropriate to the purpose of the welfare of the people and if we pass a Constitution (Amdt.) Bill to make sure that the public, who is to be served by service commissions—Public Service Commission, Teaching Service Commission, Police Service Commission—if they are not getting good service, who is to see about their interest?

4.15 p.m

Dr. Williams said here, Mr. Speaker, and I am quoting from page 316:

“I felt constrained therefore to say in my reply to the debate:

‘In so far as anything has been said on the other side, what has been said suggests either the village idiot or the constitutional tycoon.’

The village idiot. There are a lot of village idiots over there.

‘We heard that a man could be a civil servant today and not tomorrow. We heard that the Government could vary the pay. We heard that the civil servant might have to leave the civil service on the abolition of his office, and this would lead to the spoils system; that the Cabinet could get rid of the office if it wants, and that the Cabinet is to provide jobs for the boys. What surprises me, Sir, is that the Members...’

Mr. Valley: Mr. Speaker, on a point of order. The Member is completely irrelevant. That is Wednesday’s debate, and we would come back to that at its appointed time. But that is not today’s debate, I comment.

Dr. The Hon. M. Job: Mr. Speaker, I will explain to you why I am reading this excerpt; because, the substance of their debate indicated to me that they did not understand what the Motion was all about. They bought the Motion and spend their time telling this Government to do this, and to do that. They are the ones who raised the issues; so I am addressing them. You created your problems. You created your briar patch and now you want me to get you out of it. I cannot help you.

I will continue to quote Williams:

“‘What surprises me, Sir, is that the Members guilty of these constitutional aberrations pay no attention to the constitution of this country’.

I then dealt with the Public Service Commission and its place in the Constitution of the country. It is responsible for the recruitment, appointment, transfer, dismissal and discipline of civil servants.”

Do you understand? Mr. Speaker, when these people come in here, they do not understand these things; that the Cabinet cannot interfere with service commissions and, therefore, when they suggest that we must do this and we must do that, and we must do the other; they are asking for things that are not constitutionally the privy of this Government. To ask this Government to investigate the Medical Board, the Government cannot do that.

I asked a question of the Minister of Health as to what is the scenario, what is the status. As I speak to you here, the two people will be employed. So there is no grand conspiracy to keep a job for Dr. Chandu Lal. There is no grand conspiracy to preserve a position. I am not aware of such a conspiracy. I know that everything is in place to make sure that, according to law, these people who were sent to study are going to be employed, but there is a thing called due process.

When I asked the Minister of Health, he told me that in the process there were questions being asked; there were letters being sent abroad. That was part of the process. People have to do things.

Apparently, the People’s National Movement, by their own admission, hired Dr. Chandu Lal and did not investigate him. That is what they are saying. They come here and say the fellow has papers that are fraudulent papers, but they hired him. I do not understand. I understand that the man’s papers are credible and *Interruption*].

Mr. Valley: Mr. Speaker, on a point of order. The Member is misleading the House. It was quite clear from the Member’s contribution that Dr. Chandu Lal was in the service when the People’s National Movement came in Government in 1991. That he was there in 1986. *Interruption*]

Dr. The Hon. M. Job: Mr. Speaker, I sat here and we have to have a Motion dealing with hiring Forensic Pathologists, and most of the time the Member for Diego Martin Central —*Interruption*] Most of the time they dealt with the character of Dr. Chandu Lal; they dealt with his qualifications. They said he bought fraudulent Ph.Ds. All the time they were talking about that. Now that I am addressing these questions, I am not dealing with the Motion. They never dealt with the Motion. This is what I started off saying. I sat here for hours listening to

people talking about everything, except the substance of the Motion. I do not understand these people.

Mr. Speaker, from what I have heard from the other side if, indeed, Dr. Chandu Lal had bought a Ph.D., I do not know what that relevance has to do with his substantial function of cutting-up dead bodies and telling you why they died. [*Laughter*]. I do not know you have to be a philosopher.

A fellow buys a piece of paper that says he is a Ph.D. in Philosophy, what that has to do with telling you whether your husband strangled you or fed you with gramoxone? I do not understand.

Mr. Assam: And he was doing it before he got the papers.

Dr. The Hon M. Job: Exactly. I understand that Dr. Chandu Lal's function, what he has been hired for, is to find out who hit who with a piece of bark or bilna on the head and they died because of that. That is what; not because he is a philosopher. He does not have to understand poetry like Morgan Job; he does not have to do outlines of Shakespeare. All he has to do is to tell the police; tell the court, this particular cadaver, as far as he was concerned having cut it up and having investigated it, there was foul play; there was some kind of misdemeanor the person did not die from natural causes, and, therefore, on the basis of the substantial evidence, the jury must decide whether someone is guilty of murder or manslaughter, or whatever. That is Dr. Chandu Lal's function.

So when you are talking about some fraudulent issue, what does that have to do with Dr. Chandu Lal cutting-up dead people and telling you what they died from? I do not know. I cannot understand what it has to do with this Motion. They are the ones who bought a Motion about forensic pathology and they spent the whole time talking about a Ph.D. Dr. Chandu Lal bought in Philosophy.

If Chandu Lal has fetish and calls himself doctor of Philosophy, that is his problem. My problem is whether or not he can cut-up dead people and say what they died from. [*Laughter*]. Apparently, these people really come here for theatre, jokes and for fun.

You bring a substantial Motion that has to do with why Dr. Des Vignes and a lady called Dr. Burris—they are not getting employed because there is some grand conspiracy to keep Chandu Lal on the job and not hire these two bright Tobagonians. Tobagonians have always been producing ambitious people; Des

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Vignes and like Job, of course. I will concede Rowley also. [*Laughter*] I will concede volcanologist on that list.

Mr. Speaker, what I am saying is that we are dealing here with a substantial Motion, having to do with hiring these two bright Tobagonians. Apparently, there is some kind of ongoing conspiracy to deny them their legitimate opportunity, because the Government some time in 1991 or 1992, had sent them and spent a \$1,000,000.00 to educate them and they have been back here and they are not on the job. This is the substance of the Motion.

The substance of this Motion has nothing to do with whether there is a certain gentleman called Chandu Lal who fancies himself as a doctor of philosophy, it has nothing to do with that—and goes to some fly-by-night college, some tree of knowledge college, and buys a piece of paper to say, I am a philosopher. That has nothing to do with the Motion, Sir.

I humbly suggest, Mr. Speaker, that much of what the Member from Diego Martin West and the Member from Tobago West were talking about, is totally otiose, irrelevant to the point, irrelevant to the debate. No substance, whatsoever.

In the particular case, Mr. Speaker, where they are trying to say that Dr. Chandu Lal and the Government were in some conspiracy to deny the legitimacy of Mr. Des Vignes' qualifications, the information that came out in this honourable House, this afternoon, is of such a nature as to bare the naked truth, that the evidence available to the Medical Board, up to the time of the Brad Boyce case, was of such a nature as to keep away from them the matter of fact with respect to Dr. Des Vignes' qualifications. That is all the evidence that came out, even in the House here, today.

So, how do you want the Medical Board or anybody who is making a comment on Dr. Des Vignes' qualifications to make statements or to take actions on information that they did not have? Except, if all of us live in a country of obeah and venom. I understand that the first official act of the Manning's regime was to involve itself in obeah, at midnight to take down the dragon from the top of the Red House. Instead of educating people, you have people immersing them in necromancy and all kind of bogus doctrines. They would not educate people about objective moralities.

4.25 p.m.

Mr. Speaker, then it is said that the Medical Board was prepared to go to court on Dr. Des Vignes. As far as I know, Cabinet has been deliberating on the fact of hiring Dr. Des Vignes. So what is this about the Government being in cahoots with Dr. Chandu Lal and the Medical Board to make sure that Des Vignes does not get a job?

The second point is that the Member for Tobago West was demanding that we straighten out the people's contract. That is in process. All the evidence which is available to the citizens of this country is that the Government is working according to due process to hire the two persons. There is no conspiracy.

One of the Members on the Opposition Bench in response to some cross-talk introduced that unfortunate four letter word. It does not begin with the letter "f", it begins with the letter "r". That is completely irrelevant to the debate. Then somebody said the reason Dr. Des Vignes and the other Dr. Burris are not getting jobs is because they have the wrong names.

What is wrong with their names. Their names are valid, their names are their names. What is a name? A name is a label. You could have called them "x1z", or "y2k". A name is a label, so what is wrong with Des Vignes? What is wrong with Burris? Nothing is wrong with their names? Job is a good name. Manning could be a good name too, if he behaves properly. *[Laughter]* Nothing is wrong with the people's names.

Why in a debate having to do with forensic pathology and hiring people and making sure that the judicial processes of this country are not put in jeopardy, the name of a doctor who is a forensic pathologist or who has been trained becomes important? What is this thing about a name in Trinidad and Tobago?

Mr. Speaker, to show you why names are irrelevant to this issue, I remember way back in 1965 I went to look for a farmer whose name was Ramgoolam. I met a guy and I asked him if he knew where Mr. Ramgoolam was and he said, "I am Mr. Ramgoolam." Mr. Speaker, the man looked just like me, and he is Ramgoolam. *[Laughter]*

Hon. Member: Nobody could look like you.

Dr. The Hon. M. Job: Mr. Speaker, this is the honest to God truth. If I lie, I die. Which reminds me, teacher Percy say: "You going to hell when you die if you tell a lie." I have not lied, Sir. And I saw the man's mother who looked like hon. Kamla Persad-Bissessar. The point I am making is that the name of the doctor has no relevance to this.

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Mr. Speaker: Hon. Members, the House seems to be jovial. I think this is a convenient point at which to suspend the sitting for half an hour.

4.30 p.m.: *Sitting suspended.*

5.00 p m.: *Sitting resumed.*

ADJOURNMENT

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that the House do now adjourn to Friday March, 12, 1999 at 10.30 a.m. when the Government proposes to continue the debate on the Constitution (Amdt.) Bill, and also to do the validation of the Third Report of the Election and Boundaries Commission, (Local Government) Bill.

Mr. Speaker: Hon. Members, before I put the question of the adjournment of the House, I did give leave to the Member for Diego Martin Central, to raise a matter, on the unfortunate effect of the selection of Mr. Verne Richards, Chairman of the Sangre Grande Regional Corporation, by the Minister of Local Government ahead of Mayor Elvin Edwards to attend the symposium on Local Government and Civic Society in Malta on March 16—19, 1999 despite the selection of Mayor Elvin Edwards by the Association of Local Government bodies and its recommendation, as such, to the Minister of Local Government. The Member for Diego Martin Central.

Symposium On Local Government

Mr. Kenneth Valley (Diego Martin Central): Mr. Speaker, I moved to file this Motion because on yet another occasion, we see what appears to be, an abuse of power on the part of the Government. This appears to be becoming rather prevalent with this Government at present. What are the facts of this case?

Mr. Speaker, on January 5, 1999, the Director of the Commonwealth Local Government Forum, a body located in the United Kingdom, wrote the Trinidad and Tobago Association of Local Government Authorities the following letter:-

“Symposium on Local Government and Civic Society in Small States to be held in Malta on 16-19 March 1999

Dear Colleague

I am pleased to announce the above symposium, organised by the CLGF, with support from the United Nations, the Commonwealth Foundation, and the UK Government.

The event will look at the issues affecting the local governance of small states, including public sector reform, service delivery, and the relationship between formal government structures, community groups, the private sector and NGOs. Public accountability, the role of traditional leaders and the value of regional co-operation will also be addressed. I attach an aide memoire and provisional programme. Participants are invited to prepare a 3—4 page presentation addressing these issues in their country.

CLGF invites you to send a senior representative to attend. CLGF will cover the cost of a return, economy class airfare to Malta, and accommodation and...Additional representatives are welcome to attend at their own cost.”

The first thing one notices from this communication, Mr. Speaker, is that it is a local government matter, dealing with Mayors, Chairmen and so forth and the body is asking for participation from the Association in Trinidad and Tobago.

Mr. Speaker, my information is that on February 1, the Association met and selected Mayor Elvin Edwards of the Arima Corporation to represent the Association at this forum, and the Ministry of Works and Transport was informed. Lo and behold, Mr. Speaker, on February 5, after the Ministry was informed of the nominee of the Association, the Ministry of Local Government informed the Secretary—and I should put this on the record, Mr. Speaker—by letter dated February 5, 1999 addressed to Miss Sandra Singh, Secretary Trinidad and Tobago Association of Local Government Authorities:

“Dear Madam

This is to inform you that Mr. Verne Richards has been nominated...”

I ask that we note the word, Mr. Speaker, because as I said before, on February 1, the Association met and duly nominated Mayor Elvin Edwards to attend this forum. The Minister is writing the secretary and is now saying:

“...that Mr. Verne Richards has been nominated to travel with me to Malta and Barcelona.

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The travel tickets etc. sponsored by the International Bodies, will be utilized by Mr. Richards for this trip. Mr. Elvin Edwards will not form part of the delegation.”

Mr. Speaker, understand what has happened. Here it is, the Commonwealth Association or the Commonwealth Local Government Forum has asked for a participant from the Local Government Association, to attend this forum to present a paper.

5.10 p.m.

The Association, conducting its affairs, nominated Mayor Edwards to attend the forum. His airfare and accommodation were to be paid for by the Commonwealth Local Government Forum at no cost to the Government. The Government had nothing to do with this. But, lo and behold, we have the Minister of Local Government informing the secretary that Mr. Verne Richards has been nominated. Now, I ask the simple question: By whom? Because it certainly was not the Association. So, I would hope that the Minister, in his response this afternoon, would be able to tell the Parliament and the national community who nominated Mr. Verne Richards to accompany him, and with what authority he could usurp the functioning of the Association of Local Government?

Mr. Speaker, the Association of Local Government Corporations of Trinidad and Tobago was established by legislation under the Municipal Corporations Act No. 21, 1990. Part XIII, clause 233 says:

- “(1) There is hereby established for the purposes set forth in subsection (2) an Association to be known as the Association of Local Government Corporations of Trinidad and Tobago (referred to below as ‘the Association’) consisting of all members of Local Government Corporations.
- (2) The objects of the Association are to promote the common interests of all local government bodies, and more particularly—
 - (a) to promote the effective and efficient management of Municipal Government Corporations;”

I repeat, Mr. Speaker, “to promote the effective and efficient management of Municipal Government Corporations”, so that one can see clearly that this type of symposium would assist the Association in doing so, by exposing its members selected by the Association to fora of this type, especially when it is at no cost to

the Government and, of course, there are the objects to act as the medium of communication and to confer with Government corporations, and to provide representation, in Government, of public bodies.

So, Mr. Speaker, if there is a legally established body acting within its powers, and we have a Minister who is abusing his powers—really, up to now, I do not know whether he can legally do so. I think if the secretary of the Local government body was to say no to him, I do not know what he would do. The thing about it is, I remember when this Association had its election that the Minister was there. The Minister was at the election of the executive of the body. I was there, and I met him there. He knows that the Association is legally constituted. He was there. He could not take part in the elections, but he ensured that his mayors and chairmen voted in accordance with his dictate, and so, Mr. Verne Richards is the Chairman of the Association. He was there on the morning. We witnessed the election. He is aware of the fact that it is a legally constituted body. On what basis, then, could the Minister act in this fashion?

Mr. Speaker, as I said, I was moved to raise this matter, because it appears to be now the norm of this Government to abuse its power, especially that Minister. *[Desk thumping]* I do not think we need to go back to the highway incident, but we can see exactly what has been happening with the Unemployment Relief Programme which now falls under the Minister. On Wednesday, one would recall that the Minister responded to a question posed by the Member for Diego Martin East, which the Member asked with respect to the recruiting practices in the Diego Martin Regional Corporation, and we were told that the Minister had the counsel or advice of regional corporations from Couva/Tabaquite/Talparo and Princes Town with respect to the hiring of persons in Diego Martin.

While last year, for the first year, there was some involvement of the Chief Executive Officers and the Chairmen of the regional corporations in the hiring of the monthly staffed people, that did not happen this year, because when they came with the programme last year and thought they were putting a monkey on the backs of the PNM corporations, the PNM corporations showed that they were able and capable of running the programme effectively. So in spite of the problems they attempted to create, in spite of the reduction in funds to the PNM corporations, the programme, by and large, worked well.

Mr. Speaker, when they saw that, this year they have gone ahead and have been again abusing their power. This Government which spoke in its manifesto about accountability, which spoke about autonomy in the local government

system, has gone ahead and recruited persons in that programme with the sole aim of attempting to create problems in the PNM corporations. The Prime Minister then has the gall to say that thugs and criminals are involved in the programme in PNM corporations, when we understand that it is the Minister of Local Government who did the hiring for the programme, we understand who employed the thugs and the criminals in the system. But it points to that abuse of power.

I know the matter is still before the Parliament, but it is the same type of abuse we see rearing its head once more when the hon. Attorney General can come here with a Bill talking about parliamentary committees for service commissions, including the judiciary.

Mr. Maharaj: Do you want to start that debate now?

Mr. K. Valley: I do not want to start a debate. I am merely referencing it. It is their conduct which I believe we have a responsibility this afternoon to bring to the national community, because this is a wanton and reckless abuse of power by the Minister of Local Government. If the secretary of the Local Government Association—as a matter of fact, I think they are meeting next week, and I have already instructed my people to tell the Minister to go to hell; that, in fact, a particular member has been nominated by the Association, and we have already taken steps to inform Mr. Wright at the Commonwealth Local Government Forum of what has happened. I tell him, we will see whether Mr. Richards will go. I want to understand on what basis he was able to nominate Mr. Richards. [*Desk thumping*]

The Minister of Local Government (Hon. Dhanraj Singh): Mr. Speaker, I am totally surprised that a matter of this nature was brought to this House for debate. In listening to the Member for Diego Martin Central, he raised several issues that were not related to the Motion, and I wish to clear up some of those before I get down to the meat of my response.

With regard to the Unemployment Relief Programme (URP), which he mentioned, where the persons who are employed were hand-picked by the Minister, I wish to tell him that on a previous matter here, I indicated that interviews were held and persons were selected for those jobs. We were very careful in selecting the proper people for the job and these people were not influenced by politicians. He also spoke about the Prime Minister making a statement about thugs. The Prime Minister did make mention about thugs, but it was in years gone by. We do not have any thugs again in the URP. With regard to the committee having members from the Couva/Tabaquite/Talparo Corporation

and the Princes Town Corporation, the committee was so comprised that they could have co-opted persons from any corporation to assist with the interviews.

On the matter at hand, I wish to state that there is a growing trend among some Members of the Opposition in the local government fraternity and, in particular, certain mayors and chairmen, to blatantly disregard central government policies on local government matters with which, by law, they are required to comply. Furthermore, they sometimes act in ways inimical to the interest and well-being of the burgesses and citizens within their municipality or region. The URP is a case in point, where almost all the Cabinet-approved policies and guidelines have been violated, and where there has been serious encroachment on purely administrative functions, recruitment being one of them.

Any responsible Minister of Local Government, or for that matter, any Government Minister would ensure that the country is properly and appropriately represented abroad on matters for which he bears ultimate responsibility. The Minister of Local Government is very careful on who represents the Trinidad local government system at international fora. [*Desk thumping*] The Minister of Local Government has vetoed the representations of UNC Association members when it was felt that they would be incapable of providing the type of participation which would benefit the local government system in Trinidad and Tobago. We are speaking about a very important local government symposium. The Minister envisaged that serious policy issues would emerge at this meeting. Accordingly, he has selected Mr. Verne Richards who is, in fact, the Chairman of the Association, and is very cognizant and supportive of Government's policies. [*Desk thumping*] In fact, Mr. Richards has gone along with the Minister of Local Government to past seminars, and has done a very commendable job for the Trinidad and Tobago local government system, and it is only logical for continuity that the Minister of Local Government would want Mr. Richards to accompany him again.

Members of this august House, let us be honest to ourselves. Do you think that a Prime Minister would invite an Opposition Member to go abroad and support his Government's policies at a seminar? I do not think so. Consequently, it would be unwise for me to take along Mr. Edwards, who has not been following the Ministry's and Government's policies in many areas, including the URP. Mr. Speaker, I truly believe that we would gain some useful insight from turning to the development of local government systems at this symposium, and it is my feeling that Mr. Richards, as the Chairman of the Association, would be in a position

when he comes back to guide all Association members with planning and monitoring strategies for the said development.

5.25 p.m.

Mr. Speaker, in closing, the Association has generally been free to send representatives at many seminars, both regionally and internationally. In fact, even non-association members have been attending seminars at government expense, and the Ministry has endorsed it.

Moreover, the Minister congratulates the Mayor of Point Fortin, a People's National Movement Mayor, on his election as the Chairman of the World Association of Mayors. *[Desk thumping]* Let me repeat that again: the Minister congratulates the Mayor of Point Fortin, a People's National Movement Mayor, on his election as the Chairman of the World Association of Mayors. In fact, the Ministry paid for his travel abroad. *[Desk thumping]* So that this Minister is not against the participation of PNM Members, it is just that the Minister is of the view that he required the Chairman to accompany him on this visit.

Mr. Speaker, I have been given the mandate of improving the local government system of this country and from feedback from all quarters, including the PNM, I am doing just that. *[Desk thumping]* I want to continue making the local government system a strong one and I will do whatever it is within my power as minister to do just that. If Members of the Opposition are truly interested in local government, I invite them to support me and my government in making local government the viable entity that it is. Thank you. *[Desk thumping]*

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.30 p.m.